

OD-ABA-360

85548

FINAL REPORT

PROGRAM EVALUATION OF USAID'S INVESTMENTS
IN ASSISTANCE TO DEMOCRATIC INSTITUTIONS
IN
BULGARIA, LITHUANIA AND POLAND

IQC Number AEP-0085-I-00-3003-00
Delivery Order No. 4

Commissioned by:

ENI/EUR/PDP/PA
Program Analysis Division
Office of Program Development & Planning
Europe and New Independent States Bureau
United States Agency for International Development
Washington, D. C. 20523

Submitted by:

Checchi and Company Consulting, Inc.

November 26, 1993

U:\EURPDP\PA\DOCS\EVALUATE\DEMINST.DIS
ACipriani:x79139:1/4/94

3.1

TABLE OF CONTENTS

	Page
I. EXECUTIVE SUMMARY	1
II. PREFACE	4
A. Introduction	4
B. Methodology	4
III. OVERALL PROGRAM ASSESSMENTS AND RECOMMENDATIONS	7
A. Poland	7
1. Rule of Law	7
2. Education Reform	8
3. Independent Media	8
4. Intersectorial Conclusions	9
B. Lithuania	9
1. Rule of Law	10
2. Education Reform	10
3. Independent Media	11
4. Intersectorial Conclusions	12
C. Bulgaria	12
1. Rule of Law	12
2. Education Reform	13
3. Independent Media	13
4. Intersectorial Conclusions	14
D. Overall Conclusions	14
1. Rule of Law	14
2. Education Reform	16
3. Independent Media	17
4. Intersectorial Conclusions	18

	Page
IV. COMMON ORGANIZATIONAL AND IMPLEMENTATION ISSUES	19
A. Role of Field Personnel in Design and Monitoring	19
B. Use of In-Area Personnel and Organizations as Regional Resources	22
C. Targets and Benchmarks	23
D. Length of Assignments and Preparation of Liaison and Specialist Personnel	23
V. RULE OF LAW	25
A. Introduction	25
B. Assessment of Program Impact and Effectiveness	26
1. Country Program Findings	26
2. Common Issues	28
C. Major Recommendations	32
1. General	32
2. Country-Specific	33
D. Current Country Status	34
1. Poland	34
2. Lithuania	35
3. Bulgaria	35
E. Prioritized List of New and Continued Activities	36
F. Indicators for Future Impact Measurement	37
VI. EDUCATION REFORM	40
A. Introduction	40

	Page
B. Assessment of Program Impact and Effectiveness	40
1. General Findings	41
2. Country Program Findings	41
3. Major common Issues	43
C. Major Recommendations	44
1. General	44
2. Country Specific	44
D. Current Country Status and AID-Funded Activities	45
1. Poland	45
2. Lithuania	48
3. Bulgaria	50
E. Prioritized List of New and Continued Activities	52
F. Indicators for Future Impact Measurement	52
VII. DEVELOPMENT OF INDEPENDENT MEDIA	54
A. Introduction	54
B. Assessment of Program Impact and Effectiveness	54
1. General Findings	54
2. Country Program Findings	56
C. Major Recommendations	57
D. Current Country Status and A.I.D. Assisted Activities	60
1. Poland	60
2. Lithuania	63
3. Bulgaria	67
E. Prioritized List of New and Continued Activities	73
F. Indicators for Future Impact Measurement	74

ANNEXES

Annex I	Scope of Work
Annex II	Rule of Law
Annex III	Education Reform
Annex IV	Development of Independent Media
Annex V	Persons Interviewed

I. EXECUTIVE SUMMARY

This is a report of the findings and recommendations of an evaluation of AID-assisted activities to strengthen the rule of law and the role of the independent media and to introduce reforms in the education systems of Bulgaria, Lithuania and Poland. The activities currently are being supported through three regional projects which have received funding in FYs 1991, 1992 and 1993. They are the Rule of Law (180-0020), Political and Social Process (180-0021) and Independent Media (180-0022). The funds have been made available to the activities through several interagency transfer agreements with USIA and through grants to the American Bar Association's Central and Eastern European Law Initiative program (CEELI) and to the International Media Fund (IMF) through USIA.

The evaluation was performed by a seven-person team consisting of a team leader and two specialists in each of the areas of: legal and judicial activities, education and curriculum reform and the operation of the media. The team spent three days in Washington reviewing the available project documentation and holding interviews with persons in A.I.D., the Department of State, USIA, the IMF, the VOA and the American Bar Association who were involved in or knowledgeable about the operation of the activities. The team then spent three weeks in Poland, Lithuania and Bulgaria between March 18 and April 8, 1993 where it visited several of the organizations involved in the activities and conducted interviews with more than 150 persons concerning the operation of the activities and the current state and prospects for work in the areas of concern. Responding to the guidance provided in the initial discussions with A.I.D. personnel in Washington, the Evaluation Team placed emphasis on making recommendations concerning the future direction of the three projects being assessed rather than on assessing responsibility for the successes and shortfalls observed in the activities.

The following summarizes the major findings and recommendations of the report.

Rule of Law

- The ROL program is having sufficient impact to justify its continuation in the three countries which were visited. The possible exception is Poland which is further advanced than the others and whose legal authorities have become sensitive to receiving advice from external sources.
- Priority for work under the ROL program should be given to issues related to support of the growing private sector economy and to dealing with the problems of economic crime, organized crime and government corruption.

- **There is not a convincing development reason for having separate ROL programs run by CEELI and USIA and there are some disadvantages. CEELI could provide the full range of services required.**
- **Advisors sent to do in-country work do not spend enough time in-country nor receive as much advance preparation and support as would be necessary for them to be fully effective. More care should be exercised in identifying appropriate work situations for the advisors and more effort placed on identifying advisors with area experience or more resources devoted to providing the advisors with orientation about the local legal systems and related matters. Advisors should be sent for longer periods even if this means that they will have to be paid commercial level rather than volunteer level compensation and even if it means that fewer advisors can be sent.**
- **While many persons commented favorably on the CEELI commentaries on draft legislation, the commentaries did not have noticeable impact on the legislative process and in some instances did not reflect understanding of the local legal culture and institutions. This aspect of the program should be given less importance in the future and the process modified to address the weaknesses noted.**
- **More attention should be paid to forming linkages to national institutions in the legal sector including private bar associations and training centers for justice sector personnel.**

Education Reform

- **Little progress has been made on reforming the education structure, the curricula and the teaching methods inherited from the previous communist era. The will to reform is weak.**
- **The education reform program is being carried out through pre-existing USIA programs which have not been modified to focus on curricular reform. The program has not adopted an approach which integrates reforms to structure, curricula and teaching methods.**
- **Relatively weak support for education reform in the countries visited together with the large resource needs of a program which would support integrated reform of education (at whatever level) make education reform the least promising of the three programs for future A.I.D. support.**
- **If the education reform program is continued in the future it should include continued support for the work of the Ohio State Education Program in Poland and involve modification of the USIA exchange programs and the Books for Democracy program so that they directly support the reform work being carried out.**

15
1

Independent Media

- **There has been impressive growth in the independent media in the three countries visited. The number of newspapers and periodicals has exploded. The number of private radio stations has jumped significantly. In Poland even the number of private TV channels has increased several fold.**
- **The independent media program has had several favorable impacts and deserves to be continued. It provided support to private news gathering and reporting agencies in Lithuania and Bulgaria which are having success and providing a useful service. It has been instrumental in starting or strengthening five private radio stations in Bulgaria. It has assisted the Media Resource Center in Poland which is making such progress that it may develop into a new, practically-oriented journalism training institution.**
- **The main constraints to the further development of the independent media are the poor economic conditions facing investors (especially in Lithuania and Poland), the lack of journalistic tradition of fact above opinion and the lack of practical training in the technical and business aspects of running a commercially operated media outlet.**
- **Given the economic situation it is more important than ever important that equipment should be supplied to a media outlet only after close review of the economic prospects of the outlet and in response to a well thought-out business plan from the outlet.**
- **Technical assistance and training for media personnel should be focused on practical matters. Visits should be of one to three months duration and planned in close collaboration with the national institutions involved.**
- **The program should be expanded to include work on establishing or strengthening national training in journalism. A practical rather than an academic focus should be taken.**

General

- **The A.I.D. field offices are not staffed with the technical expertise necessary to meet the design and monitoring responsibilities of the programs. A.I.D. should establish one or more positions in the region under each program to have multi-country responsibility for assisting A.I.D. in design and monitoring. Those persons also could foster more attention to addressing problems on a region-wide basis and to arranging for more interchange of experience among the various A.I.D. country programs.**
- **Greater emphasis should be placed on the use of in-region institutions and personnel to work on the common problems identified under each of the three programs.**

II. PREFACE

A. INTRODUCTION

During the past several years A.I.D.'s European Bureau has provided funding for activities which are to foster and strengthen democratic institutions in Eastern Europe. Among them were activities to strengthen the rule of law and the role of the independent media and to introduce reforms in the education systems. These activities currently are being supported through three regional projects which have received funding in FYs 1991, 1992 and 1993. They are the Rule of Law (180-0020), Political and Social Process (180-0021) and Independent Media (180-0022). The total of funds obligated as of March 1993 under those regional projects for these activities are: Rule of Law - \$1.6 million; Independent Media - \$5.75 million; Political and Social Process - \$7.72 million obligated for the Education Reform and Books for Democracy activities. The funds have been made available to the activities through several interagency transfer agreements with USIA and through grants to the American Bar Association's Central and Eastern European Law Initiative (CEELI) program and to the International Media Fund (IMF) through USIA. By March 1993 the obligations under transfers to USIA have amounted to \$11.82 million while the grants to the ABA total \$1.53 million and to the IMF \$10 million.

A.I.D. issued a Delivery Order No. 4 under its Contract No. AEP-0085-1-00-3003-00 with Checchi and Company Consulting, Inc. (Checchi) to prepare an evaluation of these activities. The evaluation was to be based on the work on those activities in Bulgaria, Lithuania and Poland. The evaluation is part of an ambitious program of EUA/PDP/PA to evaluate the activities operating in 15 sectors of program assistance in the Central and Eastern Europe portfolio. The text of the Scope of Work for the evaluation is given in Annex 1.

B. METHODOLOGY

In conformity with the terms of the Delivery Order, Checchi assembled a seven person team consisting of a team leader and two experienced specialists in each of the areas of: legal and judicial activities, education and curriculum reform and the operation of the media. The team spent three days in Washington reviewing the available project documentation and holding interviews with persons in A.I.D., the Department of State, USIA, the IMF, the VOA and the American Bar Association who were knowledgeable about the operation of the activities. The team then spent three weeks in Poland, Lithuania and Bulgaria between

March 18 and April 8, 1993 where it conducted interviews with more than 150 persons concerning the operation of the activities and the current state and prospects for work on the areas of concern. Annex V is a list of the persons who were interviewed.

During the initial discussions which the Evaluation Team had with the representatives of A.I.D. in Washington, it was recommended that the team consider the evaluation as an opportunity to make recommendations concerning the future direction of the three projects being assessed. Indeed, the main purpose of the effort in assessing the strengths and weaknesses of the conduct of the activities was to be the forming of recommendations concerning the future rather than the assessing of responsibility for successes and shortfalls. Furthermore, during those conversations the Evaluation Team was cautioned that in making recommendations for the future, it should realize that there were serious constraints on the level of resources which were likely to be made available. No absolute limits on resources levels were given, but the Evaluation Team concluded that its recommendations should not be of a nature which would require a significantly higher level than had been provided during the past two fiscal years or if it were to do so it should explicitly recognize the issues presented.

The basic methodology used was that of the personal, in-depth interview together with visits to organizations participating in the programs. Most interviews were with individuals. Group discussions were avoided. Questionnaires or forms were not sent by mail (since there was no time to use that approach) or used in the interviews (since each interview was geared to the particular activity or role of the person being interviewed). This approach does not permit the use of tabulations of opinions or other quantified data. It produced some statements of fact which could be double-checked if necessary and, more important, a wealth of personal observations. As a consequence, the quality of the findings and recommendations of the evaluation is highly dependent on the experience and dedication of the persons conducting the interviews--that is the Evaluation Team. For that reason the care which A.I.D. and the contractor exercised in identifying the members of the team was the single most important factor in determining the success of the methodology used.

Given the rather distinct nature of each of the three program areas and the very limited amount of time available for the conduct of the work, the team divided itself into three subgroups which held their own interviews and discussions. However, there were some joint interviews conducted (mainly with USG officials) and at least one full team discussion was held in each country. The debriefings of the USG representatives were conducted by the full team in each country. Each subgroup was responsible for the preparation of a report of its analysis, findings and recommendations. Those reports are incorporated in this overall report.

A draft of this report was submitted to A.I.D. on May 24, 1993 for review by A.I.D. and by the grantees. Written comments were received from A.I.D., CEELI and USIA and a meeting held with representatives of those agencies on August 12, 1993 to discuss the comments concerning the Rule of Law program. After taking into account the written and

verbal comments, revised final reports were submitted to A.I.D. concerning the Rule of Law program (September 14, 1993), the Education Reform program (October 22, 1993) and the Independent Media program (November 18, 1993). This final overall report incorporates the information, findings and recommendations of those three program reports. The texts of those reports are given in Annexes II, III and IV.

There were two serious constraints to the accomplishment of the tasks as set forth in the Scope of Work (other than the usual one of too little time to deal with all aspects of the scope) -- one operational and the other structural. The operational one was that it was difficult to reach and interview many of the persons who had benefitted from the training programs. The lead time for contacting them was very short and neither the offices of A.I.D. or of USIA had readily available the names, addresses and telephone numbers of the persons who had been trained. The structural constraint was that activities important to the purposes of the projects which were the subject of this evaluation were conducted under other projects or under other activities which were not part of this evaluation. This was particularly true of the Rule of Law project since work with the commercial laws and legal institutions involved in investing and conducting commerce were not included and in the Education Reform project since the improved management of educational institutions and the English teaching activities were not included. As a result, one is in danger of losing sight of the whole -- in one case of the legal system as a system and in the other of the relationship of the organization of schools and the training of teachers to curricular reform. The recommendations (and the conclusions on priorities on which they are based) then must be understood in the context of the limits to the scope of the activities under review.

III. OVERALL PROGRAM ASSESSMENTS AND RECOMMENDATIONS

This part summarizes the conclusions of the Evaluation Team concerning the three programs and the relative impact and importance of the programs in the countries visited. It also makes recommendations for future focus.

A. POLAND

Among the three countries visited Poland is the most advanced in strengthening democracy and in making the transition to a market economy. It is also the most accustomed to Western assistance and, perhaps consequently, somewhat less open to Western advice than might be expected. This is particularly the case in the rule of law area.

1. Rule of Law

Poland got an earlier start and is further along in the development of the rule of law than the other countries visited. In general the recognition of human rights and commitment to reform seem firmly established. Overall legal reform priorities are shaped by the general recognition that economic/commercial laws, regulations and institutions are comparatively the most underdeveloped and the most important to address in order to support a growing private sector-driven economy. Dealing with economic crime is considered a priority along with combatting organized crime and government corruption.

The Rule of Law program has not been very active in Poland. In general, the activities which have been conducted do not seem to have had much impact nor to have created lasting institutional linkages. The most favorable comments were directed at the exchanges conducted under the Sister Law Schools and the De Paul Human Rights activities. Observation trips to the U.S. were particularly valued.

The plans for the A.I.D. Rule of Law program in Poland are not clear, but it is unlikely that the program will be given great support. Both Polish and U.S. officials place greater priority on work on the legal aspects of commerce and investment than on the strengthening of the structure of the justice system. In addition, the apparent sensitivity of Polish jurists to outside advice makes it difficult to have extensive activity in this field. Finally, Polish interest in harmonizing economic laws and regulations with western European requirements and in implementing the European Convention on Human rights seems to warrant more European than American involvement.

The evaluation team accepts these conclusions and priorities, but thinks that the leading role of Poland in the democratization of Eastern Europe would justify some continued work on the rule of law in Poland to assist it in remaining a positive example. This might best be achieved through a focus on providing the opportunities for key legal educators and decision makers to visit the U.S. and get a practical orientation to the working of relevant aspects of the U.S. legal system.

2. Education Reform

Rigidity, uniformity and centralization characterized the school system of the nation during the forty-five years of the people's Republic of Poland. During the last three years a new parliamentary act has simplified and restructured education below the university level. However, as yet there is no broad national reform or restructuring in existence. In contrast, some curricular reform has begun with the outlining of new core curricula for the primary and secondary schools. At the higher education level there is some discussion about moving toward autonomy for institutions. However, no significant changes in this direction are discernible and there is no general effort at curricular reform.

The principal impact of the A.I.D. program to date has been the preparation of the reformed curriculum for secondary schools including the civic education component which was assisted by the Ohio State Education Program. The other USIA programs under SEED either are not focused on education reform or are not producing significant results.

A modest future program in education reform should continue support for the Ohio State Education Program to enable it to help in the preparation of teaching materials needed to implement the curricular reform at the secondary level. It also might include support for the work of the America Studies Center of Warsaw University in developing courses in the social sciences. A more ambitious program would address the needs of teacher training and the democratization of school structures. However, it is hard to justify a recommendation for undertaking the more ambitious program given the results of the efforts to date and the large resource levels which would be required.

3. Independent Media

Of the three countries visited, Poland is furthest along the road to a totally free press. Less than three years ago there were only three private radio stations and one private television station. Today there are at least 45 private radio stations and 18 private television stations. There are some 700 applications for radio licenses and over 200 applications for television stations pending. The print media has exploded with more than 200 new publications having come into existence. The major weakness of the current situation are that there is still too much opinion and not enough fact in the reporting; there is a battle between the old and young guard within the profession of journalism which hinders its providing the leadership which would be desirable; and the training of journalists is weak.

The main focus of the A.I.D. program in Poland has been on working with the Media Resource Center through the IMF. The Center has shown good progress and deserves continued support. It has the potential to become a practically oriented training school for journalists and perhaps a center of excellence for the region. The general training and exchange programs of USIA are favorably received and could be continued although they are not organized to give discernable results and should be modified as suggested in subpart D below.

4. Intersectorial Conclusions

None of the three programs appears to be of substantial importance to progress on democratization in Poland. This results from the combination of the advances which Poland already has made and the modest level of resources which have been provided and appear to be available under the programs compared to the levels needed to make a noticeable impact in such a large country. In the case of the rule of law and the strengthening of the independent media, the more important factor is the progress which already has been made. In the case of education reform where the need is greater the more important factors are the large amount of resources required for carrying forward a comprehensive reform below the university level and the lack of important agents for reform at the university level.

Given this situation, unless one concludes that Poland will be seen by the other Eastern European countries as a leader and model whose experience is to be studied and perhaps followed, there is a good case for ceasing to work on democratization in Poland and for using the resources in other countries where the need is greater and the impact likely to be more apparent. If one sees Poland as being a leader we suggest following a highly selective target of opportunity strategy. It might consist of work with the Media Resource Center in Warsaw, assisting in the preparation of teaching materials for the secondary level curricular reform and organizing exchange and other opportunities for leaders of the legal profession to become acquainted with US modalities in legal training and the administration of justice.

B. LITHUANIA

The A.I.D. program in Lithuania is just beginning. Of the three countries visited Lithuania is closest to its Soviet past. It is clear that Lithuania needs assistance in strengthening democracy and that there is an openness to U.S. assistance which offers a good opportunity for an A.I.D. program. However, the economic situation of the country is so poor that it will be difficult for local organizations and persons to achieve financial independence or even stability in the short run. This will impede the achievement of impact. Indeed, most observers offer the poor economic situation as the explanation of the return to power of the former Communist party in the recent elections.

1. Rule of Law

Of the three countries visited Lithuania has the farthest to go in the establishment of a democratic rule of law and has legal reforms which are most in danger of being defeated. As elsewhere in the region, the highest priority for legal reform is the establishment of law, regulations and institutions supportive of a market economy. The training of judges and the setting up of new commercial courts will be important parts of this effort. Priority also is being given to the reform of criminal law and procedure and the restructuring of the hierarchy of the court system. The strengthening of the courts and of the penal law and procedure is viewed as a way of combat the burgeoning problem of organized crime which is abetted by official corruption. This concern also is leading to the adoption in the name of reform of provisions which weaken the protection afforded criminal defendants.

Although less than a year old the rule of law program in Lithuania has made a strong beginning with a number of activities that have been effective and shown impact. Some activities supported by the project--such as the CEELI judicial training initiative--apparently have won the support and good will of several key players in the legal system. The CEELI program in Lithuania appears to be having the greatest current impact among the three ROL programs reviewed and it has made a beginning on some institutional relationships and initiatives that could have lasting impact.

The program does have some weak aspects which should be given attention. One is that the draft law analyses and other written reports and materials produced appear to be of uneven quality with some of those reviewed displaying a lack of familiarity with basic elements of the European civil law tradition and the major features of former soviet legal institutions. Another is the need to increase the involvement of Lithuanian lawyers in the planning and execution of activities which are supported. A third is that since the requests for assistance are numerous and growing a strategy or standards for selection of what will be undertaken is needed. Our suggestion would be that there be less emphasis placed on the preparation of commentaries on draft legislation by US lawyers and more emphasis be placed on judicial training, improvements in the administration of courts and support for exchange opportunities of Lithuanian lawyers both in other European countries and in the US.

2. Education Reform

Lithuania still has a highly entrenched, old-fashioned bureaucracy which was socialized under the Communist system. Most of the personnel in leadership positions in schools and the offices of the Ministry of Education share the same mentality and resist change. The structural reforms adopted on paper in 1991 have not been implemented. There is no functioning democracy in schools for either students or teachers. Curricular reform at the university level is not discernible. Some planning for such reform below the university level

is taking place in an In-service Training Center at Vilnius Pedagogical University and in the Department of Civic Education at the Ministry of Education. However, there has as yet been no implementation.

There has been little impact as a result of the initial activities of the A.I.D. assisted program in Lithuania. Perhaps the most notable has been the result of the visit to the U.S. of the four specialists in education for the handicapped who introduced changes in practice on their return. If education reform is to be pursued in Lithuania it would seem appropriate to build on the incipient work of the In-service Training Center and the Ministry of Education mentioned above. However, this would require a reorientation of the Fulbright and other USIA programs and be based more on hope than on a solid conclusion that reform is likely to go forward.

3. Independent Media

There is a free press in Lithuania but much of it is a spinoff of former Communist publications with many of the same people in positions of power. Although the government does not appear to exercise any direct control over the content of state radio and television, the recent change in government resulted in new personnel in the top positions and their attitudes have yet to be tested. Currently there are 11 small municipal television stations and four national channels: two originate in Moscow and are in Russia (one being Ostankino which is the most popular of all), one is in Polish and one is operated by the national government but provides little Lithuanian programming. State radio dominates the news while new private radio outlets get high audiences primarily because of the Western music they play.

The print media has grown substantially. There are now over 200 newspapers most of which are weeklies. While there is no direct government pressure on them concerning content, all but one are printed on government owned presses and it is assumed that the displeasure of the government can be expressed through "difficulties" in printing and distribution. While everyone agrees that the truly objective journalism does not exist in Lithuania there is pluralism and all opinions are being heard.

The A.I.D. financed program provided a very modest amount of assistance to the Baltic New Service which has established itself as a source of reliable information. That is a success. More important, the program has established contact with two potentially important institutions: the Vilnius University School of Journalism and the Liucija Baskauskas Network. The former is reforming its curricula and adding many practical topics. The latter is a private entity which has a seven year license to use one of the TV channels currently being used for Russian language programs for Lithuanian programming. It plans to provide both Western and educational programming. Both of these institutions have ambitious plans and face large resource needs to carry them out. However, both show the energy and focus which would justify support.

4. Intersectorial Conclusions

The newness of the A.I.D. supported programs makes it difficult to reach conclusions concerning their relative value. Given the small size of the country and its desire for US assistance and advice, there is potential for achieving impact under all the programs with a reasonable level of resources. Judging by the degree of enthusiasm encountered for US assistance and the energy of the potential counterpart organizations, we should give priority to work on the independent media and the rule of law.

C. BULGARIA

1. Rule of Law

As in Lithuania the poor economic conditions and the recent change in government are causing major uncertainties and difficulties for all the reform programs and as in Poland the large number of visiting experts and the interplay among the many assistance agencies which have become active during the past several years are causing some negative reactions and skepticism concerning the utility of foreign assistance and advice.

There is general agreement in Bulgaria that economic law, regulations and institutions are comparatively the most underdeveloped and the most important to address in order to support a growing private sector-driven economy. As in the other countries visited, addressing economic crime is considered a priority along with combatting organized crime and government corruption. In that connection Bulgaria is just completing a reform of its penal code and work on reforming the criminal procedures code is in the hands of an inter-ministerial working group.

The A.I.D. assisted rule of law program has been operating in Bulgaria for several years. It is the most active of the three countries visited. In the early stages of the activity it appears to have been very well received and the CEELI program established a working relationship with the Bulgarian Center for the Study of Democracy which, among other things, prepared translations of draft laws which were sent to US lawyers for commentary and of the summaries of these commentaries which were submitted. However, the program is facing several difficulties at present. Perhaps reflecting the larger situation concerning foreign assistance, the receptivity to the offered advice seems to have declined significantly. The commentaries provided on draft laws do not appear to have much impact. Advisors (including long term advisors) have been placed in situations which were not prepared for or interested in utilizing their services.

Despite the current difficulties facing the program, it appears likely that it will remain an important part of the overall effort to strengthen democracy in Bulgaria. The Evaluation Team does not disagree with that result, but recommends that steps be taken to overcome the current difficulties and to place greater emphasis on strengthening institutional linkages and involving the private bar in the program.

2. Education Reform

At the primary and secondary levels there are as yet no clearly formulated plans for structural changes. The Soviet model has a strong hold on educators and administrators at various levels. Structural reform has been delayed by repeated reorganizations of the Ministry of Education which have also been a major deterrent to curricular reform. Indeed, curricular reform is barely beginning. Funds and as well as will to reform are in short supply.

A law has been passed granting autonomy to institutions of higher education, and some steps have been taken to plan the introduction of a credit system and western style degree programs. Progress on curricular reform would seem to be most likely to occur in the recently established New Bulgarian University.

The A.I.D. assisted education reform program has been focused on the university level working through the traditional Fulbright and other exchange programs. The exchange professors have been involved in the two institutions mentioned above and their presence most likely contributed to the receptivity to reform which seems to be forming in them. Should the program be continued in the future it would seem wise to focus it on these two institutions. However, a decision to continue the program would have to be based on hope or response to a clear target of opportunity since the experience of the program to date would not justify the conclusion that significant impact is likely to occur.

3. Independent Media

Bulgaria's progress toward a free press appears to be slower than in Poland and Lithuania. All major newspapers are tied to a political party or labor union or are financed by mysterious money believed to be funds smuggled out of the country by Communists and now being smuggled back for private purposes. The problem of more opinion than facts seems more serious in Bulgaria. However, there is an increasingly open dialogue on radio and television and polls have shown that people believe there is a higher degree of objectivity on radio and TV than in the newspapers.

Television is dominated by the state which has two channels. The state television network carries little Bulgarian programming and needs massive investment. There are also functioning channels for Ostankino from Moscow and TV 5 from France. Two private television licenses have been granted but the recipients have not proceeded because of the doubtful economic prospects.

The state has four radio networks and a monopoly of AM broadcasts. There are now 12 private radio stations most of which were started during the last six months. They have gained nearly 40% of the audience in Sofia. Some appear to have ample financing from the

smuggled funds mentioned above. Others were dependent on assistance from external foundations and organizations and face the difficult task of generating expenses from advertising revenues. Their prospects are unclear.

The A.I.D. assisted program in Bulgaria was the most active of the three which the Evaluation Team observed. It has contributed to the strengthening of five private radio stations and an independent news service. The major shortcomings of the program to date are that it has not found a way to work with television or to strengthen the training of journalists and other media professionals. This reflects the local situation rather than any failings on the part of the program's planners and managers. The unclear economic situation and the lack of a target of opportunity would argue against seeking to work on television and call for caution in providing equipment to radio stations apart from that which has been promised already or which clearly complements equipment already provided. We suggest that the program place emphasis on seeking to identify and assist an in-country training mechanism such as those being assisted in Poland and planned for assistance in Lithuania.

4. Intersectorial Conclusions

Based on both the level of activity achieved in the past and the degree of current interest in reform, the programs for the rule of law and the independent media are better candidates for continued work than is the program for education reform. The institutional base for working in the rule of law is stronger but the program will need adjustment better to reflect the priorities of the justice sector. Both the programs need to focus more on providing training and strengthening local training institutions.

D. OVERALL CONCLUSIONS

1. Rule of Law

The Evaluation Team observed the operation of the rule of law program in three quite different situations: Poland, where there had not been much activity and the local legal culture and institutions were quite far along on reform; Lithuania where the program was just beginning and the legal reform movement is just getting underway and not firmly established; and Bulgaria in which the program has been very active and the local reform movement has a relatively firm foundation. With the possible exception of Poland, all the country programs deserved continued support. Furthermore, the observations and conclusions of the Evaluation Team were largely consistent in each of these national situations observed.

Priority for Work

In all cases the priority in the legal sector is to work on issues related to support of the growing private sector economy and to dealing with the problems of economic crime, organized crime and government corruption.

Utility of Two Separate Programs

In none of the countries did the Team find a good development reason for having separate ROL programs run by CEELI and USIA nor did it observe mutual reinforcement taking place between the two. The Evaluation Team recommends that the USIA program not be continued.

Commentaries on Proposed Laws

The Evaluation Team did not find much evidence that the commentaries by US lawyers on draft legislation were having impact, and while it found that many persons commented favorably on the assistance, it also noted that some of the commentaries did not reflect understanding of the local legal culture and institutions. It concluded that this aspect of the program should be given less importance in the future and the process modified to address the weaknesses noted.

Conditions of Service by Advisors

The Evaluation Team found that usually the advisors working on the program did not spend enough time in-country nor receive as much advance preparation and support as would be necessary for them to be fully effective. This was true both for country representatives, professionals in residence and short term advisors. As a result the Evaluation Team recommends that more care be exercised in identifying appropriate work situations for the advisors and that more effort be placed on identifying advisors with area experience or that more resources be devoted to providing the advisors with orientation about the local legal system and related matters. The Evaluation Team also recommends that advisors be sent for longer periods even if this means that they will have to be paid commercial level rather than volunteer level compensation and even if it means that fewer advisors can be sent.

Analytical Basis for Work

The Evaluation Team found that the activities which were not based on a systematic assessment of the state of play of the national legal systems nor a carefully through-out set of priorities. The activities responded to common sense conclusions as to what was needed and requests from various local institutions. With the growth in the level of requests and the need for focusing limited resources to achieve impact it will be necessary to have more reasoned priorities. The Evaluation Team recommends that the program conduct expert assessments of the major problems and needs of the legal systems, legal community and

education/training institutions form a rule of law perspective to assist the national authorities and jurists and A.I.D. in diagnosing the major problems, in setting priorities and in forgoing practical strategies to address the problem.

Institutional Linkages

The Evaluation Team found that while some attention had been paid to establishing institutional linkages little attention had been paid to strengthening national legal institutions. The Evaluation Team recommends that more attention be paid to forming the linkages and that the private bar associations be included in the work of the program whenever possible. The Evaluation Team also recommends that much more attention be placed on the strengthening of national institutions in the legal sector such as training centers.

Regional Approach

The Evaluation Team found that little attention was being put on region-wide activities or on learning from the experience of other programs in the region. The team recommends that A.I.D. establish one or more positions with region-wide responsibility to "ride circuit" in order to provide support to the country programs and to foster more attention to problems on a region-wide basis.

2. Education Reform

The Evaluation Team found that in all the countries visited the education systems still suffered from the rigidity, uniformity and centralization characteristic of the Communist era. While some legislation has been passed providing for decentralization and other reforms little has been implemented and the positions of authority usually are held by the same persons as in the previous era or by persons whose thinking was formed in that era. This is true at both the university level and the primary and secondary levels.

Some movement has taken place on curricular reform at the primary and secondary levels in Poland and Lithuania and in special situations at the university level in Bulgaria. However, in general there has not been significant movement on this aspect of education reform.

The A.I.D. assisted program in education reform has not had much impact. In part this reflects the weak state of local reform movements and in part it reflects the shortcomings of the program itself. The Fulbright and other exchange programs and the Books for Democracy Program have not been focused on curricular reform at any level and the various activities support from SEED do not see themselves as part of an overall program. There have been no sector assessments conducted nor strategies developed for carrying out education reform nor has there been attention placed on the need for reformed instructional material and teacher training. The principal impact of the program appears to have been

the preparation of reformed curriculum for secondary schools in Poland carried out by the Ohio State Education Program. Continued assistance to the implementation of that curriculum and addressing the opportunities for curricular reform which seem to be present in Lithuania are the activities which would deserve support in the future. However, the continued effort in support of curricular reform is not likely to achieve important impact without substantial additional resources to support the preparation of instructional material and teacher training in their use and without attention being paid to introducing greater flexibility into the operation of the schools themselves.

3. Independent Media

There has been a very significant growth in the size and independence of the private media in the countries visited. The growth in the print media has been explosive and in radio quite substantial. Because of the higher costs involved and the weak economic situation (especially in Lithuania and Bulgaria) the growth of private television has been much less. However, with economic improvement there is likely to be more interest on the part of private operators in taking advantage of the new openness. The problems which face the strengthening of the independent media in all the countries include the tradition of too much opinion and not enough facts in the conduct of journalism, the lack of journalism training and the need for training in the technical and business skills needed to operate commercially operated outlets--especially radio and television stations.

The A.I.D. program has had several favorable impacts. It has supported training programs which have been widely praised. It provided support to private news gathering and reporting agencies in Lithuania and Bulgaria which are having success and providing a useful service. It has been instrumental in starting or strengthening five private radio stations in Bulgaria which have increased the variety of programming available to the public. It has assisted the Media Resource Center in Poland which is making such progress that it may develop into a new, practically-oriented journalism training institution.

In the course of providing the assistance to date several lessons have been learned which call for modifications in the way the program operates. The major ones are:

- **Equipment should be supplied to a media outlet only after close review of the economic prospects of the outlet and in response to a well thought-out business plan from the outlet.**
- **Technical advice should be focused on practical matters and provided through one to three month visits of US experts who work with outlets and hold discussions rather than give lectures.**
- **Training and observation trips to the U.S. or Europe should be held to one to three months, planned together with the sending organizations and focused on practical matters.**

Given the positive impacts achieved to date, the program would seem to deserve continued support. The main argument against that conclusion is that the main determinate of whether or not the independent media will continue to develop is the economic situation and this cannot be influenced by the program. While there is considerable truth to that argument, it also is true that there are important opportunities to be helpful and to complement what the private media outlets can do for themselves. In addition to supporting the type of training described above, the two best approaches would seem to be to assist the outlets in obtaining access to western programming on reasonable terms and to assist the creation of strong, practically oriented, in-country training programs in journalism.

4. Intersectorial Conclusions

In all three countries the experience to date would indicate that the program for education reform is less likely to give results than are the other two programs. This reflects the weaker in-country sense for reform and the large costs of achieving system-wide changes in education. While more promising than education reform each of the other two program faces serious questions. In the case of the rule of law there is the argument that the priority should be given to legal aspects of private economic activity rather than to strengthening the basic laws and institutions of the justice system. In the case of the media, there is the argument that the independent media is growing stronger and will continue to grow without assistance from the U.S. The arguments for continuing to support these two programs (modified to take into account the recommendations being made) are that: (i) the U.S. has the world's most developed legal system, strongest collection of independent media and a tradition of fact journalism and thus is in a good position to provide useful advice and support; and (ii) there continues to be a need in these countries for advice concerning the practical aspects of running legal institutions (e.g. courts, arbitration panels, legal training institutions) and media outlets.

IV. COMMON ORGANIZATIONAL AND IMPLEMENTATION ISSUES

A. ROLE OF FIELD PERSONNEL IN DESIGN AND MONITORING

1. Design

The regional projects which are the subject of this report were not designed from the bottom up or with much input from either local A.I.D. field offices or the personnel of the U.S. Embassies in the countries which were visited. Indeed, the field offices of A.I.D. were not even fully established when the projects were designed. Rather, the projects were prepared by personnel from the Washington offices of A.I.D. and of the implementing agencies (principally the latter) based on rapid and limited visits to the field. The regional projects making up the programs can be seen as umbrella mechanisms to obtain the participation of the organizations involved--that is, USIA (and the VOA), the IMF, the CEELI program of the American Bar Association and USG agencies such as the Department of Justice. Their main purposes were to get activities going very rapidly, to maintain flexibility in order to be able to respond to requests from the countries being assisted and to avoid adopting positions and then having to sell them to the potential beneficiaries. These purposes largely were achieved.

However, the approach has had several drawbacks. It provided the program administrators with little guidance as to what activities to pursue and how. It provided no goals or measurements of progress to enable the program administrators to know if the programs were having acceptable results. It placed overwhelming reliance on the ability and good faith of the implementing organizations to serve the purposes for which the funding was made available rather than just the purposes for which the organizations had been created and were already actively at work. These drawbacks have shown themselves to be serious. As a consequence:

- There is little sense of a strategy governing the projects.
- A sense of integration or connection among the various activities is largely missing.
- Issues of focus and impact are not being addressed.

- Programs which had been on-going for some time (such as those of USIA) have shown themselves to be less adaptable to the purposes of SEED than are programs recently created (such as those of the IMF and of CEELI).

More involvement of the A.I.D. field offices and U.S. Embassies has been sought in the identification and planning of particular activities under the projects. However, the focus of the design effort remains in the hands of the personnel of the Washington offices of the implementing agencies. Recently, A.I.D. has sought to remedy some of the drawbacks associated with this approach by requesting program strategies from the implementing organizations and country assistance strategies from the country teams. With encouragement from Congress, A.I.D. also has issued a Mission Order seeking to place more authority and responsibility in the A.I.D. field offices for the making of program decisions. Since this effort is just getting underway, it is not possible to judge what will be its effect. However, the capacity of the field offices to respond is limited by the same factors discussed under monitoring below.

2. Monitoring

In the early life of the programs monitoring was performed largely by Washington-based personnel of A.I.D. and the implementing agencies through trips to the field. As time went on A.I.D. became more insistent that the reporting provisions of the transfer and grant agreements be met by the implementing agencies and that the field offices of A.I.D. also submit reports concerning the implementation of the activities. Periodic reviews of the activities were to take place based on those reports and any direct observations made during field trips from Washington by A.I.D./W personnel.

This system does not work very well. The reporting is rather superficial and does not appear to generate decisions or even consistent feedback from the A.I.D./W authorities. There appear to be several reasons for this:

- The field offices of A.I.D. and the U.S. Embassies already are fully occupied and are not staffed with persons with the backgrounds which would enable them to judge the activities and their conduct. This is somewhat less true in the case of the media with which USIA has been actively engaged for so many years.
- The field representatives of the implementing organizations (when there are any) did not see themselves as being responsible to the A.I.D. offices for the conduct of their activities.
- There are no concrete project objectives or workplans against which to measure performance.

- **There appears to be an assumption that the East European programs will be fairly short lived since the area is more developed than underdeveloped and will not need technical advice and training over the longer run. Thus there is little need to be concerned with drawing lessons from current experience.**

The approaches being taken to meet the above deficiencies are the preparation of program and country-level strategies and the charging of the A.I.D. field offices with greater responsibility for making program judgments and for monitoring the implementation of the activities. Although both measures have met (and probably still meet) with skepticism, and even resistance, on the part of the implementing agencies and some personnel of A.I.D. itself, we assume that those efforts will go forward. Thus, the main issue facing the administration of the programs is how to achieve better design of activities and better monitoring of their implementation.

3. Recommendations

We think that it is doubtful that the greater use of strategizing and the formalization of monitoring responsibilities can achieve a lot unless modifications also are introduced into the staffing patterns of the field offices and into the relationships between A.I.D./W, the field and the implementing agencies. There is a need to get technically competent and experienced advice into the work at the field level on a fairly continuous basis. Otherwise the field offices will not be able to meet the responsibilities being placed on them. Of course increases in the use of local professionals can be of help and this has been taking place. However, that will not be a substitute for persons with extensive experience in their disciplines and a knowledge of what the U.S. has to offer in relation to the problems being addressed. The issue then is the need for greater technical expertise vs the limitations on staffing imposed by funding constraints and other considerations. The more pressing needs are in the area of legal reform and curricular reform.

In addressing this issue we think that consideration should be given to the use of technical personnel stationed within the region but responsible for more than one country--circuit riders, if you will. It would provide for a more continuous presence than might be expected from similar personnel located in Washington, and it is likely to result in a much better understanding of local conditions on the part of the personnel and a greater identity with the activities being designed and monitored. That approach has been taken in other regions of the world with some success (for instance, the Regional Administration of Justice offices in Latin America.) It could also help to provide a greater regional focus to the various activities if it is decided that that would be desirable. (See below)

Since the cost of stationing this personnel in the region would come out of the funds available for the programs, such an approach can be justified only if the topic is to be given major attention and funding. Thus, any decision on stationing such personnel would have to await the completion and acceptance of the country strategies which have been requested. The cost of establishing positions of this nature could be as much as \$150,000 per year per

position. The cost could be somewhat offset by having fewer trips from Washington to the field and greater selectivity in the activities undertaken, but its main justification would be the improved quality of both the design and implementation of the activities which could be expected from the greater technical input.

B. USE OF IN-AREA PERSONNEL AND ORGANIZATIONS AS REGIONAL RESOURCES

As indicated above, the activities are being conducted through regional projects. In part that responded to the desire to achieve a fast start-up and the decision that the use of umbrella type projects would be a good method for achieving that result. In part the choice responded to the thought that the problems facing the countries which were emerging from Communist rule were similar and could be addressed more efficiently through a common approach. However, in the implementation of the activities there appears to be little if any use of a regional focus. Persons and organizations in one country working on reforms do not appear to be well informed about what is being done in other countries. No joint programming has been conducted, and few activities in one country are open to participation by persons from other countries. A.I.D. and the implementing agencies are in a position to produce comparative information and judgments, but they do not appear to be doing so or at least not sharing the results of such efforts with the countries involved.

The reasons for this lack of a regional focus in practice are several. First, it would require additional planning and consultation, and time is one of the scarcest resources of the programs. Second, the trend toward country level planning and monitoring by A.I.D. may be working against the regional focus. Third, the countries themselves are more interested in learning from the West than from each other. Fourth, there are still strong tensions among some of the neighboring countries which inhibit their seeing good in each other.

Still, there are powerful arguments in favor of a greater use of a regional approach.

- There are many common problems (e.g. increasing white collar crime) and the circumstances facing the efforts to overcome those problems are similar while, of course, varying in degree and mixture.
- The institutional arrangements of the long established democracies such as the U.S. or the countries of Western Europe, although stronger and better than anything found in any of the Eastern European countries, are based on a different political and social history which calls into question whether they always are practical models for achieving the improvements being sought by the Eastern European countries. The experience of the Eastern European countries which have a lead in working on particular problems could be instructive to other countries in their own efforts even if the goal is to achieve a result going beyond what any have yet achieved.

- **There are institutions in Eastern Europe (such as the Media Resource Center in Warsaw) which are gaining such strength and quality in their work that they might provide a convenient and relatively inexpensive source of training and technical assistance to the area.**

We recommend that as part of its preparation of country and project strategies, A.I.D. consider the possibility of identifying organizations which could serve as resources for training and technical advice for the activities being supported in the various countries of the region. We understand that USIA is planning to choose selected universities in the northern and the southern tier countries to be centers of university reform. That approach might be used in other areas of activity as well. We also recommend that greater use be made of regional seminars at which representatives of the projects and of the key persons from the participating countries discuss their experiences to date.

C. TARGETS AND BENCHMARKS

A.I.D. requested that we identify targets which are appropriate for the programs under review and benchmarks which might be used to measure progress on reaching those targets. We have done so in the discussions of each of the three programs and their constituent activities.

No such targets or benchmarks were included in the design of the projects or of the activities to carry them out. Nor did the transfer and the grant agreements with the implementing agencies contain such targets and benchmarks. Furthermore, there are no activity workplans which contain such material. People in the field do not seem to have given much, if any thought to this topic. Indeed, most initial reactions of the activity managers to the topic is one of skepticism. As a result, we had to make suggestions from our own experience and with little input from any of the organizations which are involved in the programs. In our opinion this is not a good way to go about identifying targets and benchmarks. A better way would be to have the strategies to be produced and the activity workplans address this topic. In that context it would be possible to conclude whether the degree of planning of the program was to be serious enough to permit a reasonable use of the techniques of specific targets and benchmarks.

D. LENGTH OF ASSIGNMENTS AND PREPARATION OF LIAISON AND SPECIALIST PERSONNEL

As indicated in the discussions of the activities in the preceding parts of this report, there is a consistent observation that the lengths of time which the U.S. specialists spend in-country is too short to meet the purposes of their stays. The comment is made about resident liaison persons, visiting specialists, Fulbright scholars, instructors and teachers and even media-related technical and commercial experts. Sometimes the comment is linked with the assertion that there is not enough time for the person to understand local conditions or to gain the confidence of the people with whom he is to work or give advice.

Sometimes the comment is linked with the observation that longer stays would justify greater investment in the preparation (language and otherwise) of the persons who are sent thereby leading to more effective assistance. Sometimes the comment is linked with concern with the difficulty of finding replacement persons to attend to on-going responsibilities (e.g. the CEELI liaison positions).

While recognizing the desirability of having longer stays, one also must realize that such stays would present problems. Obviously the per diem and lodging costs will be greater. Then too, it may not be possible to get as qualified persons to spend long periods of time away from their regular work or, even if they are available, they may not be willing to be a volunteer (rather than a compensated consultant) for the longer periods. The increase in costs probably would result in a reduction in the availability of funds for other purposes such as sending local persons abroad for training or providing them with material support. Despite these problems the Evaluation Team concludes that the observation is so generally made that it should be acted on. We recommend that future program and budget planning anticipate the use of appreciably longer stays on the part of U.S. provided personnel and that the scope of the programs be curtailed (if necessary) to do so.

29
807

V. RULE OF LAW

A. INTRODUCTION

The Rule of Law (ROL) project was undertaken in FY 1991. It is being implemented through Section 632(a) transfers to USIA and through a grant to the American Bar Association's Central and Eastern European Law Initiative (CEELI). As of March 1993, \$1.822 million had been obligated to USIA and \$.528 million to CEELI. As a component of the A.I.D. Democratic Institutions Program for Central and Eastern Europe, the Rule of Law Project aims to support the legal recognition of fundamental rights and an independent judiciary, and to strengthen the laws, regulations, procedures, and institutions necessary to a democratic society. Activities take several forms, including technical assistance in the legislative drafting process, training (in the U.S. or abroad) for key members of the legal communities of Central and Eastern Europe, educational exchanges and study tours, and legal book collections.

The USIA activities are conducted with the concurrence of the Department of State's Bureau of Human Rights and Humanitarian Affairs which, together with USIA, formed an Interagency Working Group to set policy and decide on the use of funds. The channels for providing assistance are those used in other USIA programs (e.g. personnel exchanges, fellowships, observation trips). In addition, USIA has supported the long-term presence (six months to a year) of lawyers currently or formerly associated with the U.S. Department of Justice who give technical advice to the host institutions.

The CEELI activities are conducted by the Washington office operating substantially independently of both A.I.D. and the Department of State. The modalities of assistance are providing resident (up to one year stay) liaison persons to relate to local institutions and assist short-term advisors; sending volunteers (usually lawyers in private practice) for short-term advisory assignment on request and preparing concept papers on topics to be the subject of legislation and commentaries on draft legislation. The concept papers and commentaries are prepared by private lawyers in the U.S. who are provided with topics and texts by the CEELI liaison persons.

This evaluation does not focus principally on whether the AID grantees have effectively carried out the terms of their grants, but rather looks mainly at what types of strategies and programs are likely to prove effective in the future at fulfilling the purposes of the ROL Project. The evaluators focused on what impacts have been produced in the field and what activities might produce greater impacts in this area, not on what the program managers do

in Washington. The report summarizes information gathered from the three countries visited -- Poland, Lithuania, and Bulgaria -- concerning whether current AID-funded activities have had an impact that advanced the purposes of the ROL Project, and also discusses why these activities have or have not been effective.

The report contains a brief analysis of relevant conditions and changes in the countries visited, as well as an assessment of ROL activities in each of the countries visited. Major common issues affecting the future course of the project are then identified on the basis of the country-specific findings, and then analyzed. Finally, recommendations, both general and country-specific, are presented. A fuller discussion of these topics is provided in Annex II.

B. ASSESSMENT OF PROGRAM IMPACT AND EFFECTIVENESS

1. Country Program Findings

(a) Poland

The ROL program has not been very active in Poland. USIA has sponsored a seminar and a few short-term internships. CEELI has supported the short-term visits of legal specialists in municipal administration, government procurement and commercial law; conducted a sister law school program; conducted workshops on local government relations and law school faculty training; and arranged analyses of the draft constitution and draft laws on housing and white collar crime. There has been no resident liaison person since January of this year. In general, the activities which have been conducted do not seem to have had much impact nor to have created lasting institutional linkages. The most favorable comments were directed at the exchanges conducted under the Sister Law Schools and the DePaul Human Rights activities. Observation trips to the U.S. were particularly valued.

Plans for future activity of the Rule of Law program in Poland are not clear, but it is likely that the program will not be given great support. The A.I.D. Office and the Polish commentators place greater priority on work on the legal aspects of commerce and investment than on the strengthening of the structure of the justice system and the legal protection of human rights. This reflects the views that the Polish legal system is sophisticated and contains sufficient protection for the individual and that the advice of external legal systems is not needed. While accepting these views as being important, the Evaluation Team also considers it important that the rule of law in Poland continue to make progress as an example to other countries in the region. Thus, it recommends continuing to have the topic addressed -- perhaps in conjunction with work with the legal system under other projects -- as well as continuing the exchange activities under the current ROL program.

(b) *Lithuania*

The ROL project is being pursued fairly aggressively in Lithuania, and features a promising initiative in the area of judicial training. Lithuania is facing severe problems of the kind that can be addressed by the ROL project, and key players in the legal system appear receptive to U.S. assistance. The project, and most notably the CEELI effort, has made a strong beginning with a number of activities that have been effective and shown impact. Some activities supported by the project -- such as the CEELI judicial training initiative -- have apparently won the support and good will of several key players in the legal system. The CEELI program in Lithuania appears to be having the greatest current impact among the programs reviewed, and has made a beginning on some institutional relationships and initiatives that could have long-term impact.

There are, however, some negatives and potential problems on the horizon. The CEELI outputs, in particular the draft law analyses and other written reports and materials, appear to be of uneven quality. Some of those reviewed display a lack of familiarity with basic elements of the European civil law tradition and major features of former Soviet legal institutions, which form the foundations of the Lithuanian legal system. The project will need to grapple with the issues of focus and quality control both to assure maximum project impact and effectiveness, and to guarantee the future receptivity of the Lithuanians with respect to this type of assistance from the U.S. If the regional pattern holds true for Lithuania, the reservoir of good will towards U.S. providers of technical assistance could dry up within the next year or so, and Lithuanians may become both less receptive and more selective in accepting proffered assistance.

With respect to the USIA program, the Professional-in-Residence was too early in his stay for any definitive conclusions to be drawn regarding the impact of his work.

The ROL project is likely to remain active in Lithuania and might well be expanded. The need is clear and there is receptivity to external assistance. Continuation of the start on judicial training and undertaking work on court administration, the collection and use of legal documentation and strengthening the work of the independent bar association would be particularly useful. If the use of commentaries on draft laws is continued, it will need to be improved by using greater selectivity in the choice of commentators and by providing follow-up advisory visits as necessary.

(c) *Bulgaria*

The ROL project has been active in Bulgaria through both CEELI and the USIA. U.S. experts and consultants were well received in 1991, and their work generated considerable good will. However, there appears to have been a significant drop-off in official interest in this kind of activity over the last year, and the Project is beginning to feel constrained at various points because necessary institutional relationships have not been attended to.

Receptivity to such activity declined through 1992, and as of the time of this evaluation in April 1993 was quite low.

The CEELI program appears to be having low impact currently, although the relationship forged with the Center for the Study of Democracy holds out some possibility of effective future activity and long-term impact. The quality of CEELI's written reports and materials benefitted from the translations of Bulgarian draft laws into English assisted by the young lawyers at the Center for the Study of Democracy. These translations appear generally well done and thus have avoided serious problems of understanding for the U.S. commentators. Still, a lack of familiarity with the European civil law tradition and with Bulgarian law limited the effectiveness of the commentaries.

The USIA program of legal specialists in the criminal justice area is no longer justified. There does not appear to be interest on the part of either the Ministry of Justice or the Ministry of Interior to house a USIA lawyer to replace the incumbent. It is not appropriate to place an attorney in the awkward position of being a legal advisor to a ministry that accepts the advice only reluctantly.

The ROL program is likely to remain an important part of the democracy program in Bulgaria. Both the Bulgarian authorities and the USG officials consider the strengthening of the legal system to be important although their priority is on the relationship of law to strengthening private, commercial activity. To make such future work more effective steps should be taken to meet the above-mentioned difficulties. As in Lithuania, greater selectivity should be exercised in choosing which draft laws and other topics should be commented on; the commentators chosen should be better prepared concerning the approach of the civil law and Bulgarian conditions; and follow-up visits for further discussion should be provided when necessary. Greater care should be taken to determine whether there is real demand for and adequate preparation for the use of consultants -- especially for those brought for longer stays.

2. Common Issues

This section presents an analysis of major common issues and findings arising from the above discussions of ROL activities in Poland, Lithuania, and Bulgaria.

(a) Utility of Two Separate Programs

The ROL project features a two-track approach of funding via USIA and CEELI to allow for different approaches -- one more congruent with official U.S. concerns as represented by the State Department, the other somewhat more in line with the views of independent jurists. The evaluators found no real developmental benefit from this dual program administration, nor any perception among the host governments that the USIA program was more advantageous because it constituted "direct" aid from the USG.

The relevant question for this evaluation is whether or not the maintenance of these two programs contributes to the achievement of the purpose of the ROL project: "To assist Central and East European countries develop and strengthen laws, regulations, judicial and non-judicial procedures, policies, and legal institutions (particularly an independent judiciary)." Which is the more cost-effective channel for this type of assistance, CEELI or USIA? The evidence of written output, seminars, and relationships built with members of the legal community in the region show higher visible impact by CEELI. CEELI also appears to be more cost-effective. Thus, there appears to be no compelling reason for A.I.D. to continue funding USIA's ROL programs. The USIA funding could be better used to bring greater regional expertise and strategic focus to the ROL project, in cooperation with CEELI, and perhaps also for funding of longer stays by in-country liaisons and specialists.

(b) *Analytical Basis of Work*

CEELI activities do not appear to be based on any systematic assessment of the state of play in these national legal systems, nor any carefully thought-out set of priorities. Indeed, a successful CEELI liaison will end up generating a stream of requests from appreciative counterparts, without having an explicit intellectual or political framework for sorting out competing private-public and interagency agendas, or for choosing priorities. Choices appear to be based largely on a common sense assessment of the need and priority. The USIA program proceeds in similar fashion. In some cases insufficient attention has been paid to defining the USIA experts' terms of reference and to locating and working out a meaningful program with the appropriate host country institution. USIA, whose ROL program personnel work out of Washington, receives requests through its PAOs in the field who do not generally have the expertise or the time to sort out questions of strategy and placement.

In light of the above, attention will need to be paid to systematic analysis, strategy, institutional linkages, and focusing on fewer activities and fields in both the USIA and CEELI spheres of activity. The analysis will be necessary in order to determine both the state of play in key areas of substantive and procedural law, and the institutional counterparts likely to have the most substantive competence and interest in working on reforms connected to the rule of law. By "analysis" is meant expert assessments of the major problems and needs of the legal system, legal community, and education/ training institutions from a rule of law perspective. These analyses can be vital in assisting national authorities and jurists, as well as A.I.D., in diagnosing the major problems, setting priorities, and in forging practical strategies to address the problems.

(c) *Capacity-Building/Institutional Development*

The CEELI and USIA programs will have to address the issue of whether those programs will make a more concerted effort than they have until now to assist in building the capacity of national legal institutions and organizations through partnerships and joint efforts -- as

opposed to the provision of analyses and short-term expert advisors. Since part of the rationale for the CEELI effort is to build relationships between the U.S. and Central/Eastern European legal communities, the effort relies heavily on input from ABA members -- particularly with respect to the draft law analyses. CEELI has already forged a number of effective relationships with in-country institutions. However, there is need for a greater effort to make technical assistance activities collaborative -- so that members of these institutions, and other individuals, can develop the skills and knowledge required for sustained reform through their interaction with foreign experts.

(d) USIA/CEELI Representatives

The CEELI and USIA programs will have to grapple with issues concerning how many representatives are needed, how long a stay is useful or desirable, and what the terms of reference are for those representatives. In some cases, as a result of the short periods that CEELI liaisons and specialists spend in their posts, these individuals feel unduly pressured to produce tangible progress and achievements in their spheres of activity. Some consideration will need to be given to changing the terms of employment of the liaisons and specialists in order to make it possible to recruit people who can stay in the liaison and specialist positions for longer periods of time than is now the standard -- and/or to provide long-term regional or sub-regional experts to provide technical and program support to the in-country personnel. Given the amount of time it takes in Central and Eastern Europe to learn the system, establish solid relationships, build consensus, and carry out activities, A.I.D. should consider requiring a minimum stay of two years for liaisons or regional experts, and a minimum of one year for the resident specialists. Similarly, USIA in-country resident specialists would ideally be sent for one year rather than six months. In all cases, more thorough prior language training and training in the legal system should be included.

Another issue that the ROL project will have to confront is whether to continue relying largely on volunteer efforts. CEELI is a volunteer effort, with support from a Washington office staffed mainly by young lawyers and other personnel paid at "public interest" rates. There are several advantages to this; however there are costs to it as well, including lack of time and resources for thorough preparation for in-country tours, and especially, difficulty in obtaining the services of regional experts. This has led in some cases to inappropriate or wasteful expenditure of energy by CEELI personnel and their counterparts due to misunderstandings or unnecessary analytical attention to features that are widespread in the civil law and socialist worlds but which strike inexperienced U.S. lawyers as strange and possibly harmful. If this effort were guided by persons of greater experience and comparative background, some of this unnecessary effort could be avoided and resources could be more effectively used.

(e) Regional Presence and Approach

Further attention will need to be given to creating a regional base for the ROL project. The individual country activities, and their U.S. and host country participants, could benefit

in a number of ways from regional approaches. The posting in the region (or, if resources allow, in each of the three sub-regions) of an A.I.D. Central and East European legal expert, or perhaps one each for Commercial and for Rule of Law activities, might be a way to bring about a more analytically sound and professional approach. The expert(s) should be posted for a minimum term of two years, and would thereby be able to provide leadership, institutional memory, regional expertise, and strategic vision to the overall CEELI/USIA effort in this field -- elements which are currently lacking.

The USIA and CEELI representatives would also benefit from opportunities, which are now largely unavailable to them, to compare notes with their colleagues in other countries of the region. Similarly, officials and members of the legal communities of the region would greatly benefit from occasions to discuss issues and approaches with their counterparts from other countries in the region. Such mutual support and cross-fertilization would bring faster spread of lessons learned and new types of activities and approaches across the region. At present, there is little opportunity for such exchanges and discussions.

(f) *Commentaries on Proposed Laws*

For written evaluations of proposed laws and for the formulation of concept papers on topics of proposed laws CEELI relies primarily on lawyers in the United States who are familiar with the area of law involved but who do not know the local system, civil law generally, or the political situation in the country in question. In addition, CEELI apparently has no one, either on staff in Washington or on call for particular projects, who has knowledge of such matters and could assess the written evaluations and concept papers to delete errors.

While the evaluators did receive comments from in-country officials and lawyers that certain CEELI commentaries have been used, the long-term impact of this activity cannot yet be judged. In light of this, the risks in the lack of knowledge by the commentators of the local system are significant. One is that U.S. lawyers appear uninformed in making comments to a foreign government. Another is that they make comments that they think will forward rule of law goals, when in fact the comments may be used by persons in the country in question to the opposite end. An additional problem is that a written commentary coming from a person with whom there is no chance for discussion may not be effective.

It would be preferable if CEELI in Washington, in consultation with the CEELI liaison in the country in question and local lawyers in that country, to the extent possible, were to summarize the comments, including conflicting comments if there are such, in the form of a comprehensive narrative -- and present only that summary. Host country officials at present are more likely to read a summary than the letters. CEELI should try to have the commentaries read by a person sufficiently knowledgeable of the country's legal system to strike statements that may discredit the work. Also, if carefully implemented, CEELI's growing emphasis on concept papers could help avoid some of the problems associated with the draft law analyses and provide more timely and targeted advice from a U.S. perspective.

(g) Other Forms of Assistance and Selectivity

Exchanges - including study-tours, short-term training and Sister-School visits - appear to be the most well-received form of assistance and thus most likely to inform and influence key players in the Central and East European legal systems in ways that support the rule of law. Consideration should be given to increasing these activities. Thought should also be given to the provision of other types of assistance in the ROL field that are likely to be successful -- if necessary at the cost of cutting back some existing activities. CEELI and USIA assistance includes exchange of information and commentary, as well as some level of training. However, there is now little in the way of focused material and technical assistance that could help build the capacity of key legal institutions. Assistance could usefully be given in the areas of legal publication and computerized information and research systems. Another "nuts-and-bolts" area where there are needs that could be successfully addressed is that of court administration assistance.

Still, one implication of this report is that AID and its grantees will need to exercise greater selectivity with respect to activities supported and countries in which programs are undertaken, in order to maximize the impact of SEED funding. In general, fewer activities undertaken with greater intensity and care will, in the view of the evaluators, yield greater impact for a fixed amount of resources. Selectivity will also need to be exercised with respect to country programs -- i.e. in order to maximize the impact of project resources, some country programs may need to be cut, and others augmented.

C. MAJOR RECOMMENDATIONS

Among the report's recommendations are the following, presented in order of priority.

1. General

- (1) Assign one or more paid, long-term (i.e. at least two years) resident experts to a post in the region, or to sub-regional posts, in order to "ride circuit" in the region or sub-region -- overseeing, participating in, coordinating, and ensuring the quality and efficacy of the design and implementation of all AID-supported ROL activities.**
- (2) Undertake an analysis of the state of affairs and a prioritized needs assessment with respect to the rule of law in the countries of the region, and develop an assistance strategy in this field for the region and individual countries. The strategy will need to put great focus on prioritization.**
- (3) Set standards and require minimum time commitments of one year (ideally two years) from all resident specialists. Pay should be increased if necessary to make this feasible. Also, provide sufficient briefings, language training, orientation, and field support to all resident liaisons/experts/specialists in order to equip them to**

undertake their duties effectively and with a minimum of struggle.

- (4) To the extent possible with available resources, place greater stress on building capacity through training, and development of the "hardware" of legal systems, such as material and technical support for legal publications, court administration, and other forms of legal institution-building.
- (5) Drop the USIA component of the project, or at least the PIR and short-term expert components. Funds generated by this change should be used to support regional or sub-regional experts, longer stays by liaisons and resident specialists, and assistance in such operational areas as court administration and legal information systems.
- (6) If necessary to free resources for expanded programs elsewhere, cease funding ROL activities in Poland.

2. Country-Specific

Lithuania:

- (7) Exchange opportunities should be increased if possible. These should include some regional exchanges, which would allow Lithuanian jurists to discuss recent lessons learned in other East and Central European countries, and to get additional input from West European jurists.
- (8) The judicial training effort seems to be a worthwhile and important initiative, and therefore merits the investment of expertise and material resources.
- (9) More encouragement needs to be given, apart from the judicial training program, to the substantive involvement of Lithuanian lawyers in project activities.
- (10) Assistance with court administration and related matters, which has been sought by the Courts Department of the Ministry of Justice, should be provided to the extent resources allow.

Bulgaria:

- (11) Build on the successful relationship established with the Center for the Study of Democracy, and on the interaction developed within the legal community -- in print and through meetings and workshops. Young Bulgarian lawyers should become more involved in substantive activities.
- (12) Reconsider the current CEELI attempt to implement a program of judicial training. This effort should be dropped until there is a tangible change of heart at the Ministry of Justice or another suitable institutional commitment is obtained.

Poland:

- (13) Focus on providing the opportunities for key legal educators and decision makers to visit the U.S. and get a practical orientation to the workings of relevant aspects of the U.S. legal system.

D. CURRENT COUNTRY STATUS

1. Poland

Poland got an earlier start and is further along in the development of a democratic order and rule of law than the other countries visited. In general, the recognition of human rights and commitment to reform seem firmly established. Since the coming of a democratic order in 1989, pre-trial rights of persons accused of crime have been expanded and legal provisions for the prosecution of political crimes have been eliminated. However, a number of problems continue to limit the effectiveness of the rule of law in Poland, including imperfect dissemination of information on new laws and the new constitution, inadequate training of judges and prosecutors with respect to the application of new laws and guidelines, the limited effectiveness of the legal system and police in dealing with new forms of crime, and the movement to enact provisions that tend to restrict the exercise and protection of fundamental rights, (e.g. as "Christian values" provisions being applied to the media.)

Overall legal reform priorities in Poland are shaped by the general recognition that economic/commercial laws, regulations and institutions are comparatively the most underdeveloped and the most important to address in order to support a growing private sector-driven economy. Both Polish officials and jurists as well as USG officials accept this. As for ROL priorities, economic crime, also called white collar crime, is considered a priority, along with ways of combatting organized crime and government corruption. The consensus among the Polish legal community, and shared by USG officials, is that basic human rights are respected and no major structural changes are needed in the courts or the procuracy. However, there is a recognition that judges and prosecutors, particularly at the lower levels, could benefit from additional authority and training in dealing with such matters as the enforcement of constitutional rights and the use of evidence gathered by undercover agents.

Other conditions in Poland affect the available choices for AID assistance in the Rule of Law area, and the impact of such assistance. Despite major weaknesses in its legal system, Poland's commitment to democratic process and to protection of human rights, its fairly advanced legal system (compared to other countries in the region), and the talents of its legal community -- as well as the overriding priority of stabilizing the economy and providing for sustainable market-driven growth -- support the conclusion that Rule of Law activities need not be given as high priority in Poland as in the other two countries visited. In addition, the apparent sensitivity of Polish jurists to outside advice makes it difficult to have

extensive activity in this field. Finally, Polish interest in harmonizing economic laws and regulations with EC requirements, and in implementing the European Convention on Human Rights seems to warrant more European than American involvement.

2. Lithuania

Among the countries visited by the evaluators, Lithuania is closest to its Communist past, has the farthest to go in the establishment of a democratic rule of law, and has legal reforms which are most in danger of being defeated. Indeed, some of the procedural guarantees and appeal provisions of the previous criminal law have been removed, with the result that purported "reforms" have actually made the situation worse for criminal defendants. This may be attributable to the growing concern about organized crime, which presents a challenge to the success of economic and rule of law reforms. The precariousness of this balance between the need for tougher security measures and the requirements of legality and due process is one of the major uncertainties of the current situation in Lithuania. Another cause for concern is the more dire lack -- compared to Poland, for example -- of well-qualified jurists who either comprehend or support the kinds of legal reforms now necessary to establish the rule of law.

As elsewhere in the region, the highest priority for legal reform is the establishment of laws, regulations, and institutions supportive of a market economy. The training of judges and the setting up of new commercial courts will be important parts of this effort in addition to legislative changes. Concerning the rule of law in particular, high priority is being given to the reform of criminal law and procedure, and the restructuring of the hierarchy of the court system. The strengthening of the courts and of penal law and procedure is viewed as a way to combat the burgeoning problem of organized crime, which is abetted by official corruption -- including assistance from corrupt judges and police.

"Democratic Institution-Building" is one of the three pillars of A.I.D.'s preliminary thinking related to a strategy for Lithuania. It places highest priority on economic restructuring, including reform of the energy sector. Quality of life issues, such as food and environmental security, are also of high priority. Democratic institutions, including the Rule of Law Project, are third in order of strategic priority.

3. Bulgaria

Legal reform priorities in Bulgaria are shaped by the general recognition that economic laws, regulations, and institutions are comparatively the most underdeveloped and the most important to address in order to support a growing private sector-driven economy. Both Bulgarian officials and jurists as well as USG officials share this view. The A.I.D. Representative and the Ambassador stressed the importance of the activities of CEELI and USIA under the Commercial Law and Rule of Law Projects. They indicated that assisting with the formulation of a comprehensive set of economic laws and regulations was "at the

top of the list" of AID priorities in Bulgaria. Judges and prosecutors, particularly at the lower levels, could benefit from additional training.

Addressing economic crime, also called white collar crime, is considered a priority, along with ways of combatting organized crime and government corruption. Still Bulgarian officials, have not moved to limit procedural protection available to the accused in criminal cases. Bulgaria is just completing a reform of its penal law, and the reform of criminal procedure is in the hands of an inter-ministerial working group.

There are other conditions in Bulgaria which also affect the available choices for AID assistance in the ROL area, and the impact of such assistance. The recently-established government is in somewhat of a crisis as it tries to shore up its support and push ahead with economic reform. Therefore, the surplus time and energy of government officials is limited, and their legal priorities focus on market reforms. With the growth of bilateral and multilateral technical assistance programs, government agencies must spend increasing amounts of time meeting with aid officials and consultants, and otherwise responding to needs for information and counterpart time. Over time, higher level officials especially find it difficult (and perhaps unrewarding) to devote time to this.

E. PRIORITIZED LIST OF NEW AND CONTINUED ACTIVITIES

The following is a list, in order of priority, of initiatives or types of activities which the evaluators suggest should be started, or continued in some form in the future.

Regional:

- (1) Regional (or subregional) expert(s), or "circuit-rider(s)."
- (2) Strategic assessments.
- (3) Regional (and/or subregional) forums for information exchange and comparative analysis.

Lithuania:

- (1) CEELI Liaison.
- (2) Judicial Training Program
- (3) Court Administration Assistance.
- (4) Sister Law School Programs.
- (5) Draft Law Analyses/Concept Papers/Workshops.

Bulgaria:

- (1) CEELI Liaison.
- (2) Sister Law School Programs.
- (3) Draft Law Analyses/Concept Papers/Workshops.

Poland:

- (1) DePaul Human Rights Program.
- (2) Sister Law School Programs.
- (3) CEELI Liaison.
- (4) CEELI Legal Specialists.
- (5) Draft Law Analyses/Workshops.

F. INDICATORS FOR FUTURE IMPACT MEASUREMENT

Impact of Project Activities

The indicators listed below are meant to help measure the extent to which Rule of Law activities contribute to the realization of the goals of the program.

- (1) **Impact of Technical Advice:** Technical suggestions adopted, or used as a basis for the development of new approaches, by relevant drafting committees. New provisions developed with ROL Project assistance are enacted and lead to tangible improvements in the enforcement of rights, the security of the democratic order, or the effectiveness of legal institutions.
- (2) **Impact of Training Proposals:** Proposals on legal training and curricula adopted, or used as a basis for new programs and approaches, by universities and/or training institutes.
- (3) **Local Participation:** Members of legal community, particularly young lawyers, participate in shaping and carrying out program activities, with transfer of skills, institutional memory, and capacity for sustained reform.
- (4) **Institutional Linkages:** Effective relationships built with key actors, decisionmakers, and institutions in the legal community and the government. The focus is on those with genuine commitment to reform, but the approach is balanced so that lines of communication remain open to the extent possible to key institutions -- even those controlled by conservative elements.
- (5) **Impact of Training/Exchange Programs and Participants:** Key legal system actors participate in foreign exchange/training programs and continue association with program. Beneficiaries of training or exchanges funded or supported by the project develop or improve aspects of law, regulation, institutions, or training under their authority at least partially as a result of the project support.

- (6) **New Institutions:** New institutions developed in collaboration with the program, such as training institutes, documentation/research centers, and independent bar associations.
- (7) **Impact of Resources Provided:** Program resources, such as books and computers, effectively used to expand the capacity of key institutions and organizations in the legal field.

Effectiveness of Project Implementation

The indicators presented below are meant to help in measuring the extent to which ROL activities are effectively and efficiently implemented -- that they do what they are supposed to do in a way that minimizes wasted cost and effort and maximizes impact.

- (1) **Analysis and Strategy:** Technical assistance activities reflect a correct analysis of the current situation, identified strategic goals, and a reasoned ordering of priorities.
- (2) **Appropriateness and Usefulness:** Technical (and other) assistance is appropriately framed and presented, and useful to its audience in the form presented.
- (3) **Qualified Technical Advisors:** Technical advisory team possesses sufficient experience, substantive expertise, regional knowledge, and language skills to provide effective assistance.
- (4) **Advisors' Length of Stay:** Technical advisors posted in-country for sufficient length of time, and turnover to new advisors handled in such a way, that institutional memory is maximized and disruption to the program is minimized to the extent possible.
- (5) **Mix of Professional and Volunteer Effort:** A broad mix of professional and volunteer/pro bono effort is marshalled in a way that provides effective assistance while minimizing costs.
- (6) **Diversity of Functions/Perspectives:** As much of a diversity of perspectives is incorporated into the technical assistance effort as possible -- along national, racial, gender, political, and especially functional lines (i.e. representing different branches of legal activity such as academics, prosecutors, criminal defense lawyers, corporate counsel, public interest lawyers, etc.) -- with respect to U.S. as well as host-country participants and institutions.
- (7) **Mix of Types of Assistance:** The mix of types of assistance (i.e. including various kinds of technical and material assistance, dealing with substantive legal concerns as well as "nuts and bolts" issues affecting the functioning of legal institutions, and

covering both narrow professional legal concerns as well as public access and information concerns) is appropriate to the needs and priorities shared by the U.S. and host-country.

- (8) **Coordination:** Assistance in this field is coordinated for maximum efficiency both among U.S. organizations and with other bilateral and multilateral donors.

VI. EDUCATION REFORM

A. INTRODUCTION

- One of the Democratic Pluralism Initiative programs consists of "support for education reform including: curricular reform to reformulate the highly politicized courses in history, economics and civics, the introduction of new institutions such as student councils and student newspapers, and teacher training." Another is "a Books for Democracy initiative to provide the translation of important books and other materials relating to the principles and philosophical bases of democracy." The Evaluation Team was charged with assessing the operation of the activities under the two programs in three countries: Lithuania, Poland and Bulgaria.

The activities which are the subject of the evaluation are those included in USIA's Books for Democracy and Education Reform programs funded through Section 632(a) transfers with resources from the Political and Social Process Project. As of March 1993, \$1.329 million of such funds had been obligated for the Education Reform program and \$.557 million had been obligated for the Books for Democracy program in the three countries included in the evaluation. The main channels for the use of the funds for education reform are the established USIA programs -- namely, the placement of U.S. university level scholars and academic specialists in organizations in the benefitting countries, the exchange of teachers at both the university and secondary school levels, the sponsoring of short-term visits by specialists from the U.S. and by foreign nationals to the U.S. A few grants to other organizations also were made by USIA. The main channel for the use of the funds for the Books for Democracy program are USIA's established translation and distribution programs.

This report begins with an assessment of existing conditions and SEED-funded activities in Poland, Lithuania, and Bulgaria. This is followed by a summary of findings and major issues, then by general and country-specific recommendations, and finally by the evaluators' proposed priorities for future programming and suggestions for indicators to be used in measuring progress. These topics are more fully discussed in Annex III.

B. ASSESSMENT OF PROGRAM IMPACT AND EFFECTIVENESS

The following findings and issues are based on the analysis contained in the above discussion.

1. General Findings

- **Structural reform of the education systems of the countries visited has not made significant progress.**
- **While there has been considerable discussion of the topic of curricular change, little concrete action has been taken.**
- **Discussion of and preparation for the training of teachers and education administrators appears to be even less advanced than that concerning the reform of curricula.**
- **The Fulbright exchange program is not effectively organized to provide support to the purpose of curricular reform.**
- **The Books for Democracy Program is providing useful materials but its purpose and distinctive quality often are not understood by the receiving organizations and the program is not being used directly in support of the other education reform activities of the overall program.**
- **The various components of the SEED funded activities related to education do not see themselves as being part of an overall program. The AID field offices and the Embassies do not provide program guidance, administrative support or liaison services which would foster such an understanding.**
- **There are not yet coherent strategies at the country level for providing assistance to education reform in support of democratization.**

2. Country Program Findings

(a) Poland

The principal impact of the program to date has been the preparation by the Ministry of Education of a reformed curriculum for secondary schools which includes a strong civic education component. The Ohio State Education Program, using SEED funds, provided assistance to that effort. The other activities do not appear to be giving results. From comments made by observers it appears that the Fulbright scholars and exchange teachers have not been involved in work on curricula reform but rather have been chosen and are conducting themselves according to the traditional pattern of the exchange program. The materials supplied under the Books for Democracy program are being incorporated into libraries, but they are treated as any other donated book and materials from USIA and are not targeted to support the curricular reform efforts.

There are opportunities for making a practical impact on the teaching of the social sciences at the university level with a reasonable level of resources. One is to assist the American Studies Center of the University of Warsaw in its work with the various social science departments of the university. Another is to cooperate with the Batory Foundation and the Association of Political Scientists in Poland in assisting the Olsztyn Summer School in adding a program in political science to its recently inaugurated program in economics. The Fulbright and Books for Democracy programs could be used to provide the assistance, but their operation would have to be modified to provide the necessary focus.

An important initiative would be to assist in the implementation of the reformed secondary level curriculum for civic education. This would involve the preparation of teaching materials, the training of teachers and (at least ideally) the reform of the structure of the schools to incorporate more democratic approaches to their governance. A refocused Fulbright exchange and Books for Democracy program could be used as a vehicle, but a more projectized approach through an institutional grant would be better. This initiative would require resources which would go beyond the current level being provided.

(b) *Lithuania*

Work on education reform in Lithuania has just recently begun. The only observable impacts of the SEED program are: (i) that the summer seminars organized by the In-service Training Center with assistance from the American Professional Personnel for Lithuanian Education (APPLE) are popular with the participating teachers, and (ii) that the visit to the U.S. of four specialists in the education of the handicapped has been a factor in getting movement on that topic underway in Lithuania.

There are opportunities to encourage education reform in Lithuania. The Ministry of Education has made the development of a civic education curriculum at the secondary level a priority and has authorized the creation of an ethics program to be an alternative to religion classes for those who choose it. Development of a curriculum for a special education major at the university is underway. The presence of APPLE and its relationship with the In-service Training Center make it a useful collaborator. As in the case of Poland, a refocused Fulbright and Books for Democracy program could be used to provide the technical assistance, training and materials that would be needed to carry forward those efforts. Furthermore, there are persons now in Lithuania under the auspices of APPLE or other USIA exchange programs who could be utilized in the effort. As the activities move from the preparation of curricula and materials to the reform of teacher training and the restructuring of schools, it would be advisable to consider the use of institutional grants.

An additional opportunity is to work with the recently reopened University at Kaunas under the SEED-funded regional program for improving university administration.

(c) *Bulgaria*

Work on education reform in Bulgaria has been largely focused on the university level. Support has been through the traditional Fulbright and other exchange programs. The two best opportunities for assisting education reform in the future are also at the university level. The New Bulgarian University (founded in 1991) has been granted autonomy from the Ministry of Education in order to experiment in curricular reform, including in the social sciences; and it has caused a positive initial impression with observers. The Eastern European Special Studies Program of Sofia University was established in 1990 as a free-standing entity to provide a series of inter-disciplinary courses. Fulbright scholars have taught in the program. Their openness to innovation make these two institutions attractive sites for introducing reformed curricula and teaching of the social sciences. Again, a refocused Fulbright and Books for Democracy program could be used to provide the assistance.

3. Major Common Issues

(a) *Suitability of Vehicles for Assistance*

In all the countries visited the Evaluation Team noted that the programs under the Fulbright exchange program were not effectively being used for curriculum reform and that the Books for Democracy program was not operating in direct support of the other education reform activities. The Evaluation Team recommends that the operation of these two programs be modified so that they would provide such support. However, it is not certain that USIA will be able or willing to introduce the modifications needed for USIA related purposes when the structure of the programs serves other purposes which receive much greater funding. If the modifications are not possible, A.I.D. will need to reconsider the use of these two programs as vehicles for education reform. An institutional grant or a contract approach could be a useful alternative.

(b) *Greater Attention to Structural Reform and Teacher Training*

The reform of curricula (social studies at the university level and civic education at the secondary level) in itself is not likely to provide the support for democracy that is the goal of the program. To be effective the reformed curricula will have to be accompanied by new materials, the training of teachers in their use and reforms to the structure of the universities and schools so that democratic approaches are lived as well as studied. Addressing these needs would require resources well beyond the level currently being devoted to these activities and probably would require different modalities of providing the assistance than are currently being used. Targets of opportunity can be supported (as is recommended in this report) but without more comprehensive follow-up by someone, the likelihood of achieving major impact is very much reduced.

(c) *Usefulness of Continued Support to Education Reform*

Taking into account the findings described above and the fact that carrying out a reform which covers curriculum change, teacher training and democratization of school structures would require significantly higher levels of resources and a more "projectized" approach to assistance, there is a question as to whether A.I.D. should continue to devote resources to education reform. Based on the experience to date one cannot be confident that there will be much impact from such efforts. The evaluators of the education reform program recognize this as a serious question but concluded that it would be better to keep A.I.D. involved in the topic than to withdraw given the importance of education to the strengthening of democracy. The recommendations in the following part are made to improve the probability that A.I.D.'s continued involvement will result in useful impact.

C. MAJOR RECOMMENDATIONS

1. General

- If education reform is to remain a part of the overall democratization program, resources should be augmented or consolidated in order to make possible tangible impacts in at least a few areas of activity.
- The persons participating in the SEED-supported Fulbright Exchange program should be selected for their experience in the reform of educational structures and curricula -- especially in the social sciences. Those persons should be placed in organizations which have clearly indicated an interest in carrying out significant reforms in organization or in curricula.
- The Books for Democracy program should be organized so that it directly supports the other education reform activities rather than just supplying core collections or miscellaneous books on democracy to worthy institutions.
- In deciding on the program focus to be followed in the country strategies, A.I.D. should recognize the importance of fostering more democratically organized schools and of the need for the training of teachers and administrators.

2. Country Specific

Poland

- The Ohio State Civic Education program should be continued in order to support the development of instructional materials and the training of teachers.

949.

Lithuania

- SEED-funded programs should assist with the creation of new texts and materials focusing on Civic and Ethics Education at the secondary level.
- These programs should continue supporting the strong work begun by APPLE, both in the education of the handicapped and the in-service education of teachers.

Bulgaria

- The Fulbright exchange program should be conducted in direct support of the curricular reform efforts at NBU and the EESC.

D. CURRENT COUNTRY STATUS AND AID-FUNDED ACTIVITIES

1. Poland

(a) Country Situation

Structural Reform

Rigidity, uniformity, and centralization characterized the school system of the nation during the forty-five years of the People's Republic of Poland. Education authority over the nation rested with the Ministry of Education. School headmasters had no autonomy or decision-making authority -- for example, the power to hire or fire teachers rested not with them, but with the inspector. During the last three years, a new parliamentary act has simplified and restructured education below the university level. It vested administrative authority at three levels: the Ministry, the "Kurator" at the county level, and the school director. This act also allows for non-public schools, some of which have been established.

However, as yet there is no broad national reform or restructuring in existence. The Ministry itself recognizes that it has but entered a "difficult transitional period" and anticipates that it will take several years for these proposed changes to become reality. At the higher education level there is some discussion about moving toward autonomy for institutions. However, no significant changes in this direction are discernible. People in positions of authority still tend to wait for directions from the Ministry. There is a need to train administrators who understand the new directions education is attempting to take in Poland. Furthermore, they need to learn non-authoritarian ways of decision making that will include teachers, parents, and even student leaders in making decisions relevant to the daily functioning of schools.

Curricular Reform

At the higher education level there seems to be no general effort at curricular reform. Professors are very poorly paid and are not motivated to change whatever they are doing. Some promise seems to be present at the American Studies Center, which is part of the University of Warsaw, where intentions to change the curriculum are being expressed.

The Ministry of Education is making sincere efforts at curricular reform, as evidenced by the 1993 publication of PROTOKOL -- a booklet that outlines a new core curriculum for the primary and secondary schools of the nation. PROTOKOL includes a section on Civic Education that explicitly emphasizes the ethos of freedom and democracy at all levels of schooling. Furthermore, authority is granted by the Ministry for individual schools to develop their own curriculum as long as the core requirements are satisfied.

(b) Activity Assessments

The following are the principal activities which are under way or planned in the areas of focus of the evaluation.

(1) Ohio State Civic Education Program

The Ministry of National Education has developed a new integrated curriculum for secondary schools and has included in it a strong civic education component. With support from SEED, the Ohio State Mershon Center provided technical assistance to the effort. It is important for the support to be continued in the next phases of curricular reform, i.e., the development of instructional materials for teachers and pupils and the training of teachers (both pre-service and in-service). Short-term study programs at OSU for curriculum managers/administrators would be most valuable. Furthermore, consideration could be given to using the English as a Foreign Language Fellows in the Civic Education Program by having them handle content-based courses in the Civic Education Centers that the Ministry of National Education has established.

(2) American Studies Center/Warsaw University Program

The American Studies Center (ASC) is keenly interested in developing courses in the social sciences in collaboration with the various social science faculties of Warsaw University. New courses have already been introduced and have proved most popular among students of different social science faculties. It is recommended that Fulbright scholars/academic specialists in the social sciences be recruited for this purpose. In addition to the courses that would be offered in the ASC, a program of seminars dealing with various social science issues could be organized by the academic specialists.

The Twinning Project between Warsaw University and Indiana University having been successful, the extension of the scope of program activity so as to include the social sciences should be explored. Indiana University faculty members could be involved directly as institutional representatives or as Fulbright academic specialists.

(3) Batory Foundation Program in Political Science

The Batory Foundation has organized and implemented the Olsztyn Summer School in Economics. The program is funded by a group of US foundations, led by the Ford Foundation. The Books for Democracy Program of SEED has contributed significantly to this program via the donation of Economics textbooks and reference volumes for the participants. The Batory Foundation is interested in replicating this summer school program format in the field of political science. A joint funding venture between USAID, U.S. foundations and the Batory Foundation would contribute significantly to curriculum reform in a key social science.

(4) Fulbright Program

During the 1992-93 academic year there were nine Social Science Scholars at Polish universities. Since the Fulbright Program is the major channel for SEED resources to Poland, the scholars/academic specialists selected should be involved in teaching and research in the social sciences (e.g., Political Science, History, Sociology, Economics, Education). Experience and interest in curricular reform should be selection criteria. The placement of the specialists should be in institutions and departments/faculties that have expressed an interest and willingness to engage in curricular reform. The Fulbright Commission should be responsible for identifying and recommending those institutions. Scholars to be sent to the US should be selected from institutions/departments/faculties that have expressed interest in curricular reform and the scholars themselves should be active social scientists.

Similarly the exchange teachers to be placed in secondary institutions should be teachers of social studies and be interested in involving themselves in curricular reform especially in Civic Education. The host school should be selected on the basis of its interest in curricular reform and its potential leadership role (as identified by the Ministry of Education). Polish exchange teachers should be involved in social studies and engaged in curricular reform activities in their home school.

(5) Books for Democracy

In Poland, as elsewhere, the books sent under the Books for Democracy program are integrated into libraries. Librarians typically are unaware of the source of these books, even though "Books for Democracy" is clearly printed on the inside of the front cover. However, a more important drawback is the fact that the program is not conducted so as to provide

support to the other education reform activities. This program could contribute importantly to the curricular reform efforts of the broader education reform objective.

2. Lithuania

(a) Country Situation

Structural Reform

Lithuania still has a highly entrenched, old-fashioned bureaucracy which was socialized under the Communist system. Most of the personnel in leadership positions in schools and the offices of the Ministry share the same mentality and resist change. This is particularly strong in the case of higher education, where professors were carefully trained to have the Marxist-Leninist ideology permeate all their courses.

The country has adopted a new set of laws in 1991 and published a booklet in 1992 describing the aims and structure of education reforms for primary and secondary schools. However, these are but paper reforms that await implementation. We should look, in the future, for evidence that the recommendations of the 1992 booklet are put into operation. There is now no functioning democracy in schools for either students or teachers. Disciplinary practices are authoritarian and while students seem to be ready to engage in more discussion with the adults, teacher training in new ways of classroom control and management is just beginning.

Curricular Reform

Curricular reform is not yet discernible in higher education in the National University at Vilnius. Similarly at Vytautas Magnus University in Kaunas -- reopened in 1991 after being shut down for 20 years during the Soviet era -- the forces of tradition are in substantial control even though the current Rector talks about reform.

Reform is more likely to occur in some aspects of subcollegiate schooling. One promising source of reform is the new In-service Training Center at the Vilnius Pedagogical University. A Department of Civic Education at the Ministry is currently developing materials whereby civic education will be integrated in all courses at the primary level and will be taught in separate courses in secondary schools. All of these ideas are in their planning stages, with implementation to follow after appropriate teaching materials are produced.

(b) Activity Assessments

(1) Civic Education Program

The Ministry of National Education has developed and published a new national education policy. Civic Education has been identified as a key component of the secondary and

primary level curricula. The sound development of this curricular component has been identified as a priority need by the Ministry. Much impetus for this curricular reform has come from a Lithuanian-American organization named APPLE (American Professional Personnel for Lithuanian Education), which along with other activities, works with the In-service Training Center holding summer seminars on various topics including Civic Education. The recruitment and placement of a Fulbright academic specialist in social studies at Vilnius Pedagogical University is very much recommended. The recruitment and placement of US Fulbright exchange teachers in selected secondary schools to advise in curricular revision and development is also recommended.

(2) Ethics Education Program

The Ministry of Education has authorized a program in ethics education to serve as an alternative to religious education for those parents and students who so desire. The development of this ethics education will serve as an important component to the social studies curriculum at the secondary and primary levels. The recruitment and placement of an academic specialist at Vilnius Pedagogical University to assist in the development of a curriculum and appropriate teaching materials for ethics education is strongly recommended.

(3) Special Education Program

Attention to the mentally and physically handicapped has been identified by the Ministry of Education as an important element in democratization. Important developments in this area have occurred through the efforts of a SEED-funded Fulbright lecturer during 1992-93. This work began after a SEED-funded visit from Pennsylvania of four specialists in the education of the handicapped. The work of APPLE seems to be revolutionizing education of the handicapped, including challenging the complacency of the Siauliai Institute. The work to integrate such children into the "least restrictive environment" is just beginning. The recruitment and placement of another Fulbright academic specialist to serve as advisor to the Ministry of Education and to Vilnius Pedagogical University for 1993-94 is strongly recommended. Curriculum development at the Ministry and the establishment of a special education major at the University should be encouraged. The Fulbright specialist could be selected in the context of the APPLE Program.

(4) Fulbright Program

While the other two Fulbright Scholars interviewed by the evaluators are involved in teaching and carrying on their research, they are not involved in curricular reform. The two Scholars were not even aware that there was an expectation that they would carry on curricular reform. If SEED is to continue supporting the Fulbright program it should be pursued along the lines described in the above discussion of the Polish program.

54
101

3. Bulgaria

(a) Country Situation

Structural Reform

At the primary and secondary education levels there are as yet no clearly formulated plans for structural changes. The system is highly centralized at the Ministry level, and it is likely to be some years before significant decentralization occurs. The Soviet model has a strong hold on educators and administrators at various levels. Structural reform of Bulgaria's educational system has been delayed by repeated reorganizations of the Ministry of Education. Funds needed for significant reorganization are lacking, together with competent professionals not wedded to the previous system. There is a need to train mid-level educational administrators who can manage change toward decentralization of the system and decision making at regional and local levels.

A law has been passed granting autonomy to institutions of higher education. However, this law is currently being re-examined and is likely to be revised. Nonetheless, Sofia University is making plans to adopt a credit system for course work and the western style A.B., M.A., and Ph.D. degree programs to replace the current diplomas. The adoption of the credit system, plus the fact that all required ideological courses have been eliminated, will introduce flexibility into students' programs. The East European Special Studies Program of Sophia University, and the New Bulgarian University, both discussed below, are important new initiatives in this area.

Curricular Reform

At Sofia University there are moves to introduce Western style credit and degree systems. While these are structural changes, curricular reform will of necessity occur as a concomitant of shifting to the credit system. This, however, is at a very early stage of development. Other than this, some curricular development seems to be taking place in the Eastern European Studies Center at Sofia University and at the New University of Bulgaria.

At the primary and secondary education levels, curricular reform is barely beginning. An occasional new text is in use, such as one in philosophy written by the Deputy Minister. Turmoil in the Ministry of Education, derived from repeated reorganizations and changing leadership, has been a major deterrent to curricular reform. The lack of new texts as well as the rigidity and poor education of teachers are also major impediments. Funds are needed to create new texts and teaching materials as well as to mount massive in-service teacher education programs.

(b) Activity Assessments

(1) New Bulgarian University (NBU)

NBU was created in 1991 and has been in the forefront of educational program reform -- e.g., adult education, distance education, continuing education, modular offerings. The academic staff of the institution has utilized its newly-granted autonomy from the Ministry of Education to experiment in curricular reform, especially in the social sciences. There is a high demand for admissions to the new courses and programs. It is recommended that a Fulbright academic specialist in the social sciences be recruited and placed at this university.

(2) Eastern European Special Studies Program of Sofia University (EESSP)

This program is a free-standing entity attached to the Office of the Vice-Rector for Academic Programs and was established to provide a series of inter-disciplinary courses to a limited number of students interested in Eastern Europe and the West. Two Fulbright academic specialists taught courses in the program in 1992-93. It is recommended that two Fulbright academic specialists be recruited and placed at Sofia University in the EESSP. They would assist in the development of additional courses in the program as well as in the teaching of such courses.

(3) Fulbright Program

Two Fulbright academic specialists who were placed in the Department of English Philosophy at Sofia University also participated in the development of two courses in American Civilization and Culture in the Eastern European Special Studies Program (EESSP). Within the EESSP a program entitled "Multi-Cultural Diversity in American Society" has been established. The EESSP has attracted a very high calibre of students. It should offer a good pool for exchange students for placement in the US.

According to the new Fulbright Executive Director who is on the faculty of Sofia University and at the Eastern European Studies Center, six Fulbright scholars will be coming to Bulgaria for the 1993-94 academic year and will be working on curricular reform in the social sciences. It would make sense to have these scholars attached to the Eastern European Studies Center (EESC) which is an "interinstitutional, interdepartmental, interdisciplinary program" with offices at Sofia University and the New Bulgarian University. However, they must be made aware of their responsibility for curricular reform as it relates to the development of democracy.

(4) Books for Democracy

We have no clear information on the actual use of Books for Democracy in Bulgaria except at the American University of Bulgaria (AUB). However, from our various interviews it is

clear that these books are needed and would be very much appreciated in several institutions and programs. As in Poland and Lithuania, the Books for Democracy Program is not being used directly to support the other education reform activities.

E. PRIORITIZED LIST OF NEW AND CONTINUED ACTIVITIES

The following are proposed priorities among future activities under the Education Reform and Books for Democracy programs. These include existing activities to be continued, and activities to be carried out in modified form. These are listed by descending order of priority under each country.

POLAND

Curriculum Reform

Ohio State Civic Education Program
American Studies Center/Warsaw University
Batory Foundation Program in Political Science

Books for Democracy

Ohio State University Civic Education Program
American Studies Center/Warsaw University
Olsztyn Summer School of Economics

LITHUANIA

Curriculum Reform

Civic Education Program
Ethics Education Program

BULGARIA

Curriculum Reform

New Bulgarian University (NBU)
Eastern European Special Studies Program of Sofia University (EESSP).

F. INDICATORS FOR FUTURE IMPACT MEASUREMENT

The following are proposed qualitative indicators that could be used to gauge the impact of the Education Reform and Books for Democracy initiatives.

Influence of New Programs and Materials on Attitudes: The attitudes of numerous teachers, prospective teachers, and pupils are influenced in positive ways, in particular with respect to their understanding of the concepts of citizenship and their image of democratically-governed countries. A measure of this influence can be produced via a study of the changing attitudes of pupils vis-a-vis themselves, their co-students, their local community and their country.

Influence of New Courses on Curricula: University faculties gradually restructure their curricula as a result of experimental courses. New courses address hundreds of university students in various academic disciplines, especially the social sciences. The influence of such revised courses and programs on the training and subsequent professional life of the students can be evaluated through alumni follow-up.

Enrichment of Social Science Disciplines: Professional fields of social science are upgraded, and modern social science thought is conveyed to thousands of future citizens and social scientists of the region. Evaluation of these changes are possible by a follow-up of the program participants.

Effect of Specialists on Curricula: Specialists effect curricular changes in their institutions and academic programs. Colleague teachers and professors are influenced to engage and share in curricular review and change and in the development of appropriate teaching materials. The multiplier effect of this professional involvement can be measured by a survey of curricula and materials produced, local faculty involvement, student participation in the revised programs, and tests of student knowledge.

Utilization of Instructional Materials: Instructional materials are used by teachers in classes throughout the system. Thousands of students are exposed to their contents. Materials are used directly to support the other education reform activities which are under way. Teacher utilization and instructional value can be measured by sample surveys. Attitudinal changes in students can also be surveyed.

Impact of Training of Trainers: Participants teach thousands of students over each academic year. Evaluation of the knowledge of the students and subsequent professionals can be gauged by a follow-up of the participant alumni.

Improved University Administration: One or more universities act as models for university reform for the region and assume leadership roles in the reform of curricula in the social sciences, due to administrative reform, willingness to experiment, etc. The students graduating from this institution play a major role in the emerging professional life of the nation.

ANNEX VII: DEVELOPMENT OF INDEPENDENT MEDIA

A. INTRODUCTION

Since April 1991 through the Independent Media Project (No. 180-0022) A.I.D. has funded the United States Information Agency (USIA) and the International Media Fund (IMF) to provide training, equipment and technical assistance to Central and Eastern European countries. The objective has been to help those countries in developing and strengthening independent broadcast and print media through providing equipment and technical assistance to the media and training for the journalists. A two-year budget of \$12.6 million was provided to USIA. Of that amount \$10 million was passed to the International Media Fund. USIA spent the remaining \$2.6 million on a wide range of training activities in Eastern Europe and in the U.S.

The IMF and USIA conduct the activities out of Washington. The IMF has no representatives in the field. USIA uses its field personnel attached to the U.S. Embassies. IMF makes grants to particular media related organizations and has focused on providing equipment, materials and short-term technical assistance. USIA uses its traditional channels such as exchange programs, training programs and observation trips. The VOA participates with USIA in the effort.

The number of interviews with persons who had participated in the exchange programs was limited by the fact that many of the U.S. participants had returned to the U.S. and were scattered to their points of origin and that there was no comprehensive listing of the names and addresses of all the nationals of the countries visited who had participated in the activities being assessed. Partly because of those limitations and partly because the major activities, in funding levels and apparent impact, were those supported by the IMF, the Evaluation Team put its principal focus on assessing those IMF activities.

A fuller discussion of these topics is provided in Annex IV.

B. ASSESSMENT OF PROGRAM IMPACT AND EFFECTIVENESS

1. General Findings

Based on the previous discussions of country programs below the following are the Evaluation Team's common findings.

A free press now exists in Eastern Europe just three years after the end of Communist rule

The old state monopolies have been replaced by hundreds of new independent media outlets, mostly in the print media, but many in radio and some in television. For instance, it is estimated that over 1,000 newspapers have been started in Poland in the last three and one-half years most of which have failed because the market place cannot support that volume. There are still some hindrances to the free press, especially in the area of television, but the fact remains that anyone can start a newspaper, and hundreds have, and be left free to express opinions on any issue. Indeed, all political views can now be read or heard throughout Eastern Europe.

Independent wire news services have been started with IMF help in the Baltic countries, Poland and Bulgaria. They are providing objective news coverage and are the only alternatives to state news services. Their customers, primarily the new, small independent press and radio, had high praise for the new services. The Voice of America is carried, along with local news in the local language, on a number of new, independent radio stations assisted by IMF funding.

More opinions than facts

A free press, however, does not automatically mean a good press. After 50 years of state-directed media and an even longer tradition of advocacy journalism, much of the new free press is devoted more to opinion than to fact. Time and again we heard that you must read three or four newspapers for all the opinions and then make up your own mind on what the real facts are. It must be kept in mind, however, that the more objective approach of U.S. journalism is not followed even in Western Europe where many newspapers strongly reflect their owners' political views.

Commercial viability is the great challenge

There is great interest among private persons in establishing independent media and laws to support the existence of such media either have been passed (as in Poland) or are under consideration. Indeed, investments are being made even before formal franchises are granted, and advertising revenues, almost unknown under the Communist government are growing. However, given the difficult economic conditions facing the economies of these countries, it is likely that there will be a large number of commercial failures among the independent media. Thus, attention will have to be paid to prospects of commercial viability and to the needs for technical assistance and training related to management and commercial operations.

AID support is giving positive results

AID support has been of significant assistance to several organizations which have been making progress on their goals thereby contributing to the strengthening of the independent

media. The Media Resource Center in Poland is becoming a strong force for training of media personnel and could become a center of excellence for the whole region. The Vilnius University School of Journalism is actively reforming its curriculum. The Baltic News Service has become strong enough that it probably can continue to grow without external, concessional support. The new independent radio stations assisted in Bulgaria are gaining strength. The training provided through USIA generally is praised.

Assigning the degree of importance of the A.I.D. funded support to the progress being made by the independent media is a task we cannot meet. Other assistance agencies are quite active and, above all, the overwhelming impetus and support for the independent media is coming from within the countries visited. It responds to the opportunities presented by the loosening of controls and its main impediment is the difficult economic situation facing the independent media. Thus, we do not find it possible to go further than saying that the program is having positive results.

2. Country Program Findings

Poland

The overwhelming focus of the use of the resources of the program in Poland has been on the Media Resource Center with the balance going for various types of training. The support for the Center has been important to the Center's progress. Since the Center is becoming a major vehicle for the training of media professionals the program would seem to be making a significant contribution to strengthening the independent media. Thus our priority recommendation for the future is that the program continue its support for the Media Resource Center. This is based on our observations of the center's activities and on the general opinion we heard concerning its operations. It has high potential for being a major force to support the independent media.

Lithuania

The program provided a very modest amount of assistance to the Baltic News Service which has established itself as a source of reliable information. That is a success. More important, the program has established contact with two potentially important institutions whose programs are described below: the Vilnius University School of Journalism and the Liucija Baskauskas Network.

Bulgaria

The program in Bulgaria was the most active of the three which the Evaluation Team observed. It has contributed to the strengthening of five private radio stations and an independent news service. The commercial radio stations could use additional assistance but their current operations raise some concerns about their cost effectiveness and commercial viability. The major shortcoming of the program to date is that it has not found

a way to work with television or to strengthen the training of journalists and other media professionals. This reflects the local situation rather than any failings on the part of the program planners and managers. Nevertheless, we suggest that the program place emphasis on seeking to identify and assist an in-country training mechanism such as those being assisted in Poland and planned for assistance in Lithuania.

C. MAJOR RECOMMENDATIONS

New and promising opportunities to be performed

There are several opportunities for making an impact on the development of the independent media which should be seized. One is to provide assistance to the new holder of the right to use a current Russian TV channel in Lithuania who wants to adopt Western programming and provide independent news coverage in the Baltics. Another is to support student radio stations such as the one which has started in the American University in Bulgaria. A third would be to give more support to journalism schools as they show interest and movement (as currently is the case in Lithuania). None of these starts would be costly.

Provision of equipment should be part of a business plan and accompanied by training

The IMF has provided equipment to the organizations with which it has been working. This appears to have given good results to date because of the experience its personnel had in operational media. However, given the economic situation referred to above, it would be advisable for requests for funding of equipment in the future to be submitted to close review of the economic prospects of the applying organization and the provision of support for equipment usually should be part of a package which includes a business plan and the necessary training.

Support for state broadcasting is justified

Before visiting the three European countries, we met with various A.I.D. and USIA officials in Washington and read many of the activity reports. This left us with the understanding that there is a reluctance to support the state broadcasting systems since the main objective of the program is to support private media entrepreneurs. We think that this approach is short-sighted. The best broadcasters in Western Europe have traditionally been public broadcasters funded in some way by public money. The BBC in Great Britain is the best known example, but similar public broadcasters exist in every Western European country. Of course the public broadcasting entities of Eastern Europe are not yet of the quality of those in Western Europe. However, throughout Eastern Europe state broadcasting organizations are throwing off government direction. There are still some problems in most countries with government pressures but more and more those pressures are being resisted as state broadcasters follow the leadership of the new and independent print media. Furthermore, most of the best journalists in these Eastern European countries are working with state broadcasters. Although independent radio and television are making steady

progress, lack of commercial revenues does not allow them to establish large news departments to compete with the state broadcasters, and the personnel of the latter will be dominating news coverage for many years. It makes more sense to improve them than to ignore them. The Rutgers University study team in 1991 reached a similar conclusion. Furthermore, the more independent of government control the publicity around broadcasters become, the more likely it is that the overall atmosphere for privately owned broadcasters will be positive. The increasing professionalism of the leaders will help all.

Western programming is needed

There is a tremendous demand by television broadcasters for programming from the West. Russian channels are still seen throughout all three countries we visited. In fact one Russian channel, Ostankino, is extremely popular because of its entertainment programs, including some from the U.S. Indeed, everywhere we went we were told that there is a tremendous appetite for programs that can show something about Western life styles and Western democracy. The programming doesn't have to be the latest network series. Any documentaries, children's shows, light entertainment, concerts, opera, ballet, etc., would be welcomed and would strengthen the position of the outlet showing them. Professor Irving Fang of the University of Minnesota reached the same conclusion during a three-month training mission to the Baltic countries in 1992.

Eastern European countries cannot afford to pay very much for programming, but there is enough material from the archives of the last 20 years to satisfy their immediate needs. Consideration should be given to using a person experienced in the U.S. television marketplace to make deals for program distribution with these Eastern European countries on a barter or discounted basis. Such deals probably would pay off for the supplying companies in years to come. In the meantime they would help the spread of democracy. The person in charge might be engaged on salary or on a contingent fee basis.

Training is having a positive effect but should be refocused

There has been a wide variety of training: year-long scholarships at U.S. universities; short-term visits to the U.S. for seminars; two to five-day seminars in Eastern Europe by visiting U.S. experts; longer visits of one to three months by U.S. experts; Fulbright scholars posted to teaching positions in universities. It is difficult to assess the effect of the large amount of training that has been provided throughout Eastern Europe. Still, in our opinion, there is no question that much of the training has been successful. Throughout our three weeks we met many people who had attended training courses. They were nearly unanimous in saying that the training had been beneficial and had contributed to the improvement in the media. There was also nearly unanimous support for continued training from the U.S. with especially strong requests coming from Lithuania and Bulgaria. Indeed, our view is that the major focus of future programming should be on training.

We did hear, however, many suggestions for changes and improvements in the approach to training. Those most commonly heard are the following:

- **Practical teaching, not theory, is now the need.** We heard time and time again that people are tired of hearing lectures on theory; that what they need now is practical experience. We heard requests for training in many specialized areas -- camera work, tape editing, researching difficult stories, economic reporting, communications systems, management, marketing, organization, and on and on.
- **Replace lectures with debate and discussion.** The journalists in the three countries we visited are proud that a free press has been established and although they know they still need help they want the final decisions to be left to them.
- **Eliminate many of the short seminars in Eastern Europe and replace them with one to three month visits by U.S. media experts.** In that connection there were repeated requests that visitors come in and work on site until they understand the local situation and can then work with the people on a day-to-day basis. Several people referred very positively to the work done by Professors Irving Fang of the University of Minnesota who spent three months in the Baltics, and also to Romas Sakadolakis of VOA who spent several months working on site with various media organizations. At our briefing sessions in Washington, officials at both USIA and IMF said that they were moving towards this kind of operation. We encourage that trend.
- **Training sessions in Eastern Europe should be planned in cooperation with the prospective trainees and their organizations.** Sometimes we heard that the training sessions were not exactly what was needed. Things are changing so fast in all of these countries that someone sitting in the U.S. cannot possibly know what the current needs are. Furthermore, there are so many demands for training that only the national entities can set their priorities.
- **Reduce training seminars in U.S. to one to three months and plan them better.** One recipient of an eight-month visit to the U.S. admitted, rather reluctantly, that long visits such as his were a luxury and a better payoff would be obtained by shorter sessions for more people. Some who had been in the U.S. said their visits were not well planned -- that there was too much wasted time and not enough practical experience. One highly placed television executive said that he would not be in his present job without the U.S. experience. He said, however, that it was only his own efforts in completely replanning his U.S. stay that made it so valuable. He was to spend some time at a television station and then move on to visits to Washington and various universities. He persuaded the station to keep him for the full three months, and he worked through most departments in that station. He said his most valuable experience was working directly with the news director.

- **Make the topic of management in general, but especially in marketing and sales, a major priority for the future. This was the area that came up for discussion with almost every senior executive. However, there are two pitfalls in this area. One is that it may be a little too early for this kind of training as the economies in Eastern Europe are so bad that there is very little advertising money available and too many media outlets are chasing the same dollars. Another is that visiting U.S. experts must not go in selling the current U.S. market as the answer. Advertisement agencies, television commercial production houses, radio jingle writers -- all of these are almost unknown in Eastern Europe. Most local businessmen do not believe that advertising helps sales. Those who do advertise at the moment are doing it for prestige. They will need to be convinced of its commercial value.**
- **Cooperation with training activities of other nations should be emphasized. A great deal of training is also being done by Great Britain, France, Italy and the Scandinavian countries. Professor Irving Fang wrote a report a year ago outlining a plan for a co-operative training program in the Baltics to involve the U.S., Denmark, Sweden and Finland. We found no evidence that practical measures have been taken to coordinate these various programs.**
- **A better tracking system is needed of participants in training seminars and workshops both in-country and in the U.S. This tracking should include an objective evaluation and follow up of where these people go and a second follow up and evaluation of the program one year later. Presently USIA and IMF are responsible for tracking their own trainees.**

D. CURRENT COUNTRY STATUS AND A.I.D. FUNDED ACTIVITIES

1. Poland

(a) Current Situation

Of the three countries we visited, Poland is furthest along the road to a totally free press. Indeed, it would appear that Poland is well on the way to finding its own direction in the world of media. Less than three years ago there were only three private radio stations and one private television station. Today, there are at least 45 private radio stations and 18 private television stations. A new government commission is just being appointed to rule on radio and television frequencies and to award new licenses. They have already received 700 applications for radio licenses and over 200 for television. The newspaper field has exploded, and it is estimated that more than 200 new publications are now in existence. A new media law has been passed and, although some concerns have been expressed, it has been given a good reception by most senior media people. The major concern is over a clause which calls on the media to recognize Christian values. It is generally accepted that the law will undergo changes as the new media continue to improve.

65

State television now has two national channels. Two other national channels are available. The Catholic Church is expected to get one and the other probably will be awarded to state regional outlets to form a state network. There are also 18 private or "pirate" stations operating without licenses on a localized basis. The pirate stations carry mostly foreign programming but do provide some news with their very small staffs. State television started carrying commercials 2-1/2 years ago and the private stations are carrying very crude commercials most of which are just text across the screen. There is considerable doubt that private television will have the revenue in the foreseeable future to compete with state television in information programming.

Private radio, which has exploded all over the country, is good. The big success, Radio Zet, is considered by many Americans living in Poland to be as good as U.S. radio. In Warsaw, the two private stations claim to have taken half the audience away from state television. However, most people still watch the state channels for news, with 18 million tuning in every night for the 7:30 PM news. Most of the news on the state channel is political or foreign with little coverage of other everyday issues. Regional state stations carry the network signal but are allowed to opt out for a few hours every day to carry local programming.

The major weakness in all the media is that there is still too much opinion and not enough fact. Most journalists don't know how properly to research complex subjects. This situation is complicated by the battle between the old guard, many of whom are still in high media positions, and the new guard composed of those who led the dissident movement in the 1980's. A further complication is that there are at least seven different journalist associations as even those once united by the underground movements are now fighting amongst themselves. The journalism schools also are not a part of the solution. They currently provide almost no practical training. Most senior media people agree that the curriculum must be totally overhauled, but there seems to be no movement towards change within the schools themselves.

(b) *A.I.D. Assisted Activities*

The principal activity to date has been with the Media Resource Center which was created in 1991 and has been a base for seminars by visiting experts from the U.S. and for teaching journalism courses to university students. The Center received organizational support from the Journalism Resources Institute of Rutgers University and grants of over \$600,000 from the IMF to renovate its space, to equip it with radio and television facilities and to sponsor a range of training activities. The IMF also has provided a small amount of equipment for the Solidarity Information Service, an independent wire service created to supply objective reports to hundreds of new independent radio stations.

(1) The Media Resource Center

Description

The Center was set up in 1991 under the guidance of the Director of the Journalism Resources Institute at Rutgers University. It was used primarily as the base for various seminars by visiting experts from the U.S. and for teaching journalism courses to university students. Since September 1992, the director of the Center has been a Polish-American who has lived in Warsaw for the past 10 years. The full-time staff of the Center consists of a secretary and a television coordinator. There are part-time radio and print coordinators; other local resources are brought in as needed.

The major activity of the Center is providing journalism courses for students. Five courses are now being offered: two for print, two for radio and one for television. Each of the five courses consists of one four-hour class each week for 14 weeks. There are approximately 20 students registered in each course for the 1992-93 year although some are attending more than one course. Almost all of them are students from the University of Warsaw and many of them are from the journalism faculty. The students said they could not get practical teaching anywhere else, and they asked that the courses be expanded. Other activities at the Center include: (i) conferences and training seminars, most of them in conjunction with the Central and East European Media Center; (ii) provision of advice and consultation for young media entrepreneurs; and (iii) informal meetings of Polish journalists to discuss journalistic issues.

The Center's goals are: (i) to help people in journalism in the transition from a controlled press in a totalitarian state to a free press; (ii) to define the role of the media and help the media fulfill that role; (iii) to teach new skills that were not provided in the Communist or underground press; and (iv) to see that journalism is suitable to the norms of the country and is a model that fits with society's mores. The accomplishments of the Center to date have been impressive. For instance: enrollment in the journalism classes has risen from 10 to over 60 in the past year; many of the students have gone quickly into jobs in the media, sometimes while still attending the courses; the Center has a growing list of requests for help from independent radio and television outlets; the Center has translated the BBC guide on journalistic ethics and practices into Polish and Polish state television is now distributing it to all its journalists; and the Center will soon start the publication of a monthly bulletin, in English and Polish, to publicize its activities.

The long-term objective of the Center is to offer a full one or two-year journalism course. The Deputy Editor of Polityka and Deputy Chairman of the Polish Publishers Association, has discussed with the Center the possibility of its being a base for a new journalism school. An Academic Council, with representatives of the Polish Journalists Association, has just been created to work on future plans for the educational program to be offered at the Center. A staff committee has been formed to look at other ways to raise funds to support an improved curriculum.

A major constraint is that there is a shortage of staff at the Center. The demands have become too much for the few people involved. Then too, there was a common opinion among the IMF staff in Washington, Embassy staff in Warsaw and the Center staff that the time has come for severance of the ties with Rutgers since the situation in Poland is changing so rapidly that local direction is needed on a day-to-day basis. Administration of the Center has been difficult because of long delays in obtaining decisions from the U.S.

Recommendations

We strongly support continued (even expanded) support to the Center. It has had important success and has the potential of being a center of excellence for the whole region. To assist the effort we recommend that the following steps be taken:

- Appoint a Board of Directors to ensure a proper business approach to an expanded program. The IMF and the U.S. Embassy in Warsaw should be represented on the Board. This can be followed by a severance of the ties with Rutgers University.
- Request that a full business plan be prepared annually in which objectives would be set and reported on quarterly.
- Prepare a strategy for a slow withdrawal of A.I.D. funding, probably starting in the third or fourth year, so that the responsibility for an improved press is taken on by Polish organizations associated with the Center.

(2) Solidarity Information Service

This is a new independent service founded to provide radio voice reports to the hundreds of new independent radio stations springing up all over Poland. The only other news service is the Polish Press Agency which is run by the government. It provides services only in print. In any event, most of the independent radio stations appear to want service from a non-governmental agency. Few of them can afford to have their own correspondents in the various cities and regions of the country.

The IMF has provided a very modest amount of assistance to this new service. We heard several favorable comments about it from senior media executives, but were unable to arrange a visit to the service itself. We cannot make any recommendation concerning future support.

2. Lithuania

(a) *Current Situation*

There is a free press but much of it is a spinoff of former Communist publications with many of the same people in positions of power. Although the government does not appear

to exercise any direct control over the content of state radio and television, the recent change in government resulted in new personnel in the top positions and their attitudes have yet to be tested.

There are currently four television channels seen in most of the country. There are also 11 small municipal television stations scattered around the country which are financed by local governments on low frequencies and broadcasting only a few hours a day. Two of the nationally seen channels are in the Russian language, originate in Moscow and carry no Lithuanian programming. Another is a Polish channel. The fourth is operated by the government but carries very little Lithuanian programming. Two other channels, available only in the area of the capital, have recently been dormant but licenses have been granted to independents who are now attempting to get them on the air. Advertising dollars are almost non-existent and most observers believe that private television will have a difficult time surviving.

There is general agreement that state television is improving, and we were told that everyone watches the main evening news on state television. However, the Russian private channel, Ostankino, is still the most popular channel. The quality of its entertainment programming, which includes some old U.S. series, is much higher than Lithuanian television and everyone in Lithuania speaks Russian.

Private radio has developed strongly since independence and now gets the highest audiences, primarily because of its Western music. The stations have very small staffs and carry very little news. State radio, with its large news staff, is still the major source for news on radio.

As in all Eastern Europe countries, the newspaper industry has grown enormously. It is now estimated that there are over 200 newspapers, most of them weeklies. However, because of the poor economy, many newspapers are failing and circulations and advertising revenues either remain stagnant or are decreasing. Editors with whom we talked said there was no direct government pressure on them concerning the content of their papers. However, with one exception, all the newspapers are printed on state-owned presses and distributed by a state-owned company; and it is evidently a not uncommon practice for the state to let its displeasure be known by altering printing and distribution schedules. One newspaper, the Standard, has bought its own presses, but they are old and the quality of printing suffers in comparison with the state-printed newspapers. Some newspapers are also experimenting with home delivery by retired people in an attempt to break away from the state monopoly, but this accounts for only two or three percent of distribution to date.

Everyone agrees that truly objective journalism does not exist in Lithuania. At least there is pluralism and all opinions are heard, not just the one opinion of previous Communist governments.

(b) *A.I.D. Assisted Activities*

The program has been only modestly active to date. However, there are several opportunities for having positive impact in the near term which are discussed below.

(i) The Liucija Baskauskas Network

Description

A Lithuanian-American who has been living in Vilnius for the past three years, has obtained a seven-year license for one of the only three country-wide television channels in Lithuania. The system, known as Channel 3, is currently carrying the Russian state channel from Moscow in the Russian language and with no Lithuanian content. The license allows that the Russian programming be replaced with Western and Lithuanian programming.

The licensee currently is receiving some funding from the Frittord Foundation of Norway - \$300,000 per year for power to run the transmission system within the borders of Lithuania. An additional capital investment of between \$500,000 and \$1 million is needed to provide a studio and facilities for the broadcasting of Western programs with Lithuanian subtitles and for the production of Lithuanian programs. The licensee has approached various organizations for funding, including the European Bank for Reconstruction, the Soros Foundation and the IMF in Washington. IMF has a detailed list of the equipment needed.

The licensee has completed negotiations for the acquisition of Western programming. It has a commitment from the U.S. Discovery network for 200 hours of programming. It will receive it at no cost until the advertising market improves and then for 50% of the advertisement revenues on the programs. It has made similar deals with the British Broadcasting Corporation for its World News Service and Asian Service and with Euro Sports and Euro News. It also has run full-page questionnaires in all major Lithuanian newspapers to learn the viewing habits and interests of current television viewers. Over 10,000 replies have been received and they are still coming in.

The licensee has the objectives of: showing non-Russian programs, primarily from the West; improving the quality of the Western programming and adding sub-titling in Lithuanian to help viewers learn English; producing Lithuanian programming, including news; providing educational programming in the afternoon hours; collecting news from the local municipal stations and re-transmitting it to the entire country; and expanding the network to cover the other two Baltic nations, Latvia and Estonia.

The plans are very ambitious. Outside funding will have to carry the effort for the foreseeable future as advertising revenue growth will be very slow due to the weak economy. Considerable external expertise will be required -- advisors in station management, programming, technical, advertising and finance.

Recommendations

- We recommend that the IMF provide at least part of the financing the station needs to get on the air with subtitled Western programming. Sixteen hours a day of Russian television would be eliminated and replaced with a window on the Western world.
- A detailed analysis of the current financial situation of the licensee should be done before a final commitment of funds. Consultations should also take place with other possible funding organizations in an attempt to provide a solid base for the next few years.

(2) Vilnius University School of Journalism

Description

There is a real enthusiasm for change and improvement at the Vilnius University School of Journalism. Old Soviet-ordered courses on Scientific Atheism and Marxist theory have already been dropped and many courses in practical journalism are being added. USIA has funded some teaching at the school and the head of the VOA Lithuanian service, lectured at the school last year and left some radio recorders with the faculty. The IMF is giving consideration to funding a student radio station and providing some computers, radio and television equipment and software for teaching practical journalism courses. Professors Joseph Slade and Don Fourney, who conducted seminars in Lithuania in 1992, recommended that help be given to the school. Professor Irving Fang of the University of Minnesota, who spent three months in Lithuania in 1992, also recommended that teaching equipment be donated to the University at Vilnius.

There has been an obvious improvement in the calibre of the students in the past year or so. Most new students speak English, which was not the case just two years ago, and they are now asking bold, pointed questions about the serious issues of journalism. However, the school does face serious constraints. It lacks equipment and the tradition of partisan journalism is difficult to overcome.

Recommendations

- That a commitment be made to the school to provide the requested list of equipment for the next semester.
- That funding be provided to the school for a student radio station patterned after the one funded by the IMF at American University in Blaevograd, Bulgaria.

(3) Baltic News Service

Description

This is a wire news service based in Vilnius. It is one of three sister companies located in each of the Baltic states. It is the only news service currently operating other than the state-run service. The agency specializes in economics, energy, unemployment, and other business related topics. The service is currently being purchased by all news outlets in Lithuania. However, most of its revenue now comes from the English service it provides to businesses and embassies.

The Baltic News Service has an outstanding reputation for being first with stories. All the senior media people we talked to in Lithuania praised the quality of the Service, especially its objective approach to the news. It is seen as totally independent from any power source. In fact, it has received several veiled warnings from the government about some of its reporting but claims it ignores them and adds that it is not concerned with these minor pressures. A visit to the newsroom leaves the impression that the company is doing very well financially with computer setups at all work stations.

The Baltic News Service received a small amount of funding from the IMF to help in setting up a communications system. The head of the Vilnius office was high in his praise of the training that also had been provided by the IMF on several occasions. The assistance appears to have been well spent in helping to start an independent news agency which is considered an important contributor to the growing free press in the Baltic countries.

Recommendations

- It would appear that Baltic News is now at the stage where it can progress on its own. We therefore recommend that no further funding be provided unless there is proof of severe need.

3. Bulgaria

(a) Current Situation

Bulgaria's progress towards a free press appears to be much slower than in Poland and Lithuania. All major newspapers are tied to a political party or labor union or are financed with mysterious money believed to be funds smuggled out of the country by Communists and now being smuggled back in for private purposes. The problem of more opinion than facts seems more serious here. There is evidently an increasingly open dialogue on radio and television, and polls have shown that people believe there is a higher degree of objectivity on radio and TV than in newspapers.

There are now 12 private radio stations, most of them having been started in the last six months. Many of the independent stations are extremely well financed with "Red" money - - mysterious funds thought to be brought back into the country by former Communists. For instance, the most popular independent radio, Radio Express, has almost no advertising but has a staff of 80 and reporters in mobile radio cars. Forty-two radio licenses have been issued by the government, but most have not yet made it on the air. The state has four radio networks with the main one getting 50% of the audience. The new private stations are sharing almost 40% of the audience in Sofia. This is remarkable considering that only 60% of listeners get the new FM stations and that the government maintains a monopoly of AM broadcasting for itself.

Television is still dominated by the state with two channels, but only one is seen nationwide. The only other functioning TV channels are Ostankino from Moscow and TV5 from France. Two private television licenses were granted some time ago, but the recipients did not proceed because of the very doubtful economic prospects. The new head of state television said he believed it will be at least 10 years before private television is commercially established. Of course, he may be exaggerating in order to support his position that state television deserves support.

The state television network carries very little Bulgarian programming. It produces only 6% of its entertainment programs and a total of 140 minutes a day of information programming. The remaining hours are filled with foreign programs. The Russian channel has superior entertainment programming and is getting about 40% of the audience in Sofia, the capital city. Inflation has reduced the state network's spending power by two-thirds in the past two years. Budgets are being handed out by the government one month at a time. The state network accepts advertising, but there is very little of it. Mr. Boyadzhiev hopes to move most of the information programming to Channel 1 and make Channel 2 more of an entertainment channel. He proposes to sell 49% of this channel to private interests and then attempt to make a profit which he can use to improve Channel 1. This would make it even more difficult for any private channel to survive.

The Director-General was chosen by a direct vote in parliament after his predecessor was fired for political reasons. There is a radio-television committee of parliament, but admits no one pays any attention to it. A new media law has been debated, but we were told that it would be a long time coming as the government prefers having no rules to hinder its actions.

(b) *A.I.D. Assisted Activities*

Most of the U.S. help has gone to four activities: (i) the Center for the Study of Democracy which has helped put three new independent radio stations on the air; (ii) a student radio station at the American University in Blaevograd; (iii) a private radio station in Sofia which is now the second-highest rated independent station; and (iv) *Leff*, the first independent wire news service in Bulgaria. Nearly \$600,000 has been disbursed in support of these activities.

(1) Radio Stations of the Center for the Study of Democracy

Description

The IMF funded studio equipment for Radio Vitosha which went on the air in April 1991 with VOA material in English only. In January 1992, the station started carrying some local programs in Bulgarian and since then has been slowly reducing the VOA content in order to retain its audience against the other new independent stations. It is now producing 263 minutes a day of its own material with the remainder being mostly music coming from the VOA. From approximately 8:00 a.m. until 5:00 p.m., it carries news on the hour in Bulgarian plus several 24-minute blocks of analysis, discussions, advice, etc. There are now 20 people on its staff and management is very optimistic about the future. The station started carrying advertising when Bulgarian programming started in January 1992.

The Center has started two other stations, one in the city of Plovdiv and one in the city of Varna. They took the same approach as Radio Vitosha of starting with VOA material and slowly replacing it with their own production. Plovdiv received studio equipment from the IMF while Varna is operating with rented equipment, volunteer staff and some financial help from the Soros Foundation. The Center has asked the IMF for funding to purchase additional studio equipment and a transmitter and says this step is crucial to the future of the Varna station since it would permit it both to increase the scope of coverage and to be fully independent of the use of state-owned facilities.

The stations were the first independent stations to break the state monopoly, and they have helped set standards for new, independent radio stations. A recent attitude survey of 1,500 people showed that Radio Vitosha in Sofia was getting 5% of the audience and getting the younger and better educated listeners. The survey also showed that people were listening primarily for music, local news and news from the U.S. A listenership survey is being done in Varna in April. Its management believes it is either narrowly in first place or a strong second to the state station.

Advertising revenue is growing, but slowly. The stations are now offering a three-city package to advertisers. It would appear that the Center's stations, still carrying a lot of VOA material, will have a very tough battle getting the necessary commercial revenue from the fragmented advertising market. However, the stations assert that they are close to breaking even.

More training for the staff at all three stations is planned. The International Executive Service Corps is sending a radio management expert to spend a month teaching primarily advertising, sales and marketing. They also hope to arrange training for journalists in professional standards and ethics. The Varna station is to obtain additional studio equipment and a transmitter. The Plovdiv station is to negotiate a \$40,000 loan from a bank to continue improvements and move the station from its current space in the trade union building to a hotel to remove any suspicion of union influence.

Recommendations

- We were somewhat disturbed by the very posh quarters occupied by Radio Vitosha in the most expensive hotel in Bulgaria. The Center for the Study of Democracy was also in impressive quarters. No further help should be provided to Radio Vitosha without a close examination of the cost effectiveness of its operations.
- We support the request for equipment for the Varna station. However, our concern about its ability to survive in a very difficult market, leaves us with very mixed feelings. Its financial prospects should be examined in detail.

(2) Radio Tangra

Description

Radio Tangra went on the air in Sofia in December 1992 with studio equipment and a transmitter provided by the IMF. It has a staff of 24, including four journalists, and has contracts with six newspapers, bartering promotion for access to the newspaper's reporters. Music is the station's strength, but it also runs special programs for students on current issues.

The two owners, former musicians, say that it would have been extremely difficult to start without the IMF's help. They claim that theirs is the only truly independent station since they are operating on their own money, obtained by a bank loan with their apartments as collateral, and since the three radio stations discussed above are still heavily depend on material supplied by the VOA. In any event, commercial revenue is growing. The station has raised commercial rates twice since going on the air. Commercials are up to 25 a day from a start at about six a day. The station is almost breaking even. The owners believe they can cover increasing costs and break even in six months.

After just one month on the air the station is now broadcasting 24 hours a day after starting with 18 hours. It is third in ratings with 6.6% against 50.5% for the state Channel 1 and 16% for Radio Express. The latest ratings show that Radio Tangra is still in third place but up to 9.5% with state radio and Radio Express unchanged. Its biggest success is with young people between 10:00 p.m. and midnight when a music program starts with 15% of the available audience and peaks at 24% at 11:30 p.m. Its plans for the near future are the production of more talk and phone-in shows and of live concerts by local bands tied-in with the production of CD recordings.

Recommendations

- When asked directly if they needed any more help from the IMF, the owners said they had difficulty with the maintenance of equipment -- that there was not anyone in Bulgaria who could help. They also said they would welcome training. Since the

IMF's help has got them off to a good start, we recommend that training be provided as well.

(3) Aura Radio at the American University in Bulgaria

Description

This station has a five-year government license and had been on the air just six weeks when we visited it. The IMF signed a contract to provide \$25,000 worth of equipment. The first shipment of facilities worth \$13,000 put them on the air. It has completed building a new, more powerful antenna which is currently being installed and will extend the range to a 35-kilometer radius of the city. It also has built a second studio, lining it with eggcrates, and is waiting for more equipment from the IMF so it can do production work while the first studio is on the air.

The station has an agreement with VOA to run a minimum of 12 hours a day of VOA material, most of it music. The station currently carries VOA material from midnight until 6:00 p.m. The station also has an arrangement with BBC for free access to its satellite news service for the time being. The station staff programs the 6:00 p.m. to midnight period with news on the hour, seven days a week. The staff also are producing evening talk shows dealing with subject matter not previously heard in Bulgaria -- issues such as sexism, discrimination against homosexuals, family problems. They are also dealing with local politics.

Day-to-day direction is provided by the student General Manager and five student directors of music, news, technical, advertising and marketing. The staff consists of 15 students who work part-time and receive a credit from the school of journalism. We were impressed with their enthusiasm and accomplishments. The station hopes to start giving token salaries soon, but the biggest expenses are for telephone, transmission and music rights. The station still owes 50,000 Leva (\$1,923) for the frequency license and 15,000 Leva (\$577) for studio construction costs. Although the city's population is only 50,000 and advertising is almost unknown, the station earned 30,000 Leva (\$1,154) in commercial revenue in the first month.

The station's plans for the future include: a one-half hour daily news program at 9:30 p.m. using Radio Free Europe as its major source of material; a soap opera-comedy about two Bulgarian families currently being written by students; and the expansion of its own Bulgarian programming until VOA material is reduced from 18 to 12 hours.

Recommendations

- The IMF should provide the \$10,000 promised for equipment (tape machine, mixer panel and microphones) for a second studio to do production work.

- U.S. Embassy staff in Sofia should keep watch on the station and be prepared to make recommendations if more help is needed in the near future.

(4) Leff Information Service

Description

Leff is a new, independent wire news service that specializes in economic news. The only other news agency in Bulgaria is run by the government. With a full-time staff of seven and part-time staff of six, Leff produces a 70-page report daily which is delivered by hand. Leff claims to have a lot of credibility as a totally independent operation, not tied to any political faction and therefore taking an objective approach to news.

Leff has received \$25,000 from the IMF for a communications system which is now being installed. This will enable Leff to deliver its service electronically. Leff also has received funding from the Soros Foundation for equipment to access satellites for sending and receiving news. Leff's major target will be the regional radio stations and the 200 new regional newspapers which cannot afford the government news service. Leff has done a market survey and believes that with electronic delivery it will immediately add 30 to 40 papers and 10 to 15 radio stations to its customers.

Leff recently won a contract from Dow Jones to represent that prestigious agency in Bulgaria and to be the exclusive carrier of its service. This has given Leff a big advantage as it believes all major media outlets will buy its service to obtain access to Dow Jones while smaller outlets will buy because of the lower cost. Leff also is close to concluding a similar contract for rights to United Press International.

Leff's plans for the near term are to finance a major expansion into more work stations for reporters and facilities for picture and radio receivers. It will hire freelancers in 12 regional cities and expand its full-time staff to 20 as it gains new customers. Leff will negotiate deals with its regional customers for them to provide news from their areas on a fee per item basis and plans to publish a digest of Bulgarian business news to be sold to hotels and embassies. To carry out these plans Leff needs training for its staff and help in gaining contacts for possible deals with other news agencies.

Recommendations

- The IMF should provide Leff with the additional \$25,000 it needs for expansion.
- Leff should be made a priority for training in the next six months.

E. PRIORITIZED LIST OF NEW AND CONTINUED ACTIVITIES

The suggestions and recommendations made in this report would not require an increase in the level of resources which have been provided during the past couple of years. Most of the recommendations for providing equipment concern equipment whose funding already has been promised and, we understand, provided within current authorized levels. New starts (such as work with more journalism schools and student radio stations) could require some additional equipment, but it could easily be accommodated from reducing the support of purchasing newsprint which we understand is being planned. The effort to provide western programming for private channels is one of facilitation rather than purchasing of materials. The above recommendations concerning training address improvements and some refocusing rather than increases in magnitudes.

The following is our listing, in descending order of priority, of the activities to be supported.

- **Training**
- **Media Resource Center in Warsaw**
- **School of Journalism at Vilnius University**
- **Radio Station AURA at American University in Bulgaria**
- **Left Information Service in Bulgaria**
- **Bauskauskas Network in Lithuania**
- **Supply of Western Programs to Eastern European Broadcasters**

Our highest priority is for training. We have doubts about continuing to spend large amounts of money on technical equipment except for journalism schools and university stations. Eastern Europe is in such a state of flux that there is considerable doubt as to who will eventually control new technical facilities. Also, in two of the three countries we visited, Poland and Bulgaria, there is no shortage of people willing to start newspapers and radio and television stations. Only in Lithuania was there any concern that such efforts would not happen without the donation of technical equipment.

Within training our top priorities would be:

- **Management training in general, but especially in marketing and sales. This should not be done to the exclusion of other specialized training but it was the area that came up for discussion with almost every senior executive. Training also is badly needed in technical areas and in specialized areas such as economic reporting, objective journalism, camera work and editing.**

- On the job training by U.S. media experts who would spend from one to three months working daily with Eastern European Media.
- Possibly more important than all other training is expertise and technical equipment to help the journalism schools totally revamp their curricula. Eastern Europe does not have the tradition of objective journalism and there is a desperate need to train young journalists in a western approach to the profession of journalism.
- If funds are limited, reduce year-long courses in the U.S. Better value can be obtained by either training Europe or training larger groups in the U.S. for shorter periods and giving them practical hands-on training in newspapers and radio and television stations.

F. INDICATORS FOR FUTURE IMPACT MEASUREMENT

In Annex IV we have provided suggested benchmarks for measuring or following the progress being made under each of the A.I.D. assisted activities. The following are suggested indicators of progress and impact of the program. The main problem with these suggested indicators is that they cannot easily be used to determine the extent to which the A.I.D. financed activities are contributing to the progress. Such a determination would require an analysis both of all the other activities underway in relation to the media and of the various general influences (e.g. economic, political and social) which are at work. That disaggregating analysis could be performed but would require a level of resources which is not easily justifiable given the current level of overall resources being provided. Thus, the impact indicators would be used only for illuminating overall trends to be supplemented by educated estimates of whether the contributions from the A.I.D. funded activities are significant.

Number of new media outlets established since the start of the project

This would be a fairly easy indicator to use since the information is available without sophisticated analysis. The problem is that the indicator does not tell one anything about the relationship of the number of outlets to the quality of the political and civic life of the country. It also may give a too optimistic picture since many of the outlets which are started are likely to fail because of poor management or poor economic conditions. It also better measures the local spirit than the impact of A.I.D. funded activities. Despite all these drawbacks this indicator could be used as a rough estimate of whether diversity (and supposed independence) was increasing or decreasing.

Degree of financial independence of private media in operation

Without financial independence it is unlikely that a private outlet will be able to survive. If it must receive a subsidy from public or political sources it is difficult to maintain full freedom of action. Furthermore, the degree of financial independence may reflect the

successful utilization of assistance aimed at technical and business management problems. However, there are problems with this indicator. One is that it is hard to measure since to do so thoroughly one must be able to analyze financial records which are not always available or reliable. Another is that the financial weakness of any outlet could be the result of general economic conditions which are beyond the influence of the program. On balance, it seems to us that this factor is of such importance that an effort should be made to use it. Surrogates for detailed analysis of the accounting records should be sought. Among them could be gross revenues, diversification of resources of capital and loans and trends in the volume of human and physical resources being used.

Variety of programming available to the public

The virtue of this indicator is that it is fairly easy to use. A scientific approach to recording variety in various possible outlets and in various subject matter areas could become very elaborate and costly. However, this would seem to be an area in which one could form useful options through general observations of the product over time. Of course, variety in programming in itself does not insure that the media will become more independent or that democratic institutions will be strengthened. Nevertheless, variety both leads to and indicates openness and, in the context of Eastern Europe, responds to a strong desire of the populace. Thus it comes close to being a good in itself.

Amount and quality of programming available through private media as compared to situation at start of the project

The amount of programming available through private outlets is relatively easy to ascertain. It can also be done very objectively. Determining whether the quality of programming has improved is more difficult and subjective. Still, some rough surveys of the public together with the informed opinions of persons active in public life and in the media, could give an indication at least of whether quality was improving, falling or unchanged. The amount and quality of programming are indicators of the strength of the outlet. Even if the number of readers, listeners or viewers has not increased to the same degree as the amount and quality of the programming they are likely to do so over time.

Degree of increase in circulation or audience ratings for private media since the beginning of the project

The greater the audience the greater the potential influence of the media outlet and the more likely that the outlet will be sustainable. Thus it is important to measure these indicators. Furthermore, obtaining the data is not difficult. There is the theoretical problem that an increase in the audience does not necessarily mean that the outlet is having a positive effect on strengthening democracy. That will depend on many other factors as well. Still, an increase in the number of users is so important to the independence of the private media as to be a good in itself.

Reform of law governing the operation of the media to incorporate protection and support for private sector outlets.

We found that this indicator did not have the importance which we had thought it would. In general, the impediments to the strengthening of the independent media were not legal ones. The impediments were economic and cultural factors and a lack of experience in business and technical matters. This is not to say that the reform of legal provisions could not be helpful, but investment in the independent media was going forward strongly without waiting for legal reforms. In some particular circumstance a change in the law may be identified as being important. In general, such reform is not a major need.

Degree to which external news resources (e.g. AP, Reuters, US networks) are being used.

This indicator is relatively easy to use and does give some indication of the openness being achieved. However, it is not very useful to measure the degree to which local institutions are being strengthened and local persons are being prepared for and supported in careers of professional journalism. The ultimate goal of the program is an independent media participating constructively in the democratic life of the countries. This indicator is not likely to be central in measuring the progress to that goal. It can be used as an interim measure of progress.

Degree to which persons trained under the project hold positions of influence in the media

This indicator is a good one for measuring the potential impact of the A.I.D. financed activities. It is not very useful as a measure of the degree of independence achieved by the media or the constructiveness of its role in strengthening democracy. Still, as in the case of the use of external news sources, this indicator is a useful interim measure of impact.

Conclusion

There has been progress under each of the above indicators. The most notable have been the increase in the number of new media outlets and in the variety of programming (including foreign source material) available to the public. Increases in the audience of, and the amount of programming available through, the private media have also been significant. Less progress is apparent on establishing the financial independence of the private media and in reforming or implementing reforms of the laws governing the operation of the media. However, the former is most likely the result of the economic conditions facing the media and the latter does not seem to be of great significant. On balance, over the past several years significant progress has been made in strengthening the independent media. While the A.I.D. financed activities have been helpful to particular media outlets and particular institutions, there does not seem to be a basis for concluding that the activities have played an important role in the overall progress which has been made to date. Given the relatively modest level of resources which are likely to be available in the future, achieving a clearer linkage between future A.I.D. financed activities and impact will require stricter targeting on limited aspects of the overall goal.

**PROGRAM EVALUATION OF SELECTED
A.I.D. ASSISTANCE TO DEMOCRATIC
INSTITUTIONS IN BULGARIA,
LITHUANIA AND POLAND**

**ANNEX I: SCOPE OF WORK FOR DEMOCRATIC
INSTITUTIONS PROGRAM EVALUATION**

**IQC No. AEP-0085-I-00-3003-00
Delivery Order No. 4**

ANNEX I

Scope of Work for Democratic Institutions Program Evaluation

The Contractor will carry out an evaluation of certain elements of the Democratic Institutions programs. To accomplish this, the Contractor will assess the impact and effectiveness of AID financed assistance under the Rule of Law Project (180-0020), elements of the Political and Social Process Project (180-0021), and the Independent Media Project (180-0022). Most of the activities to be evaluated are being carried out under inter-agency agreements with the United States Information Agency (USIA).

BACKGROUND

The break-up of Soviet domination in Central and Eastern Europe highlighted the need for western support in the transition to multi-party democracies. The FY 1990 Support for East European Democracy (SEED) Program stated the objective of USG assistance as follows: To contribute to the development of democratic institutions and political pluralism characterized by - (A) the establishment of fully democratic and representative political systems based on free and fair elections, (B) effective recognition of fundamental liberties and individual freedoms, including freedom of speech, religion, and association, (C) termination of all laws and regulations which impede the operation of a free press and the formation of political parties (D) creation of an independent judiciary, and (E) establishment of non-partisan military, security, and police forces.

Beginning in April 1991, AID transferred funds to USIA to provide technical assistance, training, and, where necessary, modest amounts of equipment and supplies, in three critical areas: 1) educational reform; 2) a free, independent press; and 3) the rule of law. In addition, grants were made to the American Bar Association and the International Media Fund. (Please see Annex A for a division of AID resources in the Democratic Institutions Program by project and country.)

The Contractor will note that AID assistance in education reform and the provision of depoliticized textbooks is being carried out under the broader Political and Social Process Project (180-0021). AID support for the remaining two sectors which are the subject of this evaluation, is being implemented under the Rule of Law Project (180-0020) and the Independent Media Project (180-0022). The purposes of the 3 projects and the subsequent Inter-Agency Agreements are as follows:

Rule of Law Project. To assist Central and East European countries develop and strengthen laws, regulations, judicial and non-judicial procedures, policies, and legal institutions (particularly an independent judiciary). Project activities to be evaluated are:

(a) the grants to USIA under the Inter-Agency Agreements noted below, and (b) a grant to the American Bar Association (ABA). These are two parallel programs addressing the same issues.

(1) IAAs with USIA of April 5, 1991, September 30, 1991, and July 24, 1992: Rule of Law. Purpose: First, develop and strengthen laws, regulations, legal practices, policies and legal institutions in order to encourage the establishment and enforcement of civil and political human rights and fundamental freedoms. Second, provide training, technical assistance, and legislative consultation as a means of assisting Central and East European countries to protect and guarantee the effective exercise and progressive realization of these rights and freedoms. USIA is to administer this program with the concurrence of the Bureau of Human Rights and Humanitarian Affairs of the State Department.

(2) Grant to the American Bar Association. Purpose: same as above.

Political and Social Process Project. Purpose: To support the political infrastructure necessary for a pluralistic, multi-party political system and civil society: political parties, independent trade unions, and private voluntary agencies prepared to contribute to community self help and the like. The project also is designed to strengthen the social and cultural foundations of democracy including support for a democratic, civil society, for the intellectual and emotional understanding of democracy and for the peaceful resolution of communal disputes.

IAAs with USIA of April 5, 1991 and June 10, 1992. Sub-project: Educational Reform. Purpose: To assist in the reform of systems of higher and secondary education in Eastern Europe and, in particular, to support the reform of the curricula of those systems as they undergo the transformation to democratic societies.

IAAs with USIA of April 5, 1991 and June 10, 1992. Sub-project: Books for Democracy. Purpose: To distribute widely throughout Central and Eastern Europe key works in print on democracy and free markets; to provide training in library science; and to support the dissemination and integration of democratic principles and ideas into the foundations of society.

Grant to American University in Bulgaria, September 30, 1992 for seven months ending April 30, 1993. Purpose: To provide salary support for U.S. faculty and staff for the

American University in Bulgaria for seven months in the '92-'93 academic year.

Independent Media Project. To assist Central and Eastern European countries in developing and strengthening independent broadcast and print media. There are 2 components: a) Training of journalists, and b) Provision of equipment and technical assistance to independent print, radio and TV media.

IAA with USIA of April 5, 1991, September 30, 1991 and June 10, 1992. Sub-project: Journalism Training. Purpose: To provide practical training focusing on the objective reporting of news for East European media personnel.

IAA with USIA of April 5, 1991, March 18, 1992, and June 10, 1992. Sub-project: AID grant to USIA to support the International Media Fund. Purpose: To support a free and independent media by training of journalists in country and abroad, provision of technical assistance and commodities to establish a free and independent press, both print and broadcast.

TASKS

The Contractor will field a 7 person team to review a sample of the activities funded under the agreements referred to above. The team will be composed of the following: Team Leader/with development, program management, and evaluation experience; Education/Curriculum Reform Specialists (2); Legal/Judicial Experts (2); Media Specialists (2). Preference will be given to media expertise that covers print journalist and broadcast media management functions. Recent exposure to Eastern Europe highly desirable. The Team will spend one week each in Poland, Bulgaria and Lithuania. One country has been selected from the Northern tier, Southern tier, and the Baltics. The Contractor will highlight findings from this evaluation which can be generalized to other specific countries in the region.

Prior to departure the Contractor will review all available documentation, including IAAs, quarterly progress reports, and Project Implementation Reports and meet with Washington, D.C. staff of AID, USIA, STATE/HA, ABA, and International Media Fund.

The Contractor will produce a report which represents a concise, analytical examination of the strengths and weaknesses of AID-financed assistance in the 3 selected sub-sectors, including the specific elements noted below:

1) A profile of each country's progress in implementation of educational reform, creation of a free and independent media, and

establishment of a rule of law, including review of major opportunities and constraints now hampering progress, and other donor contributions.

2) Develop and test indicators and benchmarks for monitoring the U.S. contribution to progress and, in each theme area, the cost-effectiveness of the U.S. assistance approach.

3) Evaluate the relative quantitative and qualitative impact of USG assistance in the 3 selected areas. In the context of the country-level opportunities and constraints identified above, provide analytical justification for placing more or less emphasis and resources in each program component in the future.

4) To what extent have the USG funded activities resulted in demonstrable achievements towards the projects' purposes? In the context of country-level progress in each sub-sector, are there alternative activities which are likely to have greater impact?

5) Have activities in any one country been more successful than others? If so, why? What political, social, and economic conditions enhance impact under each of the 3 projects?

6) Assess whether USIA, State's Bureau of Human Rights and Humanitarian Affairs, the ABA, and the International Media Fund have strategic goals in the subject areas for which they have received SEED Act funds. The Contractor also will assess USG progress in meeting each of its strategic targets.

7) Propose new or revised strategic objectives, if necessary on a country-by-country basis, to accelerate country progress towards the project purposes; and provide analytical justification for the feasibility of these targets.

8) How have the countries and activities been selected in each of the 3 projects? If the criteria differ by country, assess the grantee or transfer agency's responsiveness to opportunities and constraints identified in the country progress assessment above.

9) With regard to future assistance, provide tests and benchmarks for measuring the pace and impact of USG support.

10) Assess whether there should be more concentration on in-country training, workshops, and seminars versus training abroad in the U.S. Provide analytical support for these recommendations.

11) Evaluate the mix of short and longer term technical assistance. Develop recommendations on long term technical assistance, if needed, from the standpoint of project coordination, continuity and follow-up to specialized short term technical assistance.

12) How has USIA distinguished its core funding from SEED Act resources? In Washington? In the field? Assess the extent to which SEED project purposes and priorities have been communicated to USIS Public Affairs Officers and reflected in strategic plans for each sub-sector.

13) Education Reform: Develop qualitative and quantitative measures of the impact of curriculum reform, measuring the extent to which curricula and teaching have been revised to reflect increasingly democratic political and social values. What are the strengths and weaknesses of existing assistance mechanisms?

14) Education Reform in Bulgaria: What are Bulgaria's plans for education reform? How much has been accomplished? What are the principal obstacles? What SEED activities have been contributed to Bulgaria's education reform (aside from resources contributed to AUBG)? How effective, relevant have these been?

15) Books for Democracy: Has procurement been effective in terms of the selection of materials, timeliness, and the needs of recipient institutions? What is the impact of technical assistance to indigenous publishers and libraries? Have books been well distributed? How is access to them gained? Are they being used? What impact have they had? What are the strengths and weaknesses of this program? To what extent does the book program office coordinate with other USIA funded programs to draw on relevant expertise elsewhere and coordinate program efforts?

16) International Media Fund: Are there guidelines for assessing the relative priority of funding requests? If not, propose them. What impact has the program had on the dissemination of various political views, and increased freedom for the media? Document any demonstrable impact on more objective reporting of the news and information. Assess the extent of coordination and complementarity between International Media Fund assistance and USIA journalist training. What have been the strengths and weaknesses of the Fund's approach to needs in this sector? For example, is the current approach of specialized short term training combined with selected supplies and equipment grants most effective for country specific needs in this sector? Is sufficient assistance being provided to ensure financially sustainable independent media in the region? Alternatively, for example, is additional long term assistance and training needed to increase subscriptions, marketing, and advertising as revenue sources? Are there more effective approaches than the ones being implemented?

17) Media Licensing Issues: The media and rule of law experts on the team will jointly analyze the experience of independent media assistance beneficiaries in the licensing application and approval/rejection process. In this context, the team will assess the impact of A.I.D. funded assistance on the outcomes to date, propose the relative impacts of political versus financial

sustainability and technical issues on these outcomes, and specify strategy recommendations for the future which could strengthen independent media candidates' ability to obtain licenses.

18) Broadcast Media Privatization Issues: Throughout the region, progress in broadcast media privatization has lagged behind the speed of print media privatization. Assess the political, legal, and financial constraints to broadcast media privatization, and evaluate the effectiveness of A.I.D. funded assistance to the overcoming of these constraints. Propose new types of assistance, as needed, that would accelerate the broadcast media privatization process.

19) Rule of Law: Evaluate the mechanisms that were used to select activities for funding. What measures can be used to assess the usefulness of USG financed assistance in achieving a just, democratic legal system? Should the two-track approach -- USIA/STATE HA and ABA -- be continued? What are the strengths and weaknesses of each method of addressing the problems in this sector? What impact have each of the programs (USIA/STATE HA and ABA) had on reform of the legal systems in these countries? Evaluate the role and sufficiency of Embassy resources devoted to rule of law issues.

METHODOLOGY

The Contractor will review documentation and meet with AID/USIA project managers prior to departure. Contractor will also meet with appropriate transferee and grantee staff. In addition, Contractor will interview knowledgeable staff of the following organizations in the field:

AID/Embassy/USIA;
host country ministries and institutions;
private sector recipient/ beneficiary organizations and knowledgeable individuals;
other donors and participating contractors.

With regard to the International Media Fund, the Contractor will interview major beneficiary institutions including the Media Resource Center, Warsaw; the Warsaw Voice; the Jagiellonian University's Independent Student Association, Krakow; the Polish Television Training Center, Warsaw; Echo TV, Warsaw; Media Center of the Polish Journalists Association (EMFFCP); SIS News Agency, Warsaw; the Center for the Study of Democracy (CSD), Sofia; LEFF Information Service; Radio Aura, American University, Blagoevgrad. In addition, Contractor will interview a sample of participating and non-participating broadcast journalists, editors, and newspaper owners. In assessing country progress, the appropriateness of USG-funded strategic objectives, and the applicability of lessons learned to other specific countries in the region, the Contractor

will also review International Media Fund studies and assessments such as the Media "Engineering and Management Study" for Poland of July 1991; the IMF Media Surveys of Poland, Hungary, Czechoslovakia, Romania and Bulgaria; "The Media Impediments Paper" of April 1991 and the ensuing Stone/Marks Report of July 11, 1991; the Stone/Marks supplement for Albania of July 1991; and "Expanding the Boundaries of Press Freedom--IMF Progress Report" of August 1992.

As noted above, the Contractor will field a 7 person team, spending up to 1 week in Poland, Bulgaria, and Lithuania, respectively. The Contractor may hire up to 2 host country nationals in each country visited to provide in-country expertise on the political, legal and social climate and the value of the projects evaluated. The local staff will also be responsible for in-country logistics. The team leader will spend 5 days in Washington interviewing EUR and USIS staff prior to departure on or about March 9, 1993. Prior to departure, the Contractor will submit a draft work plan and draft impact indicators to EUR/PDP/PA for concurrence. The remaining team members will join the team leader for the last 2 days in Washington before the field visits. The Team will have up to 5 days immediately following time in the field to prepare a draft report in Washington, D.C. By April 30, 1993, the Contractor will prepare a final report that responds to feedback from AID on the draft report.

DELIVERABLES

In addressing the specific issues noted above, the Contractor will:

- a) assess the impact of USG assistance in these 3 projects;
- b) recommend modifications or additions in approach or objectives;
- c) propose criteria for comparing future USG investments in this sector;
- d) identify the kinds of sub-activities which are the most successful (e.g. have had the greatest impact) and cost effectiveness in particular countries;
- e) propose measures to test the progress and impact of assistance in the 3 projects; and
- f) highlight those findings which are applicable to other countries in the region.

The Contractor will respond to these issues in a final report not to exceed 150 pages, including an executive summary of major findings and recommendations not to exceed 10 pages. Twenty-five copies of a draft final report will be submitted to EUR/PDP/PA by April 7, 1993. AID's comments will be given to the Contractor not later than April 21, 1993. Twenty-five copies of the final report will be submitted to EUR/PDP/PA by April 30, 1993.

SUPPORTING DOCUMENTATION

Rule of Law Project Authorization (180-0020), 3/28/91
Inter Agency Agreements (IAA) Rule of Law Project, 5/5/91, 9/30/91,
7/24/92

Political and Social Process Project Authorization (180-0021)
5/6/92
IAA Books for Democracy, 5/5/91, 6/10/92
IAA Education Reform, 5/5/91, 6/10/92

Independent Media Project Authorization (180-0022), 3/22/91
IAA Journalism Training, 4/5/91, 9/30/91, 6/10/92
IAA International Media Fund, 4/5/91, 3/10/92, and 6/10/92
International Media Fund Project Summary, 9/15/92
USIA, Third Quarter SEED11 Report, 8/14/92

12/90

**PROGRAM EVALUATION OF SELECTED
A.I.D. ASSISTANCE TO DEMOCRATIC
INSTITUTIONS IN BULGARIA,
LITHUANIA AND POLAND**

ANNEX II: RULE OF LAW

**IQC No. AEP-0085-I-00-3003-00
Delivery Order No. 4**

159

ANNEX II: RULE OF LAW

TABLE OF CONTENTS

	Page
A. INTRODUCTION	1
Methodology and Plan of Report	2
B. CURRENT COUNTRY STATUS AND AID-FUNDED ACTIVITY	4
POLAND	4
LITHUANIA	9
BULGARIA	15
C. ASSESSMENT OF COUNTRY PROGRAM IMPACT AND EFFECTIVENESS	20
IMPACT OF PROJECT ACTIVITIES	20
EFFECTIVENESS OF PROJECT IMPLEMENTATION	27
SUMMARY OF OVERALL IMPACT	33
D. COMMON FINDINGS AND ISSUES	34
E. RECOMMENDATIONS	46
General Regional	46
Country-Specific	48
F. EXHIBIT: PROPOSED INDICATORS	51

18592

ANNEX II: RULE OF LAW

A. INTRODUCTION

As a component of the A.I.D. Democratic Institutions Program for Central and Eastern Europe, the Rule of Law Project aims to support the legal recognition of fundamental rights and an independent judiciary, and to strengthen the laws, regulations, procedures, and institutions necessary to a democratic society. Activities take several forms, including technical assistance in the legislative drafting process, training (in the U.S. or abroad) for key members of the legal communities of Central and Eastern Europe, educational exchanges and study tours, and legal book collections.

A.I.D. funds Rule of Law (ROL) Project activities through two channels: (1) transfer of funds to USIA through an interagency agreement under section 632(a) of the Foreign Assistance Act, and (2) direct grant to the American Bar Association's Central and Eastern European Law Initiative (CEELI). In FY 1991 and FY 1992 the following obligations were made in support of these two activities: USIA, \$1.822 million; CEELI, \$.528 million. As of March 1993 the accrued expenses for those activities were: USIA, \$1.057 million; CEELI, \$.406 million. The funds committed under the ROL Project are administered with the concurrence of the State Department's Bureau of Human Rights and Humanitarian Affairs (BHRHA). USIA and BHRHA formed an Interagency Working Group to set policy and decide on the use of these funds in 1991. In practice, it appears that CEELI programming decisions are made independently by the ABA's Washington office with the cooperation of A.I.D. and CEELI liaison personnel in the field.

The USIA program under the ROL project includes several types of activities that USIA has historically emphasized, such as personnel exchanges, scholarships, conferences, internship programs, and book collections -- and has also included making a human rights library available to government institutions throughout the region. In addition, through its Professionals in Residence Program, USIA furnishes technical assistance on public order matters -- in the form of experienced criminal law experts (often, but not exclusively, from the Department of Justice) seconded to counterpart institutions in the host countries for varying periods, usually six months. Short-term advisors are also provided.

CEELI places heavy emphasis on technical assistance in the form of commentaries on draft legislation or concept papers that provide U.S., and in some cases comparative, background and discussion of areas slated for new legislation -- also an important feature of its parallel project on commercial law funded under a separate AID grant. Additionally, building relationships

between U.S. practitioners and law schools on the one hand, and the legal communities of the host countries -- private, academic, and governmental (e.g. through the Sister Law School Program) -- is a significant concern. These CEELI activities are administered by Washington-based staff together with an in-country liaison, who is expected to spend one year in that position. Specialists in identified areas of need also spend periods from a few days to six months, giving seminars or working on particular training or technical assistance programs.

Perhaps the most distinctive aspect of the CEELI program is its reliance on volunteers to serve both as short-term experts and as in-country liaisons and resident specialists. Universities also participate in the CEELI program by providing in-kind support to visiting students and scholars. Importantly, this voluntary effort engages the rank and file of the ABA, using the services of lawyers according to their areas of practice or expertise in American law. Participants have also included such esteemed individuals as Justice Ruth Bader Ginsburg, Professor Herman Schwartz of the American University, Judge Abner Mikva of the U.S. Court of Appeals for the District of Columbia, Dean Steven Frankino of Villanova University Law Schools, and others.

Methodology and Plan of the Report

This report does not focus principally on whether the AID grantees have effectively carried out the terms of their grants, but rather looks mainly at what types of strategies and programs are likely to prove effective in the future at fulfilling the purposes of the ROL Project. The evaluators focused on what impacts have been produced in the field and what activities might produce greater impacts in this area, not on what the program managers do in Washington. The concern, in other words, was not so much to produce a complete characterization of what the many able and public-spirited people involved in the ROL Project have been accomplishing, but rather of what the available resources (with perhaps some augmentation) could be used to accomplish. In answering the principal question, the report summarizes information gathered from the three countries visited -- Poland, Lithuania, and Bulgaria -- concerning whether current AID-funded activities have had an impact that advanced the purposes of the ROL Project, and also discusses why these activities have or have not been effective.

For this purpose, a series of criteria or "indicators" were identified which could assist the measurement of progress in this area in the Central and Eastern European countries. These were used in preliminary form to structure the interviews in the countries visited, and have been further elaborated by the evaluators in this report, based on an analysis of the findings from this evaluation and on comparative experience. There are three groups of indicators: the "country progress" indicators offer a means to assess the movement of a country towards the rule of law; the "project impact indicators" are a way to measure the output of the ROL Project, i.e. the extent to which project activities have contributed to the development of the rule of law; finally, the "effectiveness of project implementation" indicators help to show why activities have had an impact or why they have not. The Exhibit at subpart F of this report gives a list and a full discussion of these indicators. These indicators are recommended for A.I.D.'s use in any future design of Rule of Law activities in the region, and for further monitoring and evaluation.

The indicators mentioned above are "tested" in this report as a means of measuring progress, impact, and effectiveness. Quantitative scores and benchmarks are not provided as part of this exercise, since the numbers of people trained, the numbers of drafting recommendations adopted, the numbers of relationships forged for the benefit of reform, etc. are not available. Most of the indicators could not in any case be used to produce numerical results. Therefore, the report provides narrative estimates of performance with respect to each indicator. It should be obvious to the reader which of the indicators could be subject to quantification. At such time as the analysis and design work suggested in this report are done, then perhaps appropriate numerical benchmarks could be developed for subsequent monitoring and evaluation.

There are two additional limitations that this report has had to cope with. First, the ROL Project has not been "designed" strictly speaking, but has evolved on the basis of a loose "rolling design" process. Thus, while the purposes of the project are stated, more specific objectives and outputs are not. Further, there is no monitoring and evaluation system in place -- and therefore few data exist in writing as to the impact of discrete activities; and no tracking appears to have been done of program beneficiaries in the countries visited. This has made the findings of the present evaluation almost entirely dependent on a series of interviews over a three-week period. Second, the findings of this report come from three countries which may or may not be representative of the ROL Project generally. For instance, Poland may not be a good representative (since there was no CEELI liaison there at the time of the evaluators' visit, and it had no active USIA ROL program.) In other words, it should be borne in mind that the evaluators have worked from a limited information base in arriving at conclusions about the future direction of the ROL Project. It should also be noted that any findings apply only to the countries visited; although on the basis of these findings, common issues deemed applicable to the entire ROL Program are discussed. The evaluation scope of work is contained in Attachment 1.

In both Washington and the three countries visited, the Evaluation Team met with persons in A.I.D., USIA and ABA (CEELI) who were connected with the design and implementation of the activities, with nationals of the country who had participated personally in the activities and with nationals and others who were knowledgeable about the activities or the problems being addressed. All together, the Evaluation Team conducted interviews with over 70 persons in the countries visited. Of those, 12 were employees of the USG and the rest U.S. citizens or nationals of the countries visited who participated in the conduct of the activities, received their benefits or were persons knowledgeable about the activities. A complete listing is given in Attachment 2. The numbers of interviews with persons who had participated in the exchange programs was limited by the lack of any comprehensive listing of the names and addresses of all the nationals of countries visited who had participated in the activities being assessed (although these data on all U.S. participants were provided). The findings presented in this report are based on the interviews described above, and on the review of numerous documents made available by AID and the grantees. The findings are not broken down by source, except where necessary or unavoidable, in order to preserve as far as possible the confidentiality of the many candid discussions the evaluators had with project participants and beneficiaries.

All CEELI and USIA activities under the ROL Project -- past, present, and planned -- are listed for each of the countries visited, to the extent they were made known to the evaluators. Levels of funding are provided where available. To the extent participants from the U.S. or host country organizations were available to comment on them, these activities are discussed in the relevant country section of the report. However, as the Project has been comprised of a large number of activities, many of them short-term, it was not possible to gather data on each of them. The team focused on those which seemed to be the more important for current and future work.

The summaries of activities for each country also include activities by CEELI under its Commercial Law grant. These activities were not themselves within the scope of the evaluation, nor did the evaluators list or examine related grantees and implementing agencies on the commercial side. However, no clear distinction was drawn by CEELI between activities under the two grants, and in a number of instances it was unclear under which heading a particular activity fit. Nor should there be a hard and fast distinction here, in the opinion of the evaluators, since strengthening the rule of law tends to improve the investment climate and the security of commercial transactions, and several ROL Project activities are highly relevant to the viability of market reforms. The evaluators limited themselves as far as possible to a discussion of areas covered by the ROL grant -- and nothing in this report should be viewed as in any way judging or evaluating activities under other grants.

Immediately following is a brief analysis of relevant conditions and changes in the countries visited, in light of the "country progress" indicators developed in this report. The factors that limit or otherwise affect the scope of the assistance offered under the project are also discussed, and ROL Project activities are then summarized. In the next section, ROL Project activities in each of the countries visited are assessed in terms of the proposed "project impact" and "project effectiveness" indicators, and a summary assessment of overall impact is given. Next, major common issues affecting the future course of the Project are identified on the basis of the country-specific findings, and then analyzed. It is from this analysis that the recommendations presented in the concluding section, both general and country-specific, are drawn. In order to assist AID with programmatic decisions, the conclusion of this report presents recommendations in order of priority, and also provides a prioritization of country programs, and of recommended new and continued activities.

B. CURRENT COUNTRY STATUS AND AID-FUNDED ACTIVITY

POLAND

Poland got an earlier start and is further along in the development of a democratic order and rule of law than the other countries visited. At the same time, there also seems to be a greater sensitivity about technical assistance, and less openness to outside suggestions among Polish jurists than among those in the other countries visited. A.I.D. and USIA officials, reflecting these feelings, stated that since there has been a duly elected government for some time, local sensitivities about this sphere are great, and needs in other areas are pressing, there was little

justification for an ambitious Rule of Law Project agenda in Poland. On the whole, this observation appears sound.

As a result, Poland has not been a very active location for ROL Project activity. At the time of the evaluators' visit, there was no USIA programming in this area. Moreover, the most recent CEELI liaison person had to leave abruptly for personal reasons and had not yet been replaced. His role was being filled to some extent by the two commercial law specialists based in Warsaw and Krakow. Finally, the AID draft country strategy places the highest priority in the general area of legal reform assistance on those aspects most closely connected to the climate for economic growth.

The Evaluation Team conducted interviews with 26 persons in Poland. These included: the A.I.D. Representative, the A.I.D. Program Officer and the A.I.D. activity supervisors; the Political Counselor of the Embassy; the PAOs in Warsaw, Krakow and Poznan; the USIA Political and Social Process Project Offices; two CEELI-sponsored commercial law specialists; the IRIS Project Director; the representative of the Helsinki Commission; the Legal Advisor to the EC Delegation; the Advisor to the Prime Minister and the Vice Mayor of Krakow; the Director of Research of the Parliament; the Dean of the Faculty of Law of the Jagiellonian University in Krakow; the Vice Dean and a lecturer of the Faculty of Law of the University of Poznan; the Director of the Warsaw Media Center; three participants in the DePaul University Human Rights Program; a researcher for the U.S. Fulbright Commission; the President of the Polish Lawyer's Association and several private attorneys. (A complete listing of names and titles is given in Attachment 2.)

1. Current Situation

The following is a brief summary of conditions and changes in Poland related to the rule of law and to international assistance in this area.

Country Progress and Constraints

A discussion of the evaluation team's findings regarding Poland's standing with respect to each of the "Country Progress" indicators is presented below. Many of these conclusions are tentative and will need to be confirmed or fleshed out in subsequent monitoring and evaluation efforts.

In general, the recognition of human rights and commitment to reform seem firmly established. Since the coming of a democratic order in 1989, pre-trial rights of persons accused of crime have been expanded and legal provisions for prosecution of political crimes have been eliminated. However, a number of problems continue to limit the effectiveness of the rule of law in Poland, including imperfect dissemination of information on new laws and the new constitution, inadequate training of judges and prosecutors with respect to the application of new laws and guidelines, the limited effectiveness of the legal system and police in dealing with new forms of crime, and the movement to enact provisions that tend to restrict the exercise and protection of fundamental rights, such as "Christian values" provisions being applied to the media.

Legal Provisions: Elements of progress here include the enactment of the "Little Constitution" setting forth the main elements of the democratic government framework, ratification of the European Convention on Human Rights (albeit without a declaration that would permit individuals to file complaints against the Polish government), the legislative presentation of a Charter of Rights (although this had not been enacted yet), the presentation of draft laws on economic crime and criminal procedure, and reforms in economic law and regulation. There is cause for concern that legislative moves toward the enactment of laws on organized crime and economic crime -- which are necessary to combat growing challenges to security and economic reform -- could place considerable power in the hands of the state to investigate and prosecute such crimes without sufficient procedural safeguards for suspects and defendants. There is also potential for abuse in proposed "lustration" procedures before the legislature for cleansing the ranks of the government of former Communists.

Institutions: Evidence of progress here includes the increasing vigor of the Constitutional Tribunal and the establishment and successful functioning of the office of Ombudsman. In the absence of a modernized commercial dispute resolution system, the revival of the commercial courts under the 1920's Commercial Code has furnished some institutional framework for market relations.

Enforcement Mechanisms: While the efforts of the Ombudsman and the Constitutional Tribunal are cause for optimism, the evaluators found little evidence of consistent enforcement of fundamental rights provisions, nor of wide access to enforcement mechanisms at all levels by the citizenry. Problems and constraints include such elements of the Communist inheritance as a general lack of governmental transparency and accountability, and lack of experience with effective provision for or protection of fundamental civil and political rights -- which mean that redress against administrative irregularities and rights violations continues to be difficult.

Fair Hearings: Expectations by citizens and lawyers of fair hearings in civil and criminal proceedings and before administrative tribunals appear to be reasonably high. However, this is much less so in the commercial area, due in part to the relatively underdeveloped nature of the economic legal and regulatory framework, and the disuse into which the commercial court system fell during the Communist period. Other problems and potential problems include the general perception of low status and capacity of the judiciary and procuracy (at least below the highest levels), court backlogs, and prolonged imprisonment of accused criminals awaiting trial sessions. Findings in this area are only tentative and should be accepted with caution.

Status of Defense Lawyers: Attorneys now practice on their own or in groups of their own formation, following the dissolution of the former attorney collectives. Attorneys typically earn more than procurators and judges. Procurators and judges often strive to be attorneys. Attorneys do not face any serious discrimination against themselves in the performance of criminal defense functions.

Independent Judiciary: There is evidence of judicial decision making and administration free from undue influence by other elements of the government and parties, although the administration of the judiciary is located within an executive body, the Ministry of Justice. Judges hold their positions until retirement, a fact that insulates them from possible outside influence.

Legal Information: Although legislative acts are regularly published, it is not clear that acts, regulations, and judgments are widely and usefully available to judges, legal practitioners, policymakers, businesses, non-governmental organizations, and private individuals at all levels. The computerized retrieval system developed by the Sejm Bureau of Research has not yet been made available to practitioners or the public.

Knowledge of Rights: Knowledge of basic constitutional principles and rights by the judiciary, bar, and citizenry appears sketchy, particularly at the lower levels and in more remote areas. Again, this finding is based on very limited information, and is therefore tentative.

Qualified Jurists: The low status of the offices of judge and prosecutor appears to have limited the availability of qualified personnel to fill these positions except at the highest levels. Since their pay and conditions are improving, well-qualified private lawyers and legal counsellors are in somewhat greater supply, although they may not be affordable to the average citizen.

Compliance with Judgments: Some problems have been reported with respect to compliance by public and private parties with decisions and determinations by the courts and tribunals, particularly where new laws and constitutional principles are applied.

Independent Bar: There are independent associations of lawyers in Poland apparently operating free from undue government influence. These include the Polish Lawyers' Association, the Polish Chamber of Legal Advisors, and the Polish Advocates Association. They are active in legal training, although it is unclear whether they possess the means and ability to make their views known on major legislation and on issues affecting the bar.

Media Licensing: There appear to be reasonably simple and transparent procedures for obtaining licenses. However, there is growing concern about legislative moves towards content restrictions in the form of "Christian values" requirements.

Conditions Affecting Choice and Impact of AID-Funded Activities

Overall legal reform priorities in Poland are shaped by the general recognition that economic/commercial laws, regulations, and institutions are comparatively the most underdeveloped and the most important to address in order to support a growing private sector-driven economy. Both Polish officials and jurists as well as USG officials accept this. As for Rule of Law priorities, economic crime, also called white collar crime, is considered a priority, along with ways of combatting organized crime and government corruption. The consensus among the Polish legal community, and shared by USG officials, is that basic human rights are

respected and no major structural changes are needed in the courts or the procuracy. However, there is a recognition that judges and prosecutors, particularly at the lower levels, could benefit from additional authority and training in dealing with such matters as the enforcement of constitutional rights and the use of evidence gathered by undercover agents.

Other conditions in Poland affect the available choices for AID assistance in the Rule of Law area, and the impact of such assistance. Despite major weaknesses in its legal system, Poland's commitment to democratic process and to protection of human rights, its fairly advanced legal system (compared to other countries in the region), and the talents of its legal community -- as well as the overriding priority of stabilizing the economy and providing for sustainable market-driven growth -- support the conclusion that Rule of Law activities need not be given as high priority in Poland as in the other two countries visited. In addition, the apparent sensitivity of Polish jurists to outside advice makes it difficult to have extensive activity in this field. Finally, Polish interest in harmonizing economic laws and regulations with EC requirements, and in implementing the European Convention on Human Rights seems to warrant more European than American involvement.

The following assistance is currently being provided or planned by other donor agencies in Poland.

European Community: Assistance with training of administrators through the PHARE project, educational exchanges (including legal) through TEMPUS project, some technical assistance on economic law and regulation, and privatization.

The Council of Europe has an ongoing relationship with the Polish Government through which it makes recommendations on issues relating to human rights and the rule of law.

World Bank: some technical assistance in areas related to privatization, banking, finance.

Bilateral: Germany -- Friedrich Naumann, Max Planck, university exchange programs; the Federal Ministry of Justice also has a significant program of cooperation with Poland on criminal law. France -- assisting with the establishment of a model school of public administration.

The Helsinki Committee on Human Rights has an office in Warsaw.

2. Summary of Current AID-Funded Activities

The USAID Draft Country Strategy calls for relatively low priority for ROL activity, concentrating on economic and organized crime and on "public integrity." Much greater emphasis is placed on commercial law improvements both in current activities and in the draft country strategy. The following summarizes current and past AID-funded activities under the Rule of Law Project in Poland.

USIA

Salzburg Seminar for Law School Deans (Aug. 1991)(\$39,175 -- multi-country, with CEELI participation)

DePaul Univ. Human Rights Internships (Apr.- Dec. 1992) (\$75,000)

CEELI (1993-4 total budget: \$64,616)

"Liaisons" (Based at Sejm in Warsaw, oversee ROL activities): Bozena Sarnecka-Crouch (Feb. 1992 - Jan. 1993), Larry Mabry (Dec. 1992) (1993-4: \$11,804)

"Legal Specialists" (Commercial, Long Term): Robert Stark (Warsaw, Oct. 1992 - Apr. 1993), Roy Gordet (Krakow, Feb. - Sept. 1993)

"Legal Specialists" (Other, Short Term): William Valetta (Krakow: municipal admin., Oct.- Nov. 1992, spring 1993), John Whelan (Warsaw: government procurement, Nov. - Dec. 1992) (1993-4 budget for "Specialist": \$8,308)

Polish Lawyers' Project (Michigan Bar, July 1991)

Sister Law School Program: eleven law faculties, including Jagiellonian, A. Mickiewicz, and Lodz Universities (1991-present)

Workshops: Local Govt. Relations (Krakow: Apr. 1992), White Collar Crime (Poznan: May 1992)

Regional Law School Faculty Training Institute (Lodz: Aug.- Sept. 1992, Krakow: 1993)

Law Faculty Training Program (U.S.: 1993)

Draft Law Analyses: Constitution (July 1992), Housing Law (Dec. 1991), 1st draft White Collar Crime Law (June 1992) (1993-4: \$3,846).

A discussion of the evaluators' findings as to the status and impact of ROL Project activities in Poland is provided in part C below.

LITHUANIA

Among the countries visited by the evaluators, Lithuania is closest to its Communist past, has the farthest to go in the establishment of a democratic rule of law, and has legal reforms which are most in danger of being defeated. Indeed, some of the procedural guarantees and appeal provisions of the previous criminal law have been removed, with the result that purported "reforms" have actually made the situation worse for criminal defendants. This may be

attributable to the growing concern about organized crime, which presents a challenge to the success of economic and rule of law reforms. The precariousness of this balance between the need for tougher security measures and the requirements of legality and due process is one of the major uncertainties of the current situation in Lithuania. Another cause for concern is the more dire lack -- compared to Poland, for example -- of well-qualified jurists who either comprehend or support the kinds of legal reforms now necessary to establish the rule of law.

The Evaluation Team conducted interviews with over 16 persons in Lithuania. These included: the A.I.D. Representative, the USIA Public Information Officer and the Political Officer of the Embassy; the UNDP Resident Representative; the USIA-supported resident expert at the Procurator General's Office; the CEELI Program Liaison person, the Judicial Training Specialist and the Washington-based Senior Project Coordinator; the former Minister, the current Deputy Minister and the Head of the Department of Courts of the Ministry of Justice; the Chairman of the Supreme Court and the Chief Judge of the Constitutional Court; the Head of the International Cooperation Service of the Ministry of Internal Affairs; the Dean of the Vilnius University Law Faculty and the Chairman of the Lithuanian Lawyers' Association. (A complete listing of names and tables is given in Attachment 2).

1. Current Situation

The evaluators' findings with respect to the status of the rule of law and international assistance in this field in Lithuania are presented below.

Country Progress and Constraints

In this section, as in the previous discussion of Poland, the "country progress" indicators are applied to the current situation in Lithuania. Again, these findings are tentative and could only be firmly and completely presented on the basis of additional research.

Legal Provisions: A new constitution has been enacted and the first government under this new framework has come into power only in the last few months. Work is ongoing on revision of the penal law and criminal procedure codes. Although there is widespread commitment to reform, it is worrisome that certain protections were removed from the criminal procedure code in the immediate aftermath of independence. Three changes were made in 1991 that are regressive in nature and were apparently not the subject of open public discussion. (1) New limits were placed on the scope of material gathered by officials to which defense counsel has access prior to trial. This limits the ability of counsel to present a defense. (2) The former practice of requiring authorities conducting a search to secure two outside persons as observers of the search was eliminated. (3) The practice of having two lay persons hear trials (along with one professional judge) was eliminated. The current planned revisions in criminal justice have less to do with procedural rights guarantees than with increasing the powers of the courts and procuracy to deal with organized crime and corruption.

Institutions: A Constitutional Court has been empaneled as required by the new constitution -- although as of the time of the evaluators' visit, it had yet to hear its first case or issue. Legislation creating a new structure for the court system, with an additional intermediate level of appeal and other features has been enacted, although its implementation is being held up while constitutional and practical issues are worked out. A new system of commercial courts has also been proposed to replace the old system of 'Arbitrazh' among state-owned enterprises. In short, much has been done on the level of legislative proposals and enactments regarding new institutions, but implementation has hardly begun, and therefore there have been few practical effects.

Enforcement Mechanisms: The constitution requires the establishment of a committee in the Seimas (Parliament) that will perform the functions of an Ombudsman, i.e. investigating complaints from citizens and initiating any necessary judicial or legislative action. The new law on the courts will also improve the enforcement of legal and constitutional rights. However, currently neither of these provisions has been implemented. At present, there is little evidence of easy access to enforcement mechanisms by the citizenry at all levels of judicial and administrative redress.

Fair Hearings: Currently, citizens do not appear to have a high level of confidence that they will receive a fair hearing in civil and criminal proceedings. Nor do legal professionals express very much confidence that their clients are treated fairly in court and before administrative bodies. At the same time, there is evidence that courts are reluctant to allow the use of paid informants and electronic surveillance in criminal cases, due to the abuses of the Soviet era. For now, this provides a form of protection for the accused, although it hampers efforts to combat organized crime.

Status of Defense Lawyers: The status, treatment, and access of defense lawyers in the criminal process is not commensurate with effective substantive and procedural safeguards. The revisions of the criminal procedure code mentioned above have made this situation worse in some ways.

Independent Judiciary: Judicial decision making does not appear to be free from undue influence by other branches and ministries of government, and by parties or factions. This is due not so much to the oversight powers of the Courts Department of the Ministry of Justice, but rather to the influence of local government officials who continue to pay the salaries of lower-level judges, the effects of old loyalties among judges and other members of the former 'nomenklatura,' and the low salaries of the judiciary -- which apparently render many of them vulnerable to outside influence. The lower levels of the judiciary and procuracy have changed little since independence.

Legal Information: The texts of legislative enactments and Presidential decrees are published in Lithuanian, Russian, and English, and appear to be reasonably available at least in Vilnius. However, the same is not true of regulations, which apparently are not subject to publication requirements. Supreme Court decisions, formerly published in a gazette, are no longer regularly published, although there is now an initiative to resume publication.

Knowledge of Rights: There does not appear to be widespread knowledge of basic constitutional principles and rights by the judiciary, bar, and citizenry, especially since the constitution was so recently adopted.

Qualified Jurists: The unavailability of qualified judges, prosecutors, government lawyers, and private lawyers and legal counsellors at all levels and in all regions is a serious problem.

Compliance with Judgments: Compliance by public and private parties with decisions and determinations by duly established courts and tribunals appears to be highly problematic, due perhaps as much to lack of information or understanding of new legal provisions as to lack of will and effective systemic discipline.

Independent Bar: There is an independent association of lawyers, the Lithuanian Lawyers' Association, which operates free from undue government influence. However, the head of that organization himself laments its lack of effective means and access to make its views known on major legislation and on issues affecting the bar.

Media Licensing: There are in practice reasonable procedures for obtaining broadcast or print media licenses, although there is cause for concern in that these do not appear to be clearly spelled out by laws and regulations. Content restrictions and prior restraints do not appear to be a problem.

Conditions Affecting Choice and Impact of AID-Funded Activities

As elsewhere in the region, the highest priority for legal reform is the establishment of laws, regulations, and institutions supportive of a market economy. The training of judges and the setting up of new commercial courts will be important parts of this effort in addition to legislative changes. Concerning the rule of law in particular, high priority is being given to the reform of criminal law and procedure, and the restructuring of the hierarchy of the court system. The strengthening of the courts and of penal law and procedure is viewed as a way to combat the burgeoning problem of organized crime, which is abetted by official cooption -- including assistance from corrupt judges and police.

Other conditions in Lithuania also affect the available choices for AID assistance in the ROL area, and the impact of such assistance. Lithuania has become an independent post-Communist nation more recently than either Poland or Bulgaria. As a result, its problems with economic restructuring and the need for reform of the legal system are more severe. Meanwhile, there apparently has not been sufficient time for aid saturation or "consultant fatigue" to set in. Although Lithuania, like Poland, looks to Western Europe at least partially for its future identity and association, Lithuania harbors considerable good will towards the U.S. and appears more desirous of Western advice and influence than is Poland, due in part to its greater need to counterbalance the weight of Russia and the former Soviet states. In addition, the legal community in Lithuania is not as highly developed as in Poland, and is less independent of the Communist system despite the break with Moscow. At the same time, the higher-ranking

members and decision makers in the legal community appear to be open to outside advice. Finally, the visible efforts of the ABA in Lithuania, with the energetic participation of a few Lithuanian-Americans such as Ernest Raskauskas and John Zerr, has created a favorable impression among key actors in the legal system. Therefore, Lithuanian officials and members of the legal community remain fairly open to U.S. visitors, advice, and opportunities for exchange and training.

The following assistance is currently being provided by other donor agencies in Lithuania:

European Community: Assistance with training and technical assistance in economic law and regulation through the PHARE Program.

UNDP: Under the UN mandate for the support of democracy, UNDP has assisted with the establishment of an Office of the President, and with the training of civil servants. It is now assisting with the establishment of a constitutionally-mandated Seimas committee that will perform the functions of an Ombudsman.

Council of Europe: Lithuania has been provisionally accepted as a member. The Council has conducted investigations and provided advice and recommendations on Lithuania's human rights practices, particularly with respect to minorities.

Danish Bar Association: Has contacts and some joint activities with the Lithuanian Lawyers' Association.

Other Bilateral: Certain European countries apparently are providing exchange and training programs for Lithuanian judges and lawyers.

Other U.S. entities: The U.S. Baltic Foundation and Iowa State University provide training and internships in support of improved public administration and market structures. The Department of Justice, Federal Trade Commission, and through an interagency agreement with A.I.D., the Department of Commerce assist in the development of market-oriented policies and regulations.

2. Summary of Current AID-Funded Activities

"Democratic Institution-Building" is one of the three pillars of A.I.D.'s preliminary thinking related to a strategy for Lithuania. It places highest priority on economic restructuring, including reform of the energy sector. Quality of life issues, such as food and environmental security, are also of high priority. Democratic institutions, including the Rule of Law Project, are third in order of strategic priority. The following description summarizes current, past, and prospective AID-funded activities under the Rule of Law Project in Lithuania.

USIA

Independent Judiciary: 30-day visit to U.S. by judges, prosecutors, administrators and lawyers (Feb/Mar 1992) (\$138,086)

Legal Book Collection (Oct 1991 - Dec 1992) (\$16,492)

Lithuanian Jurists' Conference: Attendance by 3 U.S. legal experts (May/June 1992) (\$25,379)

Rule of Law Resident Specialist: Curt Muellenberg (Jan.-May 1993) (\$30,000)

CEELI (1993-4 total budget: \$88,546)

"Liaisons": John Zerr (Aug. 1992 - Aug. 1993) (1993-4: 11,804)

"Legal Specialists" (1993-4: \$16,616):

- **William D'Zurilla (Foreign Invest., Min. of International Econ. Relats.; Sept. - Oct. 1992)**
- **George Blow (For. Invest., Min. of Int'l Econ. Relats., Oct. - Dec. 1992)**
- **Frank Nebeker, Richard Hoffman, Jesse Casaus (Ct. Admin., Nov. - Dec. 1992): Report on structure and administration of court system.**
- **William Walters (Judicial Training, Jan. 1993 - Jan. 1994).**

Workshops: Constitutional Drafting/Judicial Reform (Jan. 1992), Follow-up Constitutional Drafting (Mar. 1992) (1993-4: \$15,622).

Draft Law Analyses (1993-4: \$3,846):

- **Draft Principles for Constitution (Jan. 1992)**
- **Judicial Restructuring Law (June 1992)**
- **Criminal Code (Sept. 1992)**
- **Criminal Procedure Law (Sept. 1992)**
- **Execution of Penalties Law (Sept. 1992)**
- **Appeals in Code of Civil Procedure (Nov. 1992)**
- **Law on Natural Resources (Dec. 1992).**

Concept Papers: Commercial Code (upcoming)

Law Faculty Training Program

Sister Law School Program (Vilnius, Kaunas)

A full discussion of the evaluators' findings with respect to project impact appears in section C below.

BULGARIA

Although Bulgarian officials, like their Lithuanian counterparts, are concerned about organized crime and a rising crime rate, they have not moved to limit procedural protections available to the accused in criminal cases. Bulgaria is just completing a reform of its penal law, and reform of criminal procedure is in the hands of an inter-ministerial working group. Shortage of well-trained judges is a problem in the country.

The Evaluation Team conducted interviews with over 27 persons in Bulgaria. These included: the U.S. Ambassador, the Economic Officer of the Embassy, the A.I.D. Representative, the A.I.D. Democratic Projects Officer and the PAO; the CEELI Program Liaison and the CEELI Judicial Training Specialist; the Director and three lawyers of the Law Program of the Center for the Study of Democracy; the Minister and the Head of the Prisons Section of the Ministry of Justice; the Legal Advisor to the Council of Ministers; the Secretary of the Ministry of the Interior; two USIA Resident Specialists; the Dean, the Vice Dean, three faculty members and a Fulbright lecturer at the Faculty of Law of the University of Sofia; a member of the Faculty of Law of the New Bulgarian University; the President of the Bulgarian Bar Association and two private attorneys. (A complete listing of names and titles is given in Attachment 2.)

1. Current Situation

This section presents the evaluators' findings regarding the status of the rule of law, and international assistance on this field in Bulgaria.

Country Progress and Constraints

The evaluators' findings with respect to the "country progress" indicators in Bulgaria, as in the discussions of Poland and Lithuania, are tentative only.

Legal Provisions: A new constitution was enacted in 1991, and work is ongoing on revision of the penal law and criminal procedure codes. No negative criminal procedure changes, of the kind observed in Lithuania, have been made in Bulgaria.

Institutions: A Constitutional Court was required by the new constitution, and it has begun to function. Legislation creating a new structure for the court system, with an additional intermediate level of appeal has been enacted.

Enforcement Mechanisms: A number of judges were removed on grounds that they had accepted instructions in the pre-reform period from the Communist party. Judicial tenure has been strengthened, but the courts suffer from a lack of well-trained judges, particularly at the trial level. Bulgaria has ratified the European Human Rights Convention and, importantly, has

included a declaration that allows an individual to bring a complaint against it before the European institutions.

Fair Hearings: The courts function reasonably well, although the status of judges remains low. The general discrimination in Bulgaria against Turks and Gypsies gives rise to concern about their treatment in the courts, although specific evidence of discrimination in court hearings was not found.

Status of Defense Lawyers: Attorneys now practice on their own or in groups of their own formation, following the dissolution of the former attorney collectives. Attorneys typically earn more than procurators and judges. Attorneys do not face any serious discrimination in the performance of criminal defense functions. CEELI perceives that the bar needs to develop a set of ethical precepts to regulate the bar in the wake of the demise of Ministry of Justice control over the bar. The bar appears less than anxious to do this, however.

Independent Judiciary: The judges appear to be reasonably free of political interference in the performance of their work.

Legal Information: The texts of legislative enactments and Presidential decrees are published. The texts of major pieces of legislation were readily available at numerous street kiosks throughout Sofia, although it is unclear whether the texts are available to this extent outside Sofia.

Knowledge of Rights: The availability of legal materials, as mentioned in the prior paragraph, allows the legal community and the public access to information about legal rights in Sofia if not elsewhere in Bulgaria.

Qualified Jurists: A deficit of qualified judges, prosecutors, government lawyers, and private lawyers and legal counsellors remains a serious problem.

Compliance with Judgments: Court decisions seem to enjoy general compliance.

Independent Bar: There is an independent association of lawyers, the Bulgarian Lawyers' Association, which operates free from undue government influence. Its president is strongly reform-oriented, seeking to promote the integrity and strength of the bar.

Media Licensing: There are in practice reasonable procedures for obtaining broadcast or print media licenses. Content restrictions and prior restraints do not appear to be a problem.

Conditions Affecting Choice and Impact of AID-Funded Activities

Legal reform priorities in Bulgaria are shaped by the general recognition that economic laws, regulations, and institutions are comparatively the most underdeveloped and the most important to address in order to support a growing private sector-driven economy. Both Bulgarian officials and jurists as well as USG officials share this view. As for rule of law priorities more

specifically, economic crime, also called white collar crime, is considered a priority, along with ways of combatting organized crime and government corruption. Judges and prosecutors, particularly at the lower levels, could benefit from additional training.

There are other conditions in Bulgaria which also affect the available choices for AID assistance in the Rule of Law area, and the impact of such assistance. The recently-established government is in somewhat of a crisis as it tries to shore up its support and push ahead with economic reform. Therefore, the surplus time and energy of government officials is limited, and their legal priorities focus on market reforms. In addition, "consultant fatigue" has apparently set in, such that outside assistance is not as welcome as it now is in Lithuania. In other words, with the growth of bilateral and multilateral technical assistance programs, government agencies must spend increasing amounts of time meeting with aid officials and consultants, and otherwise responding to needs for information and counterpart time. Over time, higher level officials especially find it difficult (and perhaps unrewarding) to devote time to this.

The following assistance is currently being provided or planned by other donor agencies in Bulgaria:

European Community: Has a presence through the PHARE Project and other activities.

Council of Europe: Advice on human rights-related legal provisions.

British Centre on Central and East European Law has held seminars on legal topics such as government conflict of interest and business frauds.

Dutch Helsinki Committee on Human Rights: Sponsored lecture series on human rights.

International Development Law Institute (possibly through A.I.D. or USIA) holds practical legal training seminars in Bulgaria, covering issues similar to those dealt with by CEELI.

2. Summary of Current AID-Funded Activities

The A.I.D. Mission in Bulgaria is now formulating its strategy statement, and there is as yet no definitive draft. The A.I.D. Representative and the Ambassador stressed the importance of the activities of CEELI and USIA under the Commercial Law and Rule of Law Projects. They indicated that assisting with the formulation of a comprehensive set of economic laws and regulations was "at the top of the list" of AID priorities in Bulgaria. The following summarizes current and past AID-funded activities under the Rule of Law Project in Bulgaria.

USIA

Administrative Conference of the U.S. -- Administrative law needs assessment (May-Jun 1991) (\$3,818)

Salzburg Seminar for 17 Central and East European Law School Deans (Aug. 1991) (\$39,175 -- multi-country, with CEELI participation)

Two elections experts assisted Parliament with new election laws (July 1991) (\$12,102)

Expert worked with Ministry of Defense on civilian control of military forces (Feb. 1992) (\$3,625)

Professionals in Residence -- Charles Labella (May-Nov. 1992) (\$35,554), Thomas Flynn, and Rita Jane Spillane (Nov. 1992 - May 1993) (\$66,000), advising MOJ on issues in draft legislation on criminal law and procedure.

Short-term consultant -- Laurie Sherman, on lawyers' conflict of interest issues, Nov. 1992 (\$9,231).

CEELI (1993-4 total budget: \$64,616)

Liaisons: William Meyer (Sept. 1991 - Aug. 1992), Harlan Pomeroy (Sept. 1992 - Sept. 1993) (1993-4: \$11,804)

"Legal Specialists" (1993-4: \$8,308):

- Judge John Fullam, Center for Study of Democracy, Asst. with Judicial Reform (May 1991)
- Richard Seidel & Markus Zimmer, MOJ, Asst with Records Mgmt & Court Computerization (2 weeks Jan/Feb. 1992)
- Kurt Muellenberg, Center for Study of Democracy, Asst. with Criminal Law Reform (May-June 1992)
- Robert Scherle, Asst. with Judicial Training (Jan. 1993 - July 1993, possible extension to Jan. 1994)

Workshops:

- Judicial Restructuring, with government and NGO representatives (Jan/Feb. 1991)
- Constitutional Drafting, with Grand National Assembly (Mar. 1991)
- Follow-up Constitutional Drafting, with Drafting Committee of Grand National Assembly (June 1991)
- Workshop with Council on Normative Acts on draft laws relating to bankruptcy (Feb. 1992)
- Workshop with government officials on draft copyright law (Oct. 1992)
- Workshop on Ethical Codes of Conduct for Lawyers (Jan. 1993)

Law Faculty Training: Six month internships with law schools and U.S. Government agencies (CEELI and Department of Commerce)

Draft Law Assessments (1993-4: \$3,846):

- Law Concerning the Ownership and Use of Agricultural Lands (Jan. 1991)
- Commercial Draft Legislation (Mar. 1991)
- Draft Legislation on Agricultural Land Use Reform (Mar. 1991)
- Draft Legislation on Foreign Investment (Mar. 1991)
- Draft Antitrust law (Apr. 1991)
- Draft Decree on Uniform System of Tax Admin. & Proposed Legislation on Courts of Auditors (Aug. 1991)
- Foreign Investment Law (Oct. 1991)
- Draft Legislation on Oil Exploration (Nov. 1991)
- Draft Patent Law (Dec. 1991)
- Treatment of Non-Monetary Contributions in investment (Feb. 1992)
- Draft Banking Law (Feb. 1992)
- Draft Bankruptcy Law (Feb. 1992)
- Economic Activity of Foreign Persons and Protection of Foreign Investment (Mar. 1992)
- Draft Law on the Bar (May 1992)
- Draft Law on the Structure of the Judicial System (May 1992)
- Draft Marine Environment Protection Act (May 1992)
- Law on Activity of Supreme Administrative Court (May 1992)
- Draft law on Telecommunications (June 1992)
- Draft Non-Profit Organization Law (July 1992)
- Draft Law on Explosives (Sept. 1992)
- Draft Information Law (Sept. 1992)
- Draft Law on Special Investigative Means (Sept. 1992)

Concept Papers:

Securities Regulation (Oct. 1992)
Currency Exchange Controls (Oct. 1992)
Consumer Protection (Nov. 1992)
Government Procurement (Nov. 1992)
Money Laundering Controls (upcoming)
Non-Bank Investment Entities (upcoming)

Sister Law School Program:

- Orientation & Visits -- esp. Part III, involving 3 new Bulgarian law schools (Sept-Oct. 1992)
- Workshop on Law School Accreditation & Curriculum Development (Oct. 1992)

CEELI Program in Cooperation with Southern Illinois Univ. at Carbondale: Orientation on U.S. Legal System for Bulgarian judges, prosecutors, & private attorneys (May 1992)

A full discussion of the evaluators' findings with respect to the indicators of project impact and effectiveness appears in section C below.

C. ASSESSMENT OF COUNTRY PROGRAM IMPACT AND EFFECTIVENESS

This section provides an assessment of the impact and effectiveness of ROL Project activities in the countries visited. First, findings are presented with respect to each of the proposed project impact and effectiveness indicators. This part concludes with comments on overall impact in Poland, Lithuania, and Bulgaria.

IMPACT OF PROJECT ACTIVITIES

Impact of Technical Advice:

Poland: One or more of the suggestions contained in the CEELI analysis of the draft white collar crime law were apparently taken into account during the revision of that legislation. On the other hand, some interviewees in Poland felt that the technical advice provided by way of the CEELI draft law analyses contained at most some potentially helpful background material on U.S. approaches to the issues. Some of the discussion in the draft law analyses was seen to be inappropriate, not germane, or reflecting a misunderstanding of the Polish legal context. Some interviewees suggested a cautious approach towards giving advice based on U.S. models, since this kind of information has at times been cited out of context in support of measures that would not have been endorsed by the author (e.g. Polish legislators citing the more draconian provisions of the U.S. RICO statute as models -- without the accompanying procedural guarantees). One interviewee suggested more comprehensive seminars on particular U.S. legal topics (e.g. criminal witness immunity) in order to assist the drafting process and to ensure that the "whole story" is told in a given area.

Lithuania: At least one Lithuanian jurist pointed to suggestions made in the CEELI draft law analyses as the basis for changes that were subsequently made in the draft law on the structure of the court system. One or more such changes were apparently part of the new law as it was enacted -- although implementation has been delayed. One such change would improve the law by, for example, lengthening from ten to thirty days the time for filing an appeal. The impact of technical advice supplied by the USIA resident advisor is more difficult to gauge, since the drafts to which he is contributing were not complete as of the time of the evaluation, nor were they available to him in provisional form. The USIA advisor indicated that his counterparts at the Procurator General's office were unaware of the CEELI draft law analyses -- several of which related to criminal law and procedure. This might be attributable to lack of coordination within the Lithuanian Government, although there are indications that the CEELI commentaries are considered unhelpful and are being ignored by relevant authorities.

Bulgaria: Officials of the Ministry of Justice and Interior stated in response to questions that they had made extensive use of CEELI written evaluations of draft statutes given at the request of those ministries. The Minister of Justice said in particular that CEELI saved the Ministry time

by providing an analysis of the legislation of other countries on the topic under consideration. The same was true of "concept papers," which CEELI writes at the initial stage of drafting of a new piece of legislation, to provide suggestions for the orientation of the new law. One example of this impact is the acceptance by the Judicial Structure Law drafting committee of CEELI's suggestion that non-governmental petitions for binding interpretive decisions be admissible before the Supreme Court. In recent times, however CEELI personnel have not gotten much reaction from the Ministry of Justice on papers they deliver, and have had to ask about the fate of papers delivered several months previously. If the Ministry were currently taking these papers seriously, one would expect that Ministry personnel might seek clarification and further discussion of the ideas presented in the papers.

USIA resident specialist Thomas Flynn participated as a member of the drafting committee working on the penal code revision. That work encountered significant difficulties; in particular, Mr. Flynn was not kept informed about planned meetings. Mr. Flynn, by his own account and by that of a Ministry of Justice official, made extensive contributions to discussion of areas of law that have not heretofore received extensive treatment in Bulgaria, namely, computer crime and bankruptcy fraud. Ms. Spillane participated as well in this work. They both consulted with members of the drafting committee on criminal penalties, namely, the possible broader use of fines and probation as alternatives to imprisonment.

However, Mr. Flynn was not well received by the Ministry of Justice. Mr. Flynn's predecessor, Mr. LaBella, was apparently overly optimistic about the desire of the Ministry of Justice that he be replaced when his term ended. At the time of Mr. Flynn's arrival, however, the Ministry of Justice was not interested in having such a person. This put Mr. Flynn in an untenable situation. The Ministry did allow Mr. Flynn office space at the Ministry, but it took him one month after arriving to meet with the Minister of Justice. During his time in Bulgaria, the Ministry of Justice did not request any work or advice of him. At his own initiative, Mr. Flynn inserted himself into the committee drafting the criminal code. One of the factors that may in part account for the apparent difference in the Ministry's receptivity to Mr. Labella and Mr. Flynn was the change in government in December 1992, shortly after Mr. Flynn's arrival.

Impact of Training Proposals:

Poland: Developing in-country legal/judicial training does not appear to have been a focus of CEELI or USIA activity in Poland.

Lithuania: CEELI proposals on legal training have become part of a plan for a judicial training program adopted by a committee comprising key government officials and legal educators. If this plan is implemented, it will form the basis of a significant new program for training to be provided to new judges at the university law faculty. A judicial instruction handbook will also be produced. There appears to have been an impact here on the level of thinking and planning, although it is too soon to say if there will be practical results. In that regard, it is important to note that the current CEELI-sponsored advisor on judicial training arrived in Lithuania expecting to work with a committee for the implementation of a judicial training facility, but found that in

practice there was no such committee. He is now seeking to create an effective implementing mechanism.

Bulgaria: CEELI arrived at an agreement in summer 1992 with the Minister of Justice on a training program for judges. (According to an interviewee involved in this initiative, CEELI had determined that judicial training was needed, and had suggested it to the Ministry.) In January 1993, CEELI sent a resident specialist, Mr. Robert Scherle, to Sofia to implement that program. Unfortunately, the Ministry of Justice had little interest in such a program and refused to assist Mr. Scherle in implementing it. There are a variety of possible explanations for the change in view of the Ministry of Justice between summer 1992 and January 1993. These include: (1) the change in government that occurred in fall 1992; (2) concern on the part of the Ministry of Justice that if it refused to sign the agreement CEELI would withdraw other efforts, or that its international image might be tarnished; (3) a failure on the part of the Ministry of Justice to foresee the effort and time off from work for judges that would be required for the program. As a result of the Ministry's refusal, Mr. Scherle sought alternative institutional sponsors for judicial training and is pursuing them at present, but remains in the early stages of this effort. This difficulty might have been avoided had CEELI confirmed the Ministry's demand for and interest in this kind of assistance prior to Mr. Scherle's arrival. As of the time of the team's visit, Mr. Scherle was uncomfortably engaged in "selling" his volunteer services to potentially interested parties, notably the Bulgarian Women Judges Association. When Mr. Scherle's term expires, he should not be replaced, absent a renewed display of serious interest by the Ministry of Justice in a judicial training program.

Local Participation:

Poland: Participation of host-country nationals does not appear to have been sought in ways that would support appropriate technical assistance outputs or increased capacity to sustain reform beyond the life of the program. Members of the legal community, such as young lawyers, have generally not been afforded a role in shaping and carrying out program activities. It would seem that the capacity for sustainable reform, and the appropriateness of U.S. assistance would benefit dramatically from greater involvement by local jurists, though the reasons for the absence of such participation in this case are unclear. A major exception to this pattern is that young lawyers are involved in recruiting the next group of DePaul Human Rights program participants (a program formerly, but no longer, SEED-funded).

Lithuania: The current discussions on the design of a judicial training program appear to aim at a useful collaborative effort involving Lithuanian legal professionals and educators. If this takes shape as anticipated, law faculty members and others would be involved in shaping the training curriculum and providing training. Apart from this, there has not as yet been much participation, particularly by young lawyers, in shaping and carrying out program activities, with the result that there have not been opportunities for the transfer of skills, institutional memory, or capacity for sustained reform. There is also a feeling in the Lithuanian Lawyers' Association of being left out of these efforts (see discussion below). Certainly, the draft law analyses would benefit from greater local input, and perhaps also the commercial law seminars.

Bulgaria: CEELI has drawn three young Bulgarian lawyers into its work on a part-time basis, through the Law Program established under the auspices of the Center for the Study of Democracy. This linkage has helped CEELI establish contacts, because it has local attorneys who can facilitate meetings and provide interpretation of reactions of government officials. These attorneys have also done the translation into English of draft laws to be sent to the U.S. for written commentary. The fact that these attorneys have done the translations has meant that these translations have been of good quality, and thus commentators did not need to guess at the meaning of provisions of the draft laws. The Center even deems it worthwhile to bear some costs of the CEELI presence not covered by the AID funds.

Institutional Linkages:

Poland: Relationships have been built with a number of law school deans, through the Sister School and Faculty Training initiatives, in addition to officials at the Sejm Bureau of Research and the Deputy Mayor of Krakow. CEELI has not apparently sought, or succeeded in forming, effective working relationships with other key actors and decisionmakers in the Polish legal system (nor has USIA, but there is no longer any USIA ROL programming in Poland). Moreover, the Director of the Sejm Bureau of Research, who provided an office for the last CEELI liaison in Warsaw, did not have a clear idea of what work the liaison person had been doing. (CEELI later stated that this official was not the actual counterpart of the CEELI liaison).

Lithuania: Attention has been paid, with some success, to building institutional linkages with reform-oriented elements in the legal community and government. Many of these people are actively engaged with CEELI in the efforts described above and have a positive impression of the assistance provided. The judicial training specialist confronted a potential problem in that the committee that was supposed to have been established to work on the training initiative had not been formed; but he managed to gain the support of key players at the Ministry of Justice and Vilnius University for this effort.

On the other hand, the Lithuanian Lawyers' Association indicated that it has not been provided much of a role, if any, in U.S. assistance efforts, although a CEELI-supported program on the Lithuanian Constitution was held under the Association's sponsorship, and Association members have been involved in CEELI activities. The head of the Association felt that the Association as an institution was not sufficiently included as a partner in the ROL program, and that therefore the CEELI and (especially) USIA activities were less effective, and even potentially misguided, as a result.

USIA has created an institutional link of sorts by supplying a criminal law expert to the Office of the Procurator General. However, it is unclear how effective this relationship is. The expert seemed uncertain about the impact or destination of his advice, and appears to be given no feedback on the effectiveness and impact of his proposals. Others outside the Procuracy felt that the Procuracy itself was part of the problem, and needed to be brought under tighter discipline, perhaps as part of the Ministry of Justice. Since this expert had arrived only two weeks or so before the evaluators did, no definitive conclusion can be drawn based on these findings --

indeed, the expert stated in a later meeting in Washington that his access to key officials and the demand for his input grew significantly later in his stay.

Bulgaria: Attention has been paid to building institutional linkages with reform-oriented elements in the legal community and government, particularly in the Lawyers' Association. CEELI and USIA personnel established solid relationships with reform-oriented officials and attorneys, including the three attorneys working with CEELI as part of the Law Program at the Center for the Study of Democracy. The CEELI Sister Law School programs are effective, if modest. The programs bring deans from the paired schools into contact with each other, but there is insufficient funding to establish serious collaborative effort between law schools in Bulgaria and the United States. In recent months CEELI has had programs more active with several of the newly established law schools than with the University of Sofia. The new law schools are in an infant stage, have few library or other facilities, and have no full-time faculty. Some of them have a precarious existence and may well disappear within a few years, although two of them have now received accreditation.

The evaluators are concerned about the need for balance in building institutional relationships in Bulgaria. The support for the new schools could, along with past CEELI criticisms of the University of Sofia Faculty of Law (USFL), be creating tension with USFL. This tension appears to have made it impossible for the judicial training specialist to enlist USFL participation. However, CEELI has involved USFL in other activities, and hence has some lines of communication open despite problems with the relationship. The issue of balance arises here because the costs of failure to maintain some link to the major institution of legal education in Bulgaria would be great.

Impact of Training/Exchange Programs and Participants:

Poland: Some key legal system actors, such as law school deans and younger attorneys, have participated in foreign exchange/training programs, such as the DePaul Human Rights program and Sister Law Schools program. The participants responded very favorably when asked to assess the programs, and would like to see them expanded, e.g. for Polish law students. Most participants praised the training, seminars, and exchanges that they participated in without being able to point to tangible results. However, some beneficiaries indicated that their participation led to specific results, such as the Dean of the Adam Mickiewicz Law Faculty, who said that she started a "clinic" or externship program for law students as a result of her observations at a U.S. law school during a Sister-School visit. Some have continued their (or their institutions') participation in those programs.

On the other hand, one USIA proposal for a visit by Polish Supreme Court Justices to the U.S. was badly received and attracted no participants because it was viewed as vague and condescending. Training and exchange programs therefore need to be carefully targeted -- and when they are, they have the potential for high impact. A CEELI exchange program (via the Commercial Law program) that was cited as potentially very useful offered three-month internships in U.S. law offices. Unfortunately, practitioners found it difficult to break away from

their work for that period of time in order to take advantage of such opportunities. This problem is likely to confront any such program -- although closer attention to the needs and potential benefits of the sending organization could perhaps make such a program more functional.

The DePaul Human Rights Program, initially SEED-funded via USIA (but now supported by other funds), seems particularly well-conceived and has had tangible impact. The aim of the DePaul program is to develop a group of young lawyers who will incorporate human rights work in their law practice, leading to the development of a human rights bar in Poland. Alumni of the first year are participating in human rights discussion groups held by the Helsinki Watch in Warsaw. The two participants interviewed in Warsaw believed that the program had been highly useful, and the same opinion was expressed by all ten in evaluations completed in Chicago at the end of the program. For the second year, the number of applications was up over the first year. The courses taught at DePaul were designed so that the material covered would be relevant to the Polish experience and to current Polish issues in human rights. Freedom of conscience and religion, for example, was included. Extensive coverage was given to the European human rights system, highly relevant to Poland because of its recent ratification of the European human rights treaty. The participants had course work in the first half of the semester and internship placements in the second half.

Lithuania: Some key legal system actors have participated in foreign exchange/training programs and continue their association with the programs -- the Dean of the Vilnius University Law Faculty and the Chief Justice of the new Constitutional Court are examples. However, the Lawyers' Association once again appears to be left out. In addition, a key person at the Ministry of Justice -- who wishes to undertake, and get assistance with, the reform of court systems and administration -- has been unable to take a study-tour to get direct experience of the management of courts in the U.S. This would seem to be an eminently useful exchange; however, this has become impossible because she had failed the TOEFL examination. It might be desirable to require less in the way of language proficiency in order to facilitate such visits to the U.S., which are likely to be productive.

Some beneficiaries of exchanges funded by the project are working to develop and improve aspects of law, regulation, institutions, and training under their authority at least partially as a result of the project support. Training is only in its beginnings as part of the Lithuania program, and so the effects of this cannot be measured.

Bulgaria: Some key legal system actors have participated in foreign exchange/training programs and have continued their association with the program -- the Vice-Dean of the Sofia University Law Faculty is an example. CEELI sister law school programs were regarded as successful by Bulgarian participants. However, little funding is available to follow up on initial contacts made through that program. Some beneficiaries of exchanges funded by the project are working to develop and improve aspects of law, regulation, institutions, and training under their authority at least partially as a result of the project support.

New Institutions:

The emergence of new independent institutions in collaboration with the ROL Project is intended not as a goal in itself, but as one of several indicators of the project's success in the area of institutional development.

Poland: New institutions have not been developed in collaboration with the program, although the CEELI commercial law specialists have supported the establishment of commercial law centers.

Lithuania: New institutions have not yet been developed in collaboration with the program, although CEELI has proposed the formation of commercial law centers and is working on the establishment of a judicial training program and institute.

Bulgaria: CEELI has worked through the Center for the Study of Democracy, establishing the Law Program there. This program may well continue after CEELI activities cease in Bulgaria. No training program or institute has emerged -- or appears likely to emerge -- from the judicial training initiative.

Impact of Resources Provided:

Poland: There was no indication that resources such as books or computers were provided under the Rule of Law Project in Poland.

Lithuania: The legal book collection supplied by USIA was cited by the law faculty dean as a positive contribution to the research and instructional resources of the university. The materials are in English, which limits their usefulness, although the dean estimated that 60% of law students can at least read English. He would welcome more assistance of this kind. Where program resources have not yet been provided, but would be very useful, is in the area of case management, law libraries and information systems, and administration in the court systems -- as cited by the head of the Courts Department of the Ministry of Justice.

Bulgaria: CEELI has facilitated the establishment of a pilot project on court management at the court in the city of Varna. This involved provision of computers for use in court management (although the computers were long in coming and apparently funded from a different source than CEELI). Although not at an advanced stage, this project appears to have begun successfully.

2-118
→

EFFECTIVENESS OF PROJECT IMPLEMENTATION

Analysis and Strategy:

Poland: The priority given to commercial law activities in the overall CEELI program for Poland, and the relatively small amount of activity in the Rule of Law area, reflect a general ordering of priorities that appears both correct and in line with the needs expressed by key legal figures in Poland. Within the ROL field, however, it is less clear that CEELI and USIA are carrying out a strategy or a defined set of priorities. Rather, they appear to be making available the same types of assistance designed in Washington and offered elsewhere in the region, where opportunities for this are present and local sensitivities permit.

Lithuania: At least on a common sense reading of the situation in Lithuania, the focus of CEELI and USIA activity on commercial law, criminal law, and judicial training seems sensible and justifiable. However, neither those priorities nor whatever particular fields and issues are addressed within those broad areas have been outlined on the basis of a thorough analysis of needs and priorities. USIA and CEELI activities are largely undertaken upon request by cooperating government officials. These requests are now beginning to multiply so that the CEELI and USIA people will have to begin strategizing and prioritizing -- which they have not done up to this point. There appears to have been no need until now for a mechanism for screening requests for assistance. It is true that a team of CEELI advisors assessed the needs of the court system in late 1992. Yet, despite a number of potentially useful suggestions regarding court administration -- which have been accepted in general terms by the Courts Department of the Ministry of Justice -- the report contained several factual errors, reflecting a lack of understanding of the Lithuanian legal system (see discussion below). More work will be needed to develop the analytical basis for a rule of law assistance strategy.

Bulgaria: The focus of CEELI on commercial law seems sensible and justifiable. Programs in Rule of Law seem to be diminishing in effectiveness over the recent period, due in large part to declining interest or receptivity by the Bulgarians with respect to such interventions as judicial training. Hence, within the ROL field, more careful analysis of needs, priorities, and particularly institutional interests (see the next point) is called for.

Appropriateness and Usefulness:

Poland: While there is some evidence of use being made of the draft law analyses and other technical assistance, there also is some question as to whether this is the most appropriate form of U.S. assistance. The U.S. law content and the need to translate common law concepts from the English language limit the use that can be made of these materials, and there are other sources of this type of technical assistance, e.g. Germany, whose input is apparently considered more appropriate and credible by Polish jurists. This is not to say that specifically U.S. legal input is never desirable or useful -- but rather that the situation and the observations of the interviewees suggest a reversal of the current priority of technical advice over training and exchanges.

Lithuania: Technical assistance is sometimes, but not always, appropriately framed so as to be as useful as possible to its audience in the form presented. The court assessment report mentioned above and at times the draft law analyses have been marred by inaccuracies and a lack of comparative and regional expertise or understanding.¹ Lithuanian officials asked about these inaccuracies said that they were able to overlook them and to extract from the evaluations whatever useful comments they contained. It should also be noted that the evaluators were not able to review all written materials produced by CEELI, and therefore those reviewed may or may not be entirely representative.

These written evaluations of draft statutes have been provided in English, with key portions of the documents translated into Lithuanian. The utility of the evaluations has been limited by the uneven quality of translation of the Lithuanian draft statutes into English for delivery to the U.S. evaluators, resulting in inappropriate comments by evaluators. Further, although CEELI

¹ The court assessment report should have been limited to technical matters related to administration, but unfortunately, endeavored to give a general analysis of the Lithuanian courts beyond issues of administration. It stated that there was a "near legal vacuum in the Lithuanian court structure, specifying, erroneously, that judges are found in Lithuania only in major cities. In fact, there are judges throughout the country. The report said that there is not an official printer of laws in Lithuania. In fact, legislation is printed in a gazette in both Russian and Lithuanian, with a less-frequent edition in English. The report states that the trial judge in a criminal case investigates the case prior to the trial. This is incorrect. Apparently, the author of the report misunderstood the term "investigate," which in this context means the conducting of the trial, not a pre-trial search for evidence. The report states that the Lithuanian constitution does not give a criminal accused a right to confront witnesses at trial. While this is true, the authors of the report were apparently unaware that such a right is provided by the criminal procedure code, as is customary in European countries. Here the authors operated on the basis of the U.S. approach, with a right of confrontation protected as a constitutional right and assumed that since such a right does not appear in the Lithuanian constitution such a right must not exist in Lithuanian law. The report says that appeals to the Supreme Court of Lithuania are handled as a trial *de novo*, with a repetition of the original trial. In fact this is not true; the appellate review is limited to a review of the correctness of the trial court's actions.

CEELI written assessments on draft Lithuanian laws have been flawed by the fact that the U.S. evaluators typically are unfamiliar with Continental law and therefore do not understand how draft statutes fit into the legal structure of the country. For example, a U.S. evaluator stated that the draft penal code omitted provisions on arrest, bail, search warrants, appellate procedure, and territorial jurisdiction of peace officers. In the Continental systems such matters are never covered in a penal code but in other codes, primarily the code of criminal procedure. The evaluator's comment reflected a lack of understanding of penal legislation as it exists in Continental systems. The CEELI personnel in Washington who organize the evaluations passed on this lawyers' letter, with a statement in the summary portion of document somewhat neutralizing the letter's comment.

endeavors to translate its materials, either this endeavor has not always succeeded, or untranslated materials have somehow reached key figures in the legal system. The consultants received several comments that past assessments, and in one case the written materials from a CEELI seminar, were in English only -- and in some cases these individuals had the materials translated themselves. Lithuanian interviewees said that the in-country seminars held by CEELI are more effective than written evaluations for technical assistance.

Bulgaria: The CEELI written evaluations of draft legislation, prepared upon request, may have been useful to the ministries and have had some impact on the legislative process. However, ministries do not readily give CEELI feedback on their use of the evaluations or engage in dialogue with CEELI about specifics of the recommendations made in the evaluations. Absence of such dialogue creates doubt about how much the ministries actually utilize the evaluations.

Qualified Technical Advisors:

Poland: Some CEELI advisors have had strong qualifications and considerable credibility, such as Ms. Sarnecka-Crouch, a Polish-American who was able to conduct business in Polish and understood the system and context, and Mr. Valetta, an advisor on municipal government, whose input was thought to be well-targeted in an area where there was significant need -- and who has been invited to return as a short-term advisor to Krakow. On the other hand, some CEELI advisors have not been as readily accepted because of their lack of a carefully defined mission, regional and language preparation, familiarity with Polish legal system, or the credibility that comes with senior status. An example of this was the resident commercial law specialists, who were CEELI's only representatives at the time of the evaluation, filling the role of liaison during the period following the previous liaison's sudden departure. Neither of these specialists had or claimed any regional expertise, and the consultants understood that each of them had committed to a stay of no more than six months. It should be noted that their liaison role was only interim, and that this observation is not meant to be a reflection on the commercial law program, which is outside the scope of this evaluation.

Lithuania: The CEELI liaison, a Lithuanian-American who speaks Lithuanian, is an energetic and effective representative, as are others associated with the effort both in Lithuania and Washington. However, a review of the documents produced by CEELI and conversations with these individuals revealed that greater preparation or expert oversight of these activities is needed. Neither the liaison, the judicial training specialist, nor the Washington-based personnel interviewed possessed or claimed any knowledge of Lithuanian law or of legal systems of the former Soviet Union generally. The resident USIA expert was very experienced in the substantive area in which he was working and had gained some understanding of the region from an earlier stint with CEELI, among other things.

Bulgaria: USIA has not been able to provide advisors with knowledge of either Bulgarian law or of Continental law in general. This deficiency is diminished to a certain extent if the advisor remains for an extended period, such as one year or more, and, as in the case of CEELI liaisons, where the individual plays more the role of a coordinator than a technical specialist. If the advisor

remains for a shorter period, the deficiency is not remedied. As a result, the advisors may appear to Bulgarian counterparts not to be serious students of their fields of specialization. The evaluators believe it does not make sense to place an Assistant U.S. Attorney with no knowledge of European law or of the local language for only six months.

Advisors' Length of Stay:

In all CEELI programs, liaisons are expected to spend one year at their posts. This length of stay is less than ideal, given that the program currently depends on the liaisons for continuity and direction, and given the consequent need for the liaisons to develop expertise and relationships of trust with counterparts in the countries where they are posted. The other advisors spend varying amounts of time, as indicated below.

Poland: Technical advisors are not always posted in-country for sufficient length of time to build trust, momentum, or institutional memory. As of the time of the evaluation, there had been no CEELI liaison in Poland for more than three months, since the most recent one had been forced to withdraw for health reasons and a new one had not been found. This was an unforeseen and understandably difficult problem to deal with (CEELI apparently found and fielded a replacement within two months or so of the evaluators' visit). However, the commercial specialists in Warsaw and Krakow, who were in effect acting as liaisons, had made only six-month commitments. This left the Poland program without leadership or coherence, as the six-month time frame is not sufficient to gain the trust of counterparts, come to an understanding of the situation and the needs, and to make progress on a broad programmatic front. This, again, is not an evaluation of the commercial law program, but merely an indication that reliance on individual one-year liaisons is risky where neither the D.C. staff nor the short-to medium-term specialists have the necessary depth of program experience to keep the momentum.

Lithuania: Technical advisors are not all posted in-country for sufficient time to handle this work effectively and without disruption due to turnover. The USIA advisor was posted at the Ministry of Justice for four months. No rationale could be given for USIA's proposal of four months, as opposed to any other length of time. The CEELI specialist on judicial training expected to spend six months in-country. Realizing the ambitiousness of the task he had undertaken, he set about working actively to achieve as much as possible within this short time. If he were able to spend a longer time, he could perhaps afford to be more of a facilitator and less of an advocate and motivator. The latter approach poses numerous risks in terms of acceptability of the results and sustainability.

Bulgaria: The early USIA specialist was also sent for one year, but currently, specialists spend only six months in the country, probably not an adequate time for them to be effective except during a short period toward the end of their stay.

Mix of Professional and Volunteer Effort:

CEELI relies on volunteer/pro bono effort, which minimizes costs. However, the lack of overall analysis, strategy development, and planning; inconsistencies in the quality of technical assistance outputs; and indeed the nature of the effort, point out the need for long-term personnel in the region with both technical and regional expertise. There is also a need for greater continuity among the successive CEELI volunteers -- i.e. the cumulative building up of achievements and momentum, rather than the series of discrete activities that make up the bulk of the program. Some initiatives in the training area, for example, do call for a long-term perspective, and the persons involved appear determined to ensure some kind of continuity. However, in general, the CEELI effort is too dependent on *ad hoc* initiatives and short- to medium-term activities -- in large part because more cannot be expected of volunteers. The USIA program, by contrast, uses paid specialists for medium-term assignments. This may be fine in itself, but there is little apparent connection between these specialists and the CEELI program. In effect there is no mixture here: one program is all-volunteer, while the other is entirely professional. Unless liaisons with regional expertise can be retained for sufficient time-periods (i.e., approximately two years) on a volunteer basis -- which seems very unlikely, based on CEELI's experience -- then the implication is that consideration should be given to the payment of salaries, and/or the volunteer effort should be supplemented with long-term paid regional personnel supplying expert input and strategic vision.

Diversity of Functions/Perspectives:

Poland: The CEELI effort appears to contain a diversity of perspectives on the U.S. and in-country sides. CEELI has established some form of relationship with the Sejm, the Polish Lawyers' Association, and the universities -- all of which provide a multiplicity of views. However, as mentioned above, these relationships have not developed into partnerships that allow for effective joint effort.

Lithuania: There is some diversity of perspectives represented in the CEELI effort. The fact that CEELI has commented on the draft law on criminal procedures indicates that this field is not entirely in the hands of criminal law specialists (generally, though not exclusively, prosecutors) supplied through USIA. Further, on the Lithuanian side, the lack (or perceived lack) of participation by the Lawyers' Association has tilted the balance heavily on the side of government lawyers -- who tend to have different views from the private bar, particularly on questions relating to criminal defense. The Lawyers' Association hopes to revive its own newspaper, which would discuss legislative proposals and other important legal matters from the Association's perspective, and has approached CEELI about supporting this project.

USIA, as mentioned, has relied primarily on prosecutors for its PIRs, although it has drawn on other sources of expertise at times. USIA experts appear to be credible professionals who are diligent in presenting balanced advice to their counterparts in the host countries. However, the

placement of experts with government bodies that exercise functions related to the prosecution of crimes will tend to create perceptions among private lawyers (including some of the interviewees) that the U.S. is contributing to a grasp for greater prosecutorial powers on the part of the state. This is not entirely unexpected, but AID should be aware of it and strive to achieve balance in its ROL programming by giving equal time to criminal defense and due process issues.

Bulgaria: There is some diversity of perspectives represented in the CEELI effort. The CEELI liaisons have been commercial law specialists. The USIA persons have generally been persons from the U.S. Department of Justice or Assistant U.S. Attorneys.

Mix of Types of Assistance:

It is worth noting at the outset that the "mix" of assistance provided by CEELI appears limited not so much by plan as by limitations on resources, and perhaps also by the tenor of requests received based on the original "menu" of technical assistance offered by CEELI.

Poland: The assistance provided in Poland, as elsewhere, places heavy emphasis on the provision of technical advice by U.S. lawyers, along with some training and exchange programs. Opportunities for training or study-tours appear to be useful for both networking and the opportunity for hands-on learning about practical (and transferable) aspects of the U.S. legal system such as law firm structure and law school pedagogy. On the other hand, technical assistance, particularly in the form of draft law analyses, appears not to be valued as much. Some interviewees indicated that other forms of assistance -- such as books, computers, and other material assistance -- would be well-received and appropriate to the needs and priorities shared by the U.S. and Poland. Indeed, the augmentation of training and exchange opportunities, and the addition of these other forms of assistance might improve the receptivity of the Polish legal community to technical advice from the U.S., since it would broaden the project's focus and necessarily reduce the emphasis on the provision of advice by American lawyers.

Lithuania: The current mix of types of assistance does not appear entirely to fit Lithuania's needs and priorities as understood by host-country and U.S. observers. Both sides would probably agree that more assistance on operational aspects of the court system and with related material assistance could be highly useful. However, the ROL Project as implemented by CEELI and USIA either does not have the resources for this or has used the resources instead for the provision of other technical assistance which may not be as critical a need at the moment.

Bulgaria: The focus on commercial law by CEELI is appropriate, and its forays into Rule of Law issues through the written evaluations has been of some utility. Also, CEELI's publication series "Issues in Bulgaria Law" is a potentially promising way to encourage dialogue on legal topics and to disseminate CEELI's work beyond the counterpart ministries. The series is published in English and Bulgarian. Additionally, as noted above, CEELI has been involved in a pilot court administration project in Varna. At the same time, however, CEELI does not appear to have sufficient flexibility in the use of its funds (or perhaps sufficient funds) to support other activities that could be quite productive, such as a pilot project on computerization of legal

information. The USIA effort in the drafting of law in the criminal justice area seems to be outliving its usefulness, due to the apparent lack of serious commitment to reform or interest in U.S. assistance at the Ministries of Justice and Interior.

Coordination:

Poland: Assistance in this field does not appear to be coordinated for maximum efficiency among U.S. organizations or with other bilateral and multilateral donors. U.S. participants in the ROL Project do not seem to be familiar with the kinds of assistance offered by other donors in Poland.

Lithuania: Assistance in this field is coordinated to some extent by CEELI vis-a-vis USIA and the European Community although this does not appear to go beyond very occasional information-sharing. This is less so for other donors -- e.g. CEELI and UNDP were barely aware of each other's presence in Lithuania at the time of the evaluation (even though they occupy the same office building).

Bulgaria: CEELI and the USIA specialists are not in close coordination although they are aware of each other's agenda. The USIA specialist is in contact with other foreign specialists working in related fields of law reform, including representatives of the Council of Europe, and the CEELI liaison holds regular meetings with other foreign lawyers. Apparently, overall donor coordination takes place under the leadership of the European Community, but there are still major complaints on the Bulgarian side about lack of coordination.

SUMMARY OF OVERALL IMPACT

Poland: The ROL Project has not been aggressively implemented in Poland, and there is currently no USIA programming in this area at all. In general, the program in Poland does not appear to be having great impact. Activities involving the sending of Polish jurists to the U.S. (or to other European countries) appear to have the highest impact on, and follow-through by, those involved. On the technical assistance side, there have been one or two individual instances of visitors providing well-targeted advice that had an impact on proposed legislation, although comments on the general quality and usefulness of the draft law analyses were mixed. The lack of effective institutional partnerships and participation by the Polish legal community do not bode well for long-term impact.

Lithuania: The ROL Project is being pursued fairly aggressively in Lithuania, and features a promising initiative in the area of judicial training. Lithuania is facing severe problems of the kind that can be addressed by the ROL Project, and key players in the legal system appear receptive to U.S. assistance. Moreover, the Project, and most notably the CEELI effort, has made a strong beginning with a number of activities that have been effective and shown impact. Some activities supported by the project -- such as the CEELI judicial training initiative -- have apparently won the support and good will of several key players in the legal system. The CEELI program in Lithuania appears to be having the greatest current impact among the programs

reviewed, and has made a beginning of some institutional relationships and initiatives that could have long-term impact.

There are, however, some negatives and potential problems on the horizon. The CEELI outputs, in particular the draft law analyses and other written reports and materials, appear to be of uneven quality. Some of those reviewed display a lack of familiarity with basic elements of the European civil law tradition and major features of former Soviet legal institutions, which form the foundations of the Lithuanian legal system. The project will need to grapple with the issues of focus and quality control both to assure maximum project impact and effectiveness, and to guarantee the future receptivity of the Lithuanians with respect to this type of assistance from the U.S. If the regional pattern holds true for Lithuania, the reservoir of good will towards U.S. providers of technical assistance, could dry up within the next year or so, and Lithuanians may become both less receptive and more selective in accepting proffered assistance.

With respect to the USIA program, the Professional-in-Residence was too early in his stay for any definitive conclusions to be drawn regarding the impact of his work.

Bulgaria: The Rule of Law Project has been active in Bulgaria, through both CEELI and the USIA. U.S. experts and consultants were well received in 1991, and their work generated considerable good will. However, there appears to have been a significant drop-off in official interest in this kind of activity over the last year, and the Project is beginning to feel constrained at various points because necessary institutional relationships have not been attended to. Receptivity to such activity declined through 1992, and was as of the time of this evaluation in April 1993 quite low.

The CEELI program appears to be having low impact currently, although the relationship forged with the Center for the Study of Democracy holds out some possibility of effective future activity and long-term impact. The quality of CEELI's written reports and materials benefitted from the translations of Bulgarian draft laws into English assisted by the young lawyers at the Center for the Study of Democracy. These translations appear generally well done and thus have avoided serious problems of understanding for the U.S. evaluators. Still, a lack of familiarity with the European civil law tradition and with Bulgarian law limited the effectiveness of the evaluations.

The USIA program of legal specialists in the criminal justice area is no longer justified. There does not appear to be interest on the part of either the Ministry of Justice or the Ministry of Interior to house a USIA lawyer to replace the incumbent. It is not appropriate to place an attorney in the awkward position of being a legal advisor to a ministry that accepts the advice only reluctantly.

D. COMMON FINDINGS AND ISSUES

This section presents an analysis of major common issues and findings arising from the above discussions of ROL Project activities in Poland, Lithuania, and Bulgaria.

Utility of Two Separate Programs

The ROL Project features a two-track approach of funding via USIA and CEELI, intended to allow for different approaches -- one more congruent with official U.S. concerns as represented by the State Department, the other somewhat more in line with the views of independent jurists. A constant concern of the evaluators has been the practical significance and utility of this division of labor. The evaluators found no real developmental benefit from this dual program administration. Nor does any real distinction appear to be drawn in the countries visited, by A.I.D. or the host-country participants, between USIA and CEELI activities.

USIA asserts that its contribution is necessary for the U.S. Government to assure that its interests -- including its strong interest in the strength of institutions involved in the prosecution of crimes -- are represented in the provision of assistance in the ROL field. The State Department, with its voice in the overall policy direction of the ROL Project, supports this view. One distinction that has been drawn is that, while the USIA program provides advice and training to government officials, CEELI concentrates on building linkages. However, since CEELI also works with government officials, this alone does not justify the dual programming. The underlying rationale for the USIA program, as articulated by officials from USIA and State, appears to be that technical assistance provided directly by an agency of the U.S. Government is more effective at creating trust in the recipients and at demonstrating the view USG's appreciation of the importance of rule of law issues in Central and Eastern Europe than assistance provided through a non-governmental channel. This may be a perfectly valid international policy position for State and USIA to take, but as such it is beyond the scope of this evaluation. Furthermore, these official interests could, and perhaps should, be expressed through other USG's programs than those funded by A.I.D.

The relevant question for this evaluation is whether or not the maintenance of these two programs contributes to the achievement of the purpose of the ROL Project: "To assist Central and East European countries develop and strengthen laws, regulations, judicial and non-judicial procedures, policies, and legal institutions (particularly an independent judiciary)." The provision of an official channel and official perspective, by way of USIA/HA does not appear in itself to contribute anything real to the realization of the project's purpose, since officers of the U.S. and state executives and judiciaries can and do participate in ABA and CEELI programs, and the CEELI participants work with host-country government officials who do not seem to question the U.S. Government sponsorship of the assistance. The non-governmental channel has not prevented CEELI from establishing a certain level of trust with officials of host-country governments -- as in Lithuania. Thus, there does not appear to be any real distinction between CEELI and USIA with respect to their access to governmental resources and official counterparts.

The question then is: which is the more cost-effective channel for this type of assistance? It is safe to say that both CEELI and USIA programs are a mixed bag. On the USIA side, the quality and dedication of the Washington-based professionals who work on these programs appears to be high, and PIRs' requests to Washington for research and reference materials seem to be promptly honored. The weak link in the program is at the level of the Public Affairs

Officers (PAOs) in the field. The PAOs (with perhaps one exception) did not seem to be very familiar with or interested in the ROL activities. In light of the questions raised above regarding the appropriateness of the institutions chosen to host the PIRs and regarding the level of interest at the host institutions, particularly in Bulgaria, it appears that sufficient attention has not always been paid to these issues. Analysis and follow-up is needed in the field to assure that a PIR is well-placed and supported, and the PAOs, with a host of other concerns and responsibilities, are not necessarily appropriate for this function. The USIA PIRs appear to be professionals with significant expertise to contribute, given the right circumstances. However, the consultants have gotten no indication that the PIRs are more qualified than the short- to medium-term specialists sent by CEELI.

The CEELI specialists have also suffered from some similar institutional relationship problems - as in the case of Mr. Scherle in Bulgaria. Similarly to the USIA case, the latter problem appeared to arise from some failure in Washington to get up-to-date information from the field. This is harder to understand in this case, since CEELI has people in the field who are capable of doing the appropriate follow-up, but also for this reason, the problem can be remedied. One could justifiably assert that CEELI's presence on the ground, its contacts, its breadth of resources, and its more comprehensive view of the legal community and its needs, make for a more effectively implemented program than the USIA PIR program. The evidence of written output, seminars, and relationships built with members of the legal community in the region show higher visible impact by CEELI.

However, for cost/benefit purposes, let us assume comparable quality of both personnel and implementation. USIA supplies one PIR for six months at a price of about \$35,000, while CEELI generally supplies a liaison, two or more short- to medium-term specialists, a number of analyses or concept papers and workshops, and one or more sister-school initiatives, for a price of about \$60,000 to \$90,000 per country for a full year. The number of both in-country participants and expatriates involved is much greater on the CEELI side, in large part due to its ability to marshal volunteers. On these grounds, CEELI seems to be more cost-effective. This is not to say that there is anything inherently wrong with the PIR program, nor that the CEELI programs are a great deal better, but only that CEELI appears to provide more output, and impact, per unit of cost. Clearly, this is a very approximate comparison, but there has been insufficient documentation and time for the evaluators to reasonably do more than make a ballpark comparison.

There are two other possible reasons for retaining separate USIA programs. First, AID might consider continuing SEED funding to USIA for its more traditional functions of exchanging information and books, supporting educational programs, and administering student and faculty scholarships and other exchanges. However, there is some question whether USIA should be doing even this, given the lack of familiarity and interest on the part of PAOs in the field in law reform activity (some were unaware of recent USIA activities under the ROL Project, which made information-gathering more difficult). Moreover, as CEELI does the lion's share of the work in this area, has a large network of legal professionals and experts as well as official contacts in the U.S. and to some extent in the Central and Eastern European region, it is in a

better position to judge needs and select candidates. CEELI is not as dependent on Washington-based staff for substantive program direction and selection of partner institutions in the region, but can use its in-country liaisons, specialists, and contacts. Hence, USIA does not appear to have a comparative advantage with respect to exchanges and information in this area, as it may in other areas. All other things equal, these aspects of the ROL Project should be closely coordinated with technical assistance -- and thus it would make sense for them to be part of a unified program run by CEELI or a combination of CEELI and a cooperating AID grantee or contractor. Also, it could be argued that the USIA program is needed to maintain balance and room to maneuver where CEELI has problems with official relationships or may be viewed as partisan. However, this can be addressed by ensuring balance within the CEELI program, and with the assistance of A.I.D. and of any regional experts charged with overseeing project implementation.

Thus, there appears to be no compelling reason for A.I.D. to continue funding USIA ROL programs. As elaborated further below, this funding could be better used to bring greater regional expertise and strategic focus to the ROL Project, in cooperation with CEELI, and perhaps also for funding of longer stays by in-country liaisons and specialists.

Analytical Basis of Work

The ROL Project is the result of the State Department's move to get assistance programs up and running quickly in the Central and East European region in the Democratic Institutions area and other fields. This approach attempted to mobilize resources, including the "leverage" of private voluntary effort from the ABA, with a minimum of cost and time. Without question, this quick-start method did get activities up and running, and has achieved some useful results. However, the expedited start-up of the ROL Project and its reliance on volunteers to develop programming based on counterpart requests has left the project without an analytical or strategic basis for setting priorities among possible activities, and without a firmly grounded assessment of needs independent of host-country requests or desires.

CEELI activities do not appear to be based on any systematic assessment of the state of play in these national legal systems, nor any carefully thought-out set of priorities. Indeed, a successful CEELI liaison will end up generating a stream of requests from appreciative counterparts, without having an explicit intellectual or political framework for sorting out competing private-public and interagency agendas, or for choosing priorities. Choices appear to be based largely on a common sense assessment of the need and priority. The USIA program proceeds in similar fashion. In some cases, insufficient attention has been paid to defining the USIA experts' terms of reference and to locating and working out a meaningful program with the appropriate host country institution. USIA, whose ROL program personnel work out of Washington, receives requests through its PAOs in the field, who, as stated above, do not generally have the expertise or the time to sort out questions of strategy and placement.

Subsequent to their trip, the evaluators were sent proposed country strategies by USIA. This is certainly a potentially useful exercise, but as written, they do not seem to provide any more

direction than was the case in the past -- each country strategy contained a page or less of description of the current situation in the country, followed by a country-specific statement of ROL Project objectives and a list of past and proposed future activities. The Bulgaria country strategy proposes that a PIR be provided to the Ministry of Interior, although the evaluators were told during their visit that the Ministry was not interested in such a placement. Unless the situation has changed, USIA should reconsider this or run the risk of making another inappropriate placement due to failure to adequately analyze the situation.

In light of the above, attention will need to be paid to systematic analysis, strategy, institutional linkages, and focusing on fewer activities and fields in both the USIA and CEELI spheres of activity. The analysis will be necessary in order to determine both the state of play in key areas of substantive and procedural law, and the institutional counterparts likely to have the most substantive competence and interest in working on reforms connected to the rule of law. By "analysis" is meant expert assessments of the major problems and needs of the legal system, legal community, and education/ training institutions from a rule of law perspective. Alternatively, where it is already clear what the broad issues are, there is a need in many cases for experts to analyze particular systemic issues such as the nature of problems specific to the functioning of the court systems or law schools. These analyses can be vital in assisting national authorities and jurists, as well as A.I.D., in diagnosing the major problems, setting priorities, and in forging practical strategies to address the problems.

Capacity-Building/Institutional Development

The CEELI and USIA programs will have to address the issue of whether those programs will make a more concerted effort than they have until now to assist in building the capacity of indigenous legal institutions and organizations through partnerships and joint efforts -- as opposed to the provision of analyses and short-term expert advisors. Since part of the rationale for the CEELI effort is to build relationships between the U.S. and Central/Eastern European legal communities, the effort relies heavily on input from ABA members -- particularly with respect to the draft law analyses. CEELI has already forged a number of effective relationships with in-country institutions. What is suggested here is a greater effort to make technical assistance activities collaborative -- so that members of these institutions, and other individuals, can develop the skills and knowledge required for sustained reform through their interaction with foreign experts.

Thus, as part of institutional development, there is a great need to make it possible for local lawyers to become substantively involved in project activities, for purposes of appropriateness and sustainability. The Bulgaria program has been most successful in this regard. However, local lawyers are generally not involved in technical assistance, such as the production of draft law commentaries, other than as recipients and perhaps translators. Perhaps a joint effort of the ABA and a viable indigenous bar association (of which at least one exists in each country we visited) could help avoid the pitfalls experienced in the commentary process as it is now carried out, serve to build relationships with the counterpart associations, and help add to the experience and capability of indigenous lawyers' associations as independent sources of opinion and analysis on

legislation being developed. Additionally, or alternatively, the CEELI representatives could work more closely with the drafters at the ministry issuing the draft to ensure that the commentators understand the provisions and that the comments are on target. This more intensive type of effort would probably require a reduction in the number of analyses undertaken.

The need to involve local lawyers and organizations would make the draft law assessment process more time-consuming. Here, it would be worth focusing more intensively on fewer of such commentaries, with greater emphasis on quality and local input.

The Mandate and Length of Stay of USIA/CEELI Representatives

The CEELI and USIA programs will have to grapple with issues concerning how many representatives are needed, how long a stay is useful or desirable, and what the terms of reference are for those representatives. In some cases, as a result of the short periods that CEELI liaisons and specialists spend in their posts, these individuals feel unduly pressured to produce tangible progress and achievements in their spheres of activity. This is positive in that the CEELI people lobby for creative new ideas and work energetically to implement them. However, the danger is that the CEELI people may be carrying too much of the burden of developing and completing activities without sufficient attention to long-term concerns of institution-building and sustainability.

Currently, CEELI liaisons stay for one year, and specialists for two to six months. Where there is a particular demand or opportunity to assist with a priority area, the CEELI and USIA practice of sending legal specialists to work with counterpart agencies for an extended period of time seems sensible. However, some consideration will need to be given to changing the terms of employment of the liaisons and specialists in order to make it possible to recruit people who can stay in the liaison and specialist positions for longer periods of time than is now the standard -- and/or to provide long-term regional or sub-regional experts (see below) to provide technical and program support to the in-country personnel. Given the amount of time it takes in Central and Eastern Europe to learn the system, establish solid relationships, build consensus, and carry out activities, A.I.D. should consider requiring a minimum stay of two years for liaisons or regional experts, and a minimum of one year for the resident specialists. Similarly, USIA in-country resident specialists would ideally be sent for one year rather than six months. In all cases, more thorough prior language training and training in the legal system should be included.

The additional costs of extended stays by these personnel will vary. Under this proposal, if feasible, the minimum stay would double. One approach to keeping the liaisons and resident specialists in their positions for additional periods of one year and of six months, respectively, would be to pay them the AID rate consistent with their salary history for the second half of their stay. Thus, for example, a CEELI would receive only the minimal living stipend during the first year, but then during the second year would in addition be paid a salary at AID rates based on her or his salary history -- e.g. \$65,000. Resident specialists, who appear generally to be more experienced and are perhaps more difficult to keep for longer periods, would begin to be paid after the sixth month. Under this proposal, short-termers would continue to work as volunteers.

This approach would not address the concerns of those who cannot stay longer under any circumstances -- these people could still be used on short-term assignments. Assuming, per country per year, one liaison and two long-term resident specialists, this approach would add approximately \$100,000 to \$120,000 to each country's yearly budget.

Volunteer vs. Professional Approach

Another issue that the ROL Project will have to confront is whether to continue relying largely on volunteer efforts, or to take a more professional approach. CEELI is a volunteer effort, with support from a Washington office staffed mainly by young lawyers and other personnel paid at "public interest" rates. There are several advantages to this, including: (1) the ability to include people from a variety of legal backgrounds who might not otherwise have been able to contribute to such an effort except as short to medium-term volunteers; (2) access to highly motivated and skilled people willing to work energetically for short to medium-length periods on a socially meaningful project; and (3) the positive impression that a volunteer effort sometimes makes, as distinguished from the negative attitudes often associated with "highly-paid" consultants.

However, a volunteer-based project is not automatically cost-effective. The CEELI volunteer effort incurs costs in the form of living and other expenses of the representatives, the costs of backstopping and support from the CEELI office in Washington, and office-related overhead. The USIA program is for the most part not handled by volunteers but by personnel seconded from the Justice Department or other state and federal agencies, who receive salaries for their work in the region. A weakness of both programs is that they either do not seek, or cannot reasonably expect, to retain personnel for longer regional or in-country assignments. It is therefore legitimate to ask whether such a project is having an impact and whether it is cost-effective.

The relatively low-cost volunteer approach imposes certain additional costs, including lack of time and resources for thorough preparation for in-country tours, and especially, difficulty in obtaining the services of regional experts. Even the eminent American jurists participating in the CEELI effort are not, on the basis of their experience and standing in the U.S. system alone, technical experts in Central/Eastern European legal systems. The Evaluation Team did not during their visit encounter any CEELI volunteers with prior experience in assisting legal reforms in foreign countries, extensive knowledge and understanding of the region, or an understanding of the civil law tradition or socialist legal systems -- although we understand that there are some persons with strong comparative background involved in the program. As mentioned above, this has led in some cases to inappropriate or wasteful expenditure of energy by CEELI personnel and their counterparts, due to misunderstandings or unnecessary analytical attention to features that are widespread in the civil law and socialist worlds but which strike inexperienced U.S. lawyers as strange and possibly harmful. If this effort were guided by persons of greater experience and comparative background, some of this unnecessary effort could be avoided and resources could be more effectively used. This is by no means meant to deny that CEELI has had some impact - rather, it is a question of what approach is likely to produce sustainable and cost-effective results.

The stakes in this effort are high, and the problems that can result are considerable. Therefore it is not unreasonable to question whether the U.S. input into the legal systems of the post-Communist states should be left as a largely volunteer lawyer effort. Other voluntary efforts, such as the Peace Corps, do not generally place individuals in such close contact with high-ranking policymakers, but rather in villages and provincial centers where professional development efforts are not likely to have great impact, at least on their own. Furthermore, the Peace Corps provides short but intensive training programs in language and in substantive fields - from pedagogy to agricultural extension -- in return for a minimum two-year commitment. CEELI volunteers receive no such preparation, and are required to make no such lengthy commitment. Thus, not only does the program rely too much on volunteers for high-level technical assistance, but does little or nothing to prepare them. The USIA program suffers from some of these constraints, although it is not a strictly volunteer effort, and USIA does provide substantial briefing and research materials to its PIRs.

Regional Presence and Approach

Further attention will need to be given to creating a regional base for the ROL Project. The individual country activities, and their U.S. and host country participants, could benefit in a number of ways from regional approaches. For instance, short of replacing the current ROL Project with an entirely professional effort, the posting in the region (or, if resources allow, in each of the three sub-regions) of an A.I.D. Central and East European legal expert, or perhaps one each for Commercial and for Rule of Law activities, might be a way to bring about a more analytically sound professional approach. Such an expert or experts could track developments across the region, interact regularly with jurists and policymakers, stand by to respond quickly to new developments and opportunities, and carefully review and supervise the work of the CEELI/USIA representatives. The expert(s) should be posted for a minimum term of two years, and would thereby be able to provide leadership, institutional memory, regional expertise, and strategic vision to the overall CEELI/USIA effort in this field -- elements which are currently lacking. Each such expert would probably add approximately \$100,000 to \$150,000 annually to the regional ROL budget.

The USIA and CEELI representatives would also benefit from opportunities, which are now largely unavailable to them, to compare notes with their colleagues in other countries of the region. Similarly, officials and members of the legal communities of the region would greatly benefit from occasions to discuss issues and approaches with their counterparts from other countries in the region. Such mutual support and cross-fertilization would bring faster spread of lessons learned and new types of activities and approaches across the region. At present, there is little opportunity for such exchanges and discussions. Any such activities across borders funded by the U.S. generally involve exchanges between the U.S. and the countries of the region, while European programs feature exchanges with Western Europe. These kinds of activities are appropriate and valued by the participants, but regional exchange opportunities are lacking -- and creating them would seem to be a cost-effective way to increase the impact of individual activities across the region.

Commentaries on Proposed Laws

For written evaluations of proposed laws, and for formulation of concept papers on topics of proposed laws, CEELI relies primarily on lawyers in the United States who are familiar with the area of law involved but who do not know the local system, civil law generally, or the political situation in the country in question. In addition, CEELI apparently has no one, either on staff in Washington or on call for particular projects, who has knowledge of such matters who could assess the written evaluations and concept papers to delete errors.

While the evaluators did receive comments from in-country officials and lawyers that certain CEELI commentaries have been used, the long-term impact of this activity cannot yet be judged. In light of this, the risks in the lack of knowledge by the commentators of the local system are significant. One is that U.S. lawyers appear uninformed in making comments to a foreign government. Another is that they make comments that they think will forward rule of law goals, when in fact the comments may be used by persons in the country in question to the opposite end. An example is the comment made by several CEELI evaluators on the question of court structure, where the evaluators spoke in favor of a simple court structure that would involve only a trial court and a supreme court. While such a structure may have merits, it could be dangerous in a system in which many trial-level judges are poorly qualified, as is the case in most eastern European countries, both because of the need to become familiar with new legislation and because new judges have been brought in to replace judges deemed too closely associated with the prior order.

Then too, CEELI commentators may not know that in some cases the review is being sought by persons with a specific goal, namely, to use U.S. law as an argument in favor of a reform they support. An example is law related to combat organized crime, an area in which U.S. law gives prosecutors far greater powers, in terms of substantive and procedural law, than do the legal system of eastern Europe. Thus, if a U.S. lawyer simply sets forth provisions of U.S. law, that can be used to argue for significant expansion of police and prosecutorial powers. Such powers could be used as part of a legitimate effort to combat organized crime, or they could be used to enhance the repressive apparatus of the state in ways that work against protection of individual rights. This is a particular danger since the courts in many East European countries may not provide an effective check on overreaching executive-branch action. A U.S. lawyer who is asked to evaluate a draft law in such a situation should be aware of the political and legal context in which the comments are likely to be used. Unfortunately, in the CEELI structure, it is improbable that the U.S. lawyer will be made aware of this context.

An additional problem is that a written commentary coming from a person with whom there is no chance for discussion may not be effective. Some officials said that this fact limits the utility of the commentaries, although others expressed no such concern. At least the commentaries should be done with close involvement of the CEELI liaison, and with input by the CEELI liaison into the final formulation of the commentary, so that the CEELI liaison will be the person to whom the officials naturally turn if they desire follow-up discussion or clarification.

At present, CEELI presents to the requesting ministry a packet that includes the letters sent by the commentators to the CEELI office in Washington, plus a summary of the comments that is prepared by CEELI in Washington. CEELI's rationale for sending the actual letters is twofold: (1) that commentators at times differ among themselves, and that the requesting ministry should get whatever number of opinions are expressed; (2) that the commentators, who are working *pro bono*, should get credit in the eyes of the requesting ministry for having provided the commentary, and that this will be the case only if a letter on the attorney's letterhead is included in the packet. This is viewed as a potential benefit that CEELI can give the commentators as an inducement to take the time to do the work.

However, the commentators sometimes make statements that may not be useful to the recipients of the draft law analyses. One such category of comments involves statements that they really don't understand a particular provision, or the legal context in which it would be applied, and therefore that their comments are tentative. Such statements, while candid, convey to the requesting ministry that the commentary is made from a position of insufficient knowledge. Further, commentators sometimes reflect assumptions about the host country's legal system that are not accurate. It would be preferable if CEELI in Washington, in consultation with the CEELI liaison in the country in question and local lawyers in that country to the extent possible, were to summarize the comments, including conflicting comments if there are such, in the form of a comprehensive narrative -- and present only that summary. Host country officials at present are more likely to read a summary than the letters. CEELI should try to have the commentaries read by a person sufficiently knowledgeable of the country's legal system to strike statements that may discredit the work.

Also, if carefully implemented, CEELI's growing emphasis on concept papers could help avoid some of the problems associated with the draft law analyses and provide more timely and targeted advice from a U.S. perspective. Concept papers allow for a comparative discussion of approaches to an area of legislation that (i) influences the thinking of lawmakers before drafting gets seriously underway, and (ii) would present U.S. experience in its most useful form -- i.e., as providing potentially applicable models and case studies for legislative consideration (with less of a tendency to criticize a specific local law or institution based on American experience.)

Other Forms of Assistance

Exchanges, including study-tours, short-term training, and Sister-School visits, appear to be the most well-received form of assistance and thus most likely to inform and influence key players in the Central and East European legal systems in ways that support the rule of law. Direct experience of the U.S. system, and linkages with U.S. institutions, provide very useful and appropriate support to reforming jurists -- allowing the latter to adapt and implement the mechanisms and techniques arising from the American experience that appear most useful to the needs of their own systems. Consideration should be given to increasing these activities, resources permitting.

Thought should also be given to the provision of other types of assistance in the ROL field that are likely to be successful -- if necessary at the cost of cutting back some existing activities. CEELI and USIA assistance includes exchange of information and commentary, as well as some level of training. However, there is now little in the way of focused material and technical assistance that could help build the capacity of key legal institutions. The Books for Democracy program's contributions to the law schools are much appreciated, but more could well be done, as in other regions where A.I.D. operates, to ensure that key institutions have the informational resources available to perform their functions effectively, and that necessary information circulates to all legal actors. Assistance could usefully be given in the areas of legal publication and computerized information and research systems. Another "nuts-and-bolts" area where there are needs that could be successfully addressed is that of court administration assistance.

Since it is not likely to be possible to provide these other forms of assistance and also to maintain the current level of drafting assistance, the latter will need to be reduced somewhat. The constitutional and legal environments of these countries are often fluid, hence improvements in the texts of legislative proposals may be short-lived. Moreover, the U.S. is in a better position to advise on the practical aspects of legal institutions than on the reform of civil and criminal law in a European civil law context. There is a clear trade-off between an emphasis on technical assistance and a focus on training and capacity-building. The long-term benefit of providing exchanges and training programs, which allow regional jurists themselves to adapt what is most appropriate from U.S. experience, appears more substantial than that of drafting advice, but the need to visibly assist in the pressing task of developing and passing new legislation calls for the maintenance of some involvement on the drafting side. Fewer but more carefully performed analyses and concept papers would be useful.

Support from the Embassy and Washington

Both CEELI and USIA representatives indicated problems with the level of support provided to them in the field. This will need to be dealt with if the ROL Project is to be implemented effectively. In the case of CEELI, although there are staff persons at the Washington office as well as a large number of ABA members ready to lend support, there are indications that the level of support in the form of pre-departure preparation of liaisons and experts, as well as the provision of necessary research materials, is not adequate. The USIA experts appear to be furnished more in the way of briefing and research materials, but institutional counterpart relationships have not always been carefully handled. Also, the U.S. Embassies, and in particular the USIA staff at the Embassies, have not been as responsive or supportive of either the CEELI or the USIA field personnel as necessary for the smooth functioning of those operations. Effective and efficient implementation of the project requires adequate support in the form of logistics help, intensive language courses, country briefings and briefing materials, assistance in establishing and monitoring official relationships, information and contacts regarding other assistance programs, and perhaps also access to communication facilities. Consideration should be given to improvement of the communication and support coming to the Rule of Law Project field personnel from Washington and the embassies.

Selectivity

One implication of this report that has surfaced several times in the above discussion is that AID and its grantees will need to exercise greater selectivity with respect to activities supported and countries in which programs are undertaken, in order to maximize the impact of SEED funding. In general, fewer activities undertaken with greater intensity and care will, in the view of the evaluators, yield greater impact for a fixed amount of resources. Having a program of this kind and doing it right costs something -- and the need to make tough choices should not be overridden by the desire to have small, inexpensive activities everywhere and in every field. The need for certain types of more expensive inputs, such as regional experts and programs on court administration or legal information systems, will require cutbacks elsewhere.

With respect to individual activities, those found to be most successful according to the indicators of project impact and effectiveness should be the ones considered for continuation. New activities that can be expected to have the highest impact and effectiveness should be instituted.

Selectivity will also need to be exercised with respect to country programs -- i.e. in order to maximize the impact of project resources, some country programs may need to be cut, and others augmented. Possible criteria for setting country program priorities include the following:

- **Situation:** Is there a critical need for this type of assistance? Is there a sufficiently stable economic and political environment that this kind of assistance can be used effectively? Are there institutions of government, the bar, and civil society that are capable of absorbing, benefitting from, and building on this kind of help?
- **Receptivity:** Do officials and key members of the legal community have a genuine interest in receiving this type of assistance? Is there momentum for reform, and can providers of this assistance from AID still get the attention of key policymakers and organizations?
- **Comparative advantage:** In light of assistance from other sources, is assistance from AID likely to have as critical an impact as it would in other countries, or would it duplicate what others are doing? Is the U.S. the best available source of this assistance?
- **Success:** Have programs to date shown impact? If not, was this due to remediable problems of effectiveness, or, on the other hand, to problems beyond the control of the project? Have the foundations of institutional support and participation been laid for future sustainability?
- **Cost:** Do positive results cost more or less than in other countries? Are counterparts and facilities available? Is the cost of providing adequate support for liaisons and other personnel more or less than elsewhere? Are the transactions costs of obtaining official appointments, conducting daily business, arranging logistics, etc. (in terms of time and money) more or less than elsewhere?

137
275

- **Importance:** Is this country key to the rest of the region or sub-region in terms of the impact that the success or failure of its reforms will have? Even if success is more difficult in this country, is it worth pursuing because of the demonstration effect it could have?

The prioritized recommendations presented below reflect the use of these criteria.

E. RECOMMENDATIONS

These recommendations are presented in order of priority. The country-specific recommendations collectively are second in order of priority to the regional recommendations, which deal with the overall approach taken by the ROL Project. Following the recommendations is a proposed prioritized list of activities, new and continued, for the ROL Project. In each list, country programs are listed in order of priority.

General Regional

- (1) Assign one or more paid, long-term (i.e. at least two years) resident experts to a post in the region, or to sub-regional posts, in order to "ride circuit" in the region or sub-region - - overseeing, participating in, coordinating, and ensuring the quality and efficacy of the design and implementation of all AID-supported ROL activities. This step would require resources that are likely to be available only through a cut in funding for other activities. The elimination, or significant reduction, of the USIA Professionals-in-Residence and short-term expert programs (see below) would free up sufficient funds for at least one regional expert, although a single "circuit-rider" may not be sufficient, and three sub-regional experts would be far preferable. These regional or sub-regional experts should be provided by A.I.D. separately from USIA and CEELI.
- (2) Undertake an analysis of the state of affairs and a prioritized needs assessment with respect to the rule of law in the countries of the region, and develop an assistance strategy in this field for the region and individual countries. This should by no means undercut the capability of the Project for quick and flexible response to new developments, but it would provide a rational working strategy and ordering of priorities, which are now absent. To avoid the production of costly and unhelpful assessments, perhaps this analysis could be done in a streamlined way, using the regional expert (see previous point), with the assistance of CEELI liaisons, local lawyers, and the occasional expatriate expert where necessary.
- (3) Set standards and require minimum time commitments from all resident specialists. Pay should be increased if necessary to make this feasible. Also, provide sufficient briefings, language training, orientation, and field support to all resident liaisons/experts/specialists in order to equip them to undertake their duties effectively and with a minimum of struggle. Volunteer liaisons and short- to medium-term experts should work with paid regional or sub-regional experts who are contracted for at least two years (see point 1

158

above). Any experts, such as those seconded to government offices through CEELI or USIA, must be required to spend a sufficient period of time to perform their tasks, in light of their expertise, their experience in the region, the status of the relationship with the governmental office involved, and the nature of the task. Some flexibility is warranted here -- provided that there is sufficient expert oversight and program continuity within the country and the region for planning, implementation, and follow-up regarding all such activities. Some possible minimum standards would be the following: liaisons -- one to two years (depending on the resources available to provide somewhat greater incentives than now exist); resident advisors (e.g. CEELI resident specialists or USIA PIRs) -- one year; short- to medium-term experts -- variable, terms to be worked out with close cooperation of in-country liaison and regional personnel. Short- to medium-term specialists could continue to work mainly on a volunteer basis.

- (4) Place greater emphasis on carefully structured collaboration with in-country institutions and organizations. This should include the participation of local lawyers who are part of staff or membership, particularly junior ones, in the design and carrying out of project activities.
- (5) Provide regional forums for U.S. ROL Project representatives and key actors from host-countries to compare notes, discuss issues of common concern, and share new ideas and approaches. The need for regional information-sharing is critical and currently unmet.
- (6) To the extent possible with available resources, place greater stress on building capacity through training, and development of the "hardware" of legal systems, such as material and technical support for legal publication, court administration, and other forms of legal institution-building.
- (7) Retain the draft law analysis/concept paper activities if they continue to be of some use, but at a lower level and with greater quality control. These could be made more effective if the CEELI liaison, along with the proposed (sub)regional expert, were brought into closer involvement, i.e., by being given an opportunity to comment on the U.S. evaluators' statements before they are finalized for delivery to the relevant ministry, and by making themselves expressly available for follow-up discussion. Expert review and more careful editing and screening of comments are also important. The evaluators appreciate that these are not meant to be "academic" papers, but quick turnaround should not be the primary goal. A greater emphasis on concept papers rather than draft analyses is also desirable.
- (8) Drop the USIA component of the project, or at least the PIR and short-term expert components. Funds generated by this change should be used to support regional or sub-regional experts, longer stays by liaisons and resident specialists, and assistance in such operational areas as court administration and legal information systems. USIA should be encouraged to include some jurists in its regular exchange programs and some legal materials in the Books for Democracy and other informational programs if possible.

- (9) Pursue closer coordination among U.S. and world-wide donor organizations in this field in order to pool resources, avoid duplication, encourage effective programming, reduce the drain on local absorptive capacity and the resulting "consultant fatigue," and build confidence among the regional legal communities.

Country-Specific

Lithuania:

- (10) Exchange opportunities should be increased if possible. These should include some regional exchanges, which would allow Lithuanian jurists to discuss recent lessons learned in other East and Central European countries, and to get additional input from West European jurists -- this would be highly relevant to Lithuania's civil law system and its objective of meeting the standards of the EC and Council of Europe. There are two caveats here -- first, a regional program in Poland is not likely to be well received, given Lithuania's historical sensitivities in that regard; and second, the regional exchanges should be in addition to, not in place of, exchanges with the U.S., since the Lithuanians are interested in U.S. input and U.S. examples.
- (11) The judicial training effort seems to be a worthwhile and important initiative, and therefore merits the investment of some expertise and material resources. The current CEELI effort should not be pushed too vigorously due to time constraints, lest its supporters end up being alienated. If the current CEELI specialist or his replacement can be induced to stay for a full year to give this activity the necessary attention and follow-through, the project would benefit.
- (12) More attention needs to be given, apart from the judicial training program, to the substantive involvement of Lithuanian lawyers in project activities. One way to approach this issue would be to try to form a more collaborative relationship with the Lithuanian Lawyers' Association.
- (13) Assistance with court administration and related matters, which has been sought by the Courts Department of the Ministry of Justice, should be provided to the extent resources allow. Support for collection and retrieval systems for legal research materials and documentation is also desirable.

Bulgaria:

- (14) Build on the successful relationship established with the Center for the Study of Democracy, and on the interaction developed within the legal community -- in print and through meetings and workshops. Young Bulgarian lawyers should become more involved in substantive activities, to the extent feasible.

- (15) Reconsider the current CEELI attempt to implement a program of judicial training. Because of the problems mentioned previously, this effort should be dropped until there is a tangible change of heart at the Ministry of Justice or another suitable institutional commitment is obtained.

Poland:

- (16) Focus on providing the opportunities for key legal educators and decision makers to visit the U.S. and get a practical orientation to the workings of relevant aspects of the U.S. legal system. Degree programs for students and faculty in the U.S. also seem to be valuable in increasing skills and encouraging the kind of reform-oriented thinking that is fundamental to the achievement of the Project's goals. However, given the assistance provided by European and other donors, care must be exercised to coordinate these programs and prevent duplication. Also, these programs should be of sufficient intensity, and be accompanied by appropriate follow-up, so as to provide a real transfer of knowledge. This may well require a lowering of the number of participants. One successful program in this area that could be a model for later programs is the (formerly SEED-funded) DePaul Human Rights Program. The regional and U.S.-based faculty training programs also seem promising.

Prioritized List of New and Continued Activities

The following is a list, in order of priority, of initiatives or types of activities which the evaluators suggest should be started, or continued in some form in the future. Country programs are addressed in order of priority.

Regional:

The addition of region-level personnel and activities appears likely to have the highest impact on the ROL Project overall, and more than a change in any individual country program reviewed here. Here, the need for regional expertise, strategic focus and continuity, and regional cross-fertilization can be addressed. Major activities would be the following:

1. Regional (or subregional) expert(s), or "circuit-rider(s)." The functions of such experts should include participating in strategic assessments for purposes of future assistance programming, in the preparation and oversight of new liaisons and resident specialists, and in regional forums.
2. Strategic assessments. These are needed for rational and realistic setting of country and regional priorities. On this basis, consideration will need to be given to new elements such as technical and material assistance in the areas of court administration and management, and legal information systems.
3. Regional (and/or subregional) forums for information exchange and comparative analysis.

Lithuania:

Lithuania is currently the most effective of the programs reviewed, in light of the receptivity of local officials and the legal community, and the beginnings having been made on long-term activities. Major components of this program would be the following:

1. CEELI Liaison. This is necessary for program coordination and implementation.
2. Judicial Training Initiative. As mentioned above, this looks promising and probably worth more support.
3. Court Administration Assistance. The Courts Department of the Ministry of Justice and the CEELI 1992 assessment report indicated a need for assistance in areas related to court administration. If possible and if still desired, an assistance effort should be mounted, perhaps initially on a pilot project basis.
4. Sister Law School Programs. These have also been effective as far as it has gone. They could be augmented for higher impact by providing for more faculty and student exchanges in each direction, and more real collaborative activities. (This applies as well to the other countries visited).
5. Draft Law Analyses/Concept Papers/Workshops. Problems with the assessments were mentioned above. The liaison and regional program personnel should be closely involved in the review of requests and the preparation of these papers.

Bulgaria:

The Bulgaria has some promising features which can lead to long-term benefits, including the relationship forged between CEELI and the Center for the Study of Democracy. However, official receptivity appears on the decline. Major components of the program would be:

1. CEELI Liaison (see above).
2. Sister Law School Programs (see above).
3. Draft Law Analyses/Concept Papers/Workshops (see above).

Poland:

The Poland program appears to have made the least progress thus far, and also to face problems of receptivity, especially with respect to technical assistance. Program priorities would be the following:

1. DePaul Human Rights Program. This seemed to be the most effective and promising activity, for reasons specified in the report. Although it no longer receives SEED funding, we suggest this as one good model for future activities in this sphere.
2. Sister Law School Programs (see above).
3. CEELI Liaison (see above). While this is a necessary function for a full-blown country program, the activities mentioned in numbers 1 and 2 above could perhaps be handled by regional personnel if the lower-priority activities listed below were dropped.

4. CEELI Legal Specialists. Given the necessary preparation, institutional relationships, and appropriate length of tenure, this could be worthwhile to continue.
5. Draft Law Analyses/Workshops. Least important, in light of Polish attitudes and drafting assistance available elsewhere. These could be performed on occasion, however, depending on the situation as interpreted by the liaison and regional program personnel, and if appropriately prepared and presented -- as indicated in the report.

F. EXHIBIT: PROPOSED INDICATORS

The categories of criteria or "indicators" presented below are used in this report to assess country progress in this field as well as the impact and effectiveness of AID-supported activities. These indicators and their use are the centerpiece of the evaluator's effort to provide AID with information on country progress and overall project impact.

A direct causal nexus between (i) project activities and (ii) any macro-level changes in the economic, political, or legal status of a country or locality is both problematic to assume and difficult to demonstrate. This applies *a fortiori* to an effort such as the ROL Project, where overall purposes are stated, but more focused objectives and outputs are not specified; where any benefits are likely to be long-term and qualitative rather than quantifiable; and where there are a host of behavioral variables.

The indicators presented below are explained and tested, but not inserted in a LogFRAME or quantified. The consultants felt that the latter approach would pose certain risks, e.g. that quantification might not be helpful and could perhaps lead to misinterpretations in this type of program (especially at this relatively early stage), and that the Effectiveness indicators would not neatly fit within a LogFRAME. The use of quantified measures or numerical grades (e.g. on a scale of 1 to 10) to gauge project impact could be considered at a later point. Other output quantifications and benchmarks, such as "15 laws drafted" or "20 judges trained," cannot realistically be stated here in the absence of a project design and level of effort (and are of questionable value in any event). Elements of a LogFRAME could be specified, in which some or all of the Country Progress indicators could be employed at the level of purpose, Project Impact indicators used at the level of outputs, and Effectiveness indicators stated as either assumptions or general guidelines.

Another complicating factor in this evaluation is that the AID-funded activities under review have not been subject to systematic monitoring and evaluation. There are a few exceptions, such as the DePaul Human Rights Program, where participants from Central and Eastern Europe filled out evaluations. CEELI does not appear to have made such an effort, although it has provided the evaluators with some relevant materials. These materials provided some useful detail on certain of CEELI's activities, and also contained some remarks by way of evaluation and suggestions. Evaluatory comments appear to have been solicited from certain participants, but only those from expatriate participants have been provided to the evaluators (in addition to letters of commendation and invitation from officials in the region). The nature of the comments offered on the CEELI programs can be illustrated by an example:

In my opinion, the sessions were relevant to the interest and needs of Bulgaria... I was impressed by the enthusiastic response both of the government officials and of the audience attending the seminar. I truly believe that those responsible for the drafting of the statute were stimulated to reconsider certain key aspects of the draft law.

While it is good practice to solicit such evaluations, it is clear that they are likely to be much less useful than evaluations solicited from the host country participants for whose benefit the programs were organized. If CEELI does not already, it should make a regular practice of obtaining evaluations from these people on the spot, by way of a fairly simple evaluation questionnaire. Also, follow-up evaluations, perhaps three to six months after a given program, might yield information on the actual use to which the program was put. The consultants obtained some of this follow-up information in the field through interviews with CEELI personnel and local participants, but were not aware of any formal evaluations having been completed by local participants.

These difficulties, and the limitations of time and scope contained in the terms of reference, should be borne in mind by AID in reviewing the presentation and testing of the indicators proposed in this report.

Country Progress

The following is a listing of some major indicators of a country's progress in establishing a rule of law. This list is not exhaustive, nor must the entire list be used for measurement, although a comprehensive list is likely to produce more accurate judgments than an abbreviated one. Although it is obvious, it is worth keeping in mind that the measurements called for here are mainly qualitative, and therefore considerable care must be exercised by A.I.D. personnel steeped in American political and legal concepts when they apply these benchmarks to the less familiar contexts of Central and Eastern Europe. It is therefore recommended that these benchmarks be applied by appropriately qualified persons. For the purposes of the present report, the evaluators did not have sufficient time in the countries visited to reach firm conclusions as to each country's progress on all indicators. However, some tentative findings are presented.

The proposed indicators are as follows:

- (1) **Legal Provisions:** Enactment of substantive and procedural provisions -- whether constitutional, statutory, or regulatory -- that strengthen the protection of fundamental liberties, procedural safeguards, equality of treatment, and socio-economic rights. Repeal of provisions inimical to these principles.
- (2) **Institutions:** New or reinvigorated institutions charged with monitoring or enforcement of these principles.

- (3) **Enforcement Mechanisms:** Enforcement of the above-mentioned principles, and wide access to enforcement mechanisms by the citizenry, at all levels of judicial and administrative redress.
- (4) **Fair Hearings:** Expectation by citizens of a fair hearing in civil and criminal proceedings. Perception by legal professionals that their clients are treated fairly in court and before administrative bodies.
- (5) **Status of Defense Lawyers:** Status, treatment, access of defense lawyers in the criminal process commensurate with effective substantive and procedural safeguards.
- (6) **Independent Judiciary:** Existence of judicial decisionmaking and administration of the judiciary free from undue influence by other branches and ministries of government, and by parties or factions.
- (7) **Legal Information:** Wide availability of the texts of laws and regulations -- in organized and usable form -- to judges, legal practitioners, policymakers, businesses, non-governmental organizations, and private individuals at all levels.
- (8) **Knowledge of Rights:** Knowledge of basic constitutional principles and rights by the judiciary, bar, and citizenry.
- (9) **Qualified Jurists:** Availability of qualified judges, prosecutors, government lawyers, and private lawyers and legal counsellors at all levels and in all regions.
- (10) **Compliance with Judgments:** Compliance by public and private parties with decisions and determinations by duly established courts and tribunals.
- (11) **Independent Bar:** The existence of one or more independent associations of lawyers free from undue government influence, and possessing the means and access to make its views known on major legislation and on issues affecting the bar.
- (12) **Media Licensing:** Reasonably simple and transparent procedures for obtaining licenses and corporate charters, and lack of content restrictions and prior restraints, for print and broadcast media organizations.

Impact of Project Activities

The indicators listed below are meant to help measure the extent to which Rule of Law Project activities contribute to the realization of the criteria of country progress mentioned above. These indicators are few in number since positive results are difficult to trace accurately to project activities.

- (1) **Impact of Technical Advice:** Technical suggestions adopted, or used as a basis for the development of new approaches, by relevant drafting committees. New provisions developed with ROL Project assistance are enacted and lead to tangible improvements in the enforcement of rights, the security of the democratic order, or the effectiveness of legal institutions.
- (2) **Impact of Training Proposals:** Proposals on legal training and curricula adopted, or used as a basis for new programs and approaches, by universities and/or training institutes.
- (3) **Local Participation:** Members of legal community, particularly young lawyers, participate in shaping and carrying out program activities, with transfer of skills, institutional memory, and capacity for sustained reform.
- (4) **Institutional Linkages:** Effective relationships built with key actors, decisionmakers, and institutions in the legal community and the government. The focus is on those with genuine commitment to reform, but the approach is balanced so that lines of communication remain open to the extent possible to key institutions -- even those controlled by conservative elements.
- (5) **Impact of Training/Exchange Programs and Participants:** Key legal system actors participate in foreign exchange/training programs and continue association with program. Beneficiaries of training or exchanges funded or supported by the project develop or improve aspects of law, regulation, institutions, or training under their authority at least partially as a result of the project support.
- (6) **New Institutions:** New institutions developed in collaboration with the program, such as training institutes, documentation/research centers, and independent bar associations.
- (7) **Impact of Resources Provided:** Program resources, such as books and computers, effectively used to expand the capacity of key institutions and organizations in the legal field.

Effectiveness of Project Implementation

The indicators presented below are meant to help in measuring the extent to which ROL Project activities are effectively and efficiently implemented -- that they do what they are supposed to do in a way that minimizes wasted cost and effort and maximizes impact.

- (1) **Analysis and Strategy:** Technical assistance activities reflect a correct analysis of the current situation, identified strategic goals, and a reasoned ordering of priorities.
- (2) **Appropriateness and Usefulness:** Technical (and other) assistance is appropriately framed and presented, and useful to its audience in the form presented.

146
242

- (3) **Qualified Technical Advisors:** Technical advisory team possesses sufficient experience, substantive expertise, regional knowledge, and language skills to provide effective assistance.
- (4) **Advisors' Length of Stay:** Technical advisors posted in-country for sufficient length of time, and turnover to new advisors handled in such a way, that institutional memory is maximized and disruption to the program is minimized to the extent possible.
- (5) **Mix-of Professional and Volunteer Effort:** A broad mix of professional and volunteer/pro bono effort is marshalled in a way that provides effective assistance while minimizing costs.
- (6) **Diversity of Functions/Perspectives:** As much of a diversity of perspectives is incorporated into the technical assistance effort as possible -- along national, racial, gender, political, and especially functional lines (i.e. representing different branches of legal activity such as academics, prosecutors, criminal defense lawyers, corporate counsel, public interest lawyers, etc.) -- with respect to U.S. as well as host-country participants and institutions.
- (7) **Mix of Types of Assistance:** The mix of types of assistance (i.e. including various kinds of technical and material assistance, dealing with substantive legal concerns as well as "nuts and bolts" issues affecting the functioning of legal institutions, and covering both narrow professional legal concerns as well as public access and information concerns) is appropriate to the needs and priorities shared by the U.S. and host-country.
- (8) **Coordination:** Assistance in this field is coordinated for maximum efficiency both among U.S. organizations and with other bilateral and multilateral donors.

**PROGRAM EVALUATION OF SELECTED
A.L.D. ASSISTANCE TO DEMOCRATIC
INSTITUTIONS IN BULGARIA,
LITHUANIA AND POLAND**

ANNEX III: EDUCATION REFORM

**IQC No. AEP-0085-I-00-3003-00
Delivery Order No. 4**

148
247

ANNEX III: EDUCATION REFORM

TABLE OF CONTENTS

	Page
A. INTRODUCTION	1
B. COUNTRY PROGRAM ASSESSMENTS	2
<i>POLAND</i>	
1. Country Situation	3
2. Activity Assessments	5
3. Future Focus	7
<i>LITHUANIA</i>	
1. Country Situation	9
2. Activity Assessments	10
3. Future Focus	12
<i>BULGARIA</i>	
1. Country Situation	13
2. Activity Assessments	14
3. Future Focus	16
C. IMPACT INDICATORS	16
D. FINDINGS, ISSUES AND RECOMMENDATIONS	18
FINDINGS	18
MAJOR ISSUES	19
RECOMMENDATIONS	20

149
7

Table of Contents.../...

E.	PROPOSED DEVELOPMENT PRIORITIES, BY COUNTRY	21
	<i>POLAND</i>	
	1. Curriculum Reform	21
	2. Books for Democracy	22
	<i>LITHUANIA</i>	
	1. Curriculum Reform	23
	<i>BULGARIA</i>	
	1. Curriculum Reform	24
F.	EXHIBITS	25

501/50

ANNEX III. EDUCATION REFORM

A. INTRODUCTION

The Democratic Pluralism Initiative of the U.S. Agency for International Development (sometimes referred to as the Support for Eastern European Democracy - SEED - Program) includes a Political and Social Process Project (No. 180-0021). Within that project are two programs managed by the U.S. Information Agency (USIA) which are the subject of this evaluation. One is the "support for education reform including: curricular reform to reformulate the highly politicized courses in history, economics and civics, the introduction of new institutions such as student councils and student newspapers, and teacher training." Another is "a Books for Democracy initiative to provide the translation of important books and other materials relating to the principles and philosophical bases of democracy." During FY 1991 and FY 1992 the following obligations were made in support of those two programs through Section 632 (b) transfers to USIA: Education Reform, \$4.138 million; Books for Democracy, \$3.561 million. As of March 1993 accrued expenses for the education reform activities had reached \$3.720 million and \$.28 million had been disbursed. As of the same date accrued expenses for the Books for Democracy had reached \$2.50 million and disbursements \$.774 million.

The Evaluation Team was charged with assessing the operation of the activities under the two programs in three countries: Lithuania, Poland and Bulgaria. The amounts obligated for these activities in these countries as of March 1993 were:

	(\$)			
	<u>Poland</u>	<u>Lithuania</u>	<u>Bulgaria</u>	<u>Total</u>
Education Reform	675,359	83,786	569,951	1,329,096
Books for Democracy	<u>282,878</u>	<u>18,307</u>	<u>256,263</u>	<u>557,448</u>
	958,237	102,093	826,214	1,886,544

The main channels for the use of the funds of the education reform activities were established USIA programs--namely, the placement of U.S. university level scholars and academic specialists in organizations in the benefiting countries, the exchange of teachers at both the university and secondary school levels, the sponsoring of short-term visits by specialists from the U.S. and by foreign national to the U.S. Grants to other organizations also were made by USIA. The main

151
3

focus of the education reform activities was on the reform of curricula for the study and teaching of social sciences, including civic education. Given the focus, the Evaluation Team tried to assess the degree to which the various activities observed and discussed were contributing to the reform of the teaching of social sciences. The evaluation did not include activities of the English Language Instruction program or of work with education sector management under other projects. However, the Evaluation Team did discuss those activities with interviewers and makes several suggestions concerning them. The main channels for the use of the funds of the Books for Democracy activities were the established translation and distribution programs for books, periodicals and other materials. The most complete listing of the particular activities supported is that provided in the October 1992 Compendium of Projects from USIA. Relevant portions of that Compendium are included in exhibits in part F below.

In both Washington and the three countries visited the Evaluation Team met with persons in A.I.D. and in USIA who were connected with the design and implementation of the activities, with nationals of the country who had participated personally in the activities and with nationals and others who were knowledgeable about the activities or the problems being addressed. Altogether the team conducted interviews with more than 55 persons in the countries visited. Of those 9 were employees of the USG, and the rest U.S. citizens or nationals of the countries visited who participated in the conduct of the activities, received their benefits or were persons knowledgeable about the activities. A complete listing is given in Attachment 2. The number of interviews with persons who had participated in the exchange programs was limited by the fact that many of the U.S. participants had returned to the U.S. and were now scattered to their points of origin and that there was no comprehensive listing of the names and addresses of all the nationals of the countries visited who had participated in the activities being assessed.

An assessment of existing conditions and SEED-funded activities in Poland, Lithuania, and Bulgaria follows this introduction. Possible impact indicators, for future application to education reform programs, are then presented and discussed. This is followed by a summary of findings and major issues, then by general and country-specific recommendations, and finally by the evaluators' proposed priorities for future programming. The prioritized activities list includes suggestions as to the future direction and scope of the activities, as well as suggested progress indicators and benchmarks to be applied to the outputs of those activities.

It should be noted at the outset that, while this report aims to provide as well-rounded a view as possible of SEED-funded Education Reform programs, and particularly their impact and future orientation, the scope of work and field constraints did not allow for comprehensive data collection. The report therefore does not attempt a full description of activities in this area, and some things have inevitably been left out.

B. COUNTRY PROGRAM ASSESSMENTS

Following is a discussion of country conditions in the three countries visited with respect to education reform, an assessment of SEED-funded education reform activities in those countries, and a brief analysis of options for the future direction of these programs.

POLAND

The activities carried out in Poland in support of Education Reform and Books for Democracy are listed in Exhibits 3 and 4 in part F below. In addition, several of the regional activities listed in Exhibits 1 and 2 also operated in Poland. The Evaluation Team conducted interviews with 17 persons in Poland. These included the Director and Deputy Director of USIA in Poland and the representative of USIA in Crocow; the Cultural Affairs Specialist and the English Language Program Office of the American Center in Warsaw; the Executive Director of the Polish Fulbright Commission; representatives of the World Bank, the UNDP and the EEC in Poland; the Director, the Head of Studies and the Head Librarian of the American Studies Center at the University of Warsaw; the Director of Teacher Training of the Ministry of National Education; the Director and Deputy Director of the Olsztyn Summer School of Economics; the Executive Director of the Batory Foundation and the Associate Director of the Russian and East European Institute of Indiana University. Interviews also were held with four Fulbright scholars and two exchange teachers. (A complete listing of names and titles is given in Attachment 2.)

The following discussion presents the Evaluation Team's analysis of the current situation facing education reform in Poland, its assessment of the education related activities underway and its recommendations for future action.

1. Country Situation

Structural Reform

Structural reform in Poland first began in 1991 with a document emanating from the Ministry of Education entitled Supervision and Assessment. This document, produced by the General Education Department of the Ministry of National Education, describes the rigidity and uniformity of the highly centralized school system of the nation during the forty-five years of the People's Republic of Poland. This system had been formalized in the Parliamentary Act on the Development of Education (1961) and in the nearly 200 regulations issued by the Ministry pursuant to the Act.

Education authority over the nation rested with the Ministry of Education. The country was divided into "Voivodeships" (similar to counties), administered by "Kurators" (similar to superintendents), and into "communes" or basic administrative units, supervised by inspectors. The "Kurators" were subordinated to the Voivodeship governors and not to the Minister, and the inspector was subordinated not to the "Kurator" but to the head of the commune. School headmasters had no autonomy or decision-making authority -- for example, the power to hire or fire teachers rested not with them, but with the inspector. Thus, there was no functional supervision machinery in the hands of the Minister. Teachers graded students completely subjectively and the quality of schools was based only on marks given by teachers to students, leading to pervasive grade inflation.

During the last three years, a new parliamentary act has simplified and restructured education below the university level. It vested administrative authority at three levels: the Ministry, the "Kurator" at the county level, and the school director. This act also allows for non-public schools, some of which have been established. We must note, however, that while the new parliamentary act exists and while the simplified and somewhat decentralized authority system is described in a document produced by the Ministry, as yet there is no broad national reform or restructuring in existence. The Ministry itself recognizes that it has but entered a "difficult transitional period" and anticipates that it will take several years for these proposed changes to become reality.

At the higher education level there is some discussion about moving toward autonomy for institutions. However, no significant changes in this direction are discernible.

The high degree of centralization over a 45-year period, with authority centralized in the hands of the Communist Party, has created a powerful inertia that is difficult to overcome. People in positions of authority still tend to wait for directions from the Ministry. There is widespread fear of change and there is a general fear that if things do change, teachers, professors, and administrators will lose their jobs. There is a need to train administrators who understand the new directions education is attempting to take in Poland. Furthermore, they need to learn non-authoritarian ways of decision making that will include teachers, parents, and even student leaders in making decisions relevant to the daily functioning of schools.

Curricular Reform

Curricular Reform is very much needed in Poland. As in the structure of the education system, the Communist influence of the past 45 years can't be overcome in a brief period of time. At the higher education level there seems to be no general effort at curricular reform. Most professors have two or three jobs, and spend a minimum amount of time at the university. They are very poorly paid and are not motivated to change whatever they are doing. Some promise seems to be present at the American Studies Center, which is part of the University of Warsaw, where intentions to change the curriculum are expressed and discussions are being held on developing a doctorate in American Studies for Eastern European countries. The Center has received funds from USIA, but these were not SEED funds.

The Ministry of Education is making sincere efforts at curricular reform, as evidenced by the 1993 publication of PROTOKOL -- a booklet that outlines a new core curriculum for the primary and secondary schools of the nation. PROTOKOL includes a section on Civic Education that explicitly emphasizes the ethos of freedom and democracy at all levels of schooling. Parts of this new curriculum were based on the work of the Mershon Center of Ohio State University which was funded by SEED. Furthermore, authority is granted by the Ministry for individual schools to develop their own curriculum as long as the core requirements are satisfied. We saw such experimentation in operation at two high schools in Warsaw; however, we cannot tell how broadly such freedom is being exercised throughout the country.

There are three major constraints to curricular reform. First, texts and other materials have yet to be produced. Second, teachers by and large are poorly prepared and need lots of help through in-service education and knowledgeable, supportive supervision. Third, there are insufficient funds available to carry out the publication program and production of other teaching materials and to support in-service education of large numbers of teachers.

2. Activity Assessments

The following are the principal activities which are under way or planned in the areas of focus of the evaluation.

(1) Ohio State Civic Education Program

The Ministry of National Education has developed a new integrated curriculum for secondary schools and has included in it a strong civic education component. With support from SEED, the Ohio State Mershon Center provided technical assistance to the effort. It is important for the support to be continued in the next phases of curricular reform, i.e., the development of instructional materials for teachers and pupils and the training of teachers (both pre-service and in-service). Short-term study programs at OSU for curriculum managers/administrators would be most valuable. The Fulbright teacher exchange program could serve this purpose. Furthermore, consideration could be given to using the English as a Foreign Language Fellows in the Civic Education Program by having them handle content-based courses in civic education in the Civic Education Centers that the Ministry of National Education has established in the existing teacher training college network.

(2) American Studies Center/Warsaw University Program

The American Studies Center (ASC) is keenly interested in developing courses in the social sciences in collaboration with the various social science faculties of Warsaw University. The faculties are interested in curricular reform and would like to offer experimental courses at the ASC. For its part, ASC wishes to add to its regular course offerings. New courses have already been introduced and have proved most popular among students of different social science faculties (Political Science, History, Sociology, Law). It is recommended that Fulbright scholars/academic specialists in the social sciences be recruited for this purpose. In addition to the courses that would be offered in the ASC, a program of seminars dealing with various social science issues could be organized by the academic specialists. As with the courses, such seminars would provide sound exposure for the ASC, and also contribute concretely to meaningful curricular reform in the university faculties involved.

The Twinning Project between Warsaw University and Indiana University having been successful, the extension of the scope of program activity so as to include the social sciences should be explored. The potential for a strong contribution to curriculum reform in this academic area is important. Indiana University faculty members could be involved directly as institutional representatives or as Fulbright academic specialists.

3/15

(3) Batory Foundation Program in Political Science

The Batory Foundation has organized and implemented the Olsztyn Summer School in Economics. The program is funded by a group of US foundations, led by the Ford Foundation. The Books for Democracy Program of SEED has contributed significantly to this program via the donation of Economics textbooks and reference volumes for the participants. The Batory Foundation is interested in replicating this summer school program format in the field of political science. The Association of Political Scientists in Poland also has expressed strong interest in the development of such a program. A joint funding venture between USAID, U.S. foundations and the Batory Foundation would contribute significantly to curriculum reform in a key social science. The new program could exert a strong regional influence with faculty member participants coming from the various universities in the region of Eastern Europe.

(4) Fulbright Program

During the 1992-93 academic year there were nine Social Science Scholars at Polish universities. However, none was available for interviewing in Warsaw. Thus, we don't know whether any of them are engaged in curricular reform. While we did not interview any "Serial Grantee" we were informed by Mr. Dakowski, the Executive Director of the Fulbright Commission, that there has been at least one "Serial Grant," under which the same scholar visited during three consecutive summers and that the visits have led to new curricula in several colleges and universities. One interview with an exchange teacher indicated that, while he is thoroughly engaged in teaching English, he is not attempting any curricular reform. Indeed he did not seem to be aware that such an effort would be expected.

Since the Fulbright Program is the major channel for SEED resources to Poland, the scholars/academic specialists selected should be involved in teaching and research in the social sciences (e.g., Political Science, History, Sociology, Economics, Education). Experience and interest in curricular reform should be selection criteria. The placement of the specialists should be in institutions and departments/faculties that have expressed an interest and willingness to engage in curricular reform. The Fulbright Commission should be responsible for identifying and recommending those institutions. Scholars to be sent to the US should be selected from institutions/departments/faculties that have expressed interest in curricular reform and the scholars themselves should be active social scientists. These criteria should apply to both long- and short-term visits. We understand that grantees are now informed of the program emphasis on curriculum reform -- a step which deserves support -- although this emphasis was not apparent to the evaluators in the field.

Similarly the exchange teachers to be placed in secondary institutions should be teachers of social studies and be interested in involving themselves in curricular reform especially in Civic Education. The host school should be selected on the basis of its interest in curricular reform and its potential leadership role (as identified by the Ministry of Education). Polish exchange teachers should be involved in social studies and engaged in curricular reform activities in their home school. We recommend that the proposal to have the focus of the teacher exchange program

shifted from the secondary level to a post-secondary level should not be approved. The potential input and the strong need for curricular reform in the social studies at the secondary level does not warrant such a shift.

(5) Books for Democracy

In Poland, as elsewhere, the books sent under the Books for Democracy program are integrated into libraries. Librarians typically are unaware of the source of these books, even though "Books for Democracy" is clearly printed on the inside of the front cover. However, a more important drawback is the fact that the program is not conducted so as to provide support to the other education reform activities. This program could contribute importantly to the curricular reform efforts of the broader education reform objective. While the scope of the Books for Democracy project extends beyond educational and curricular reform, the project could enhance considerably the work undertaken in the latter activities and thus help maximize their impact.

(a) Ohio State University Civic Education Program

Having successfully contributed to the development of a new civic education curriculum for secondary schools, it is now imperative that appropriate teaching materials be developed to effect the implementation of the new curriculum. The development of such materials will require reference text sources which could be made available to the developers of the teaching materials. The subsequent printing of such teaching resources by local publishers could be funded by the Books for Democracy project.

(b) American Studies Center/Warsaw University

The various social science faculties which will be collaborating in the development of special courses within the ASC will need modern reference and textbook materials effectively to execute a reform in the curricula. The faculty members engaged in such course reform can be supplied with such reference materials. The ASC Library should also be furnished with reference sources for use by university course participants.

(c) Olsztyn Summer School of Economics

The Ford Foundation recently has agreed to fund the 1993-94 and 1994-95 programs of the school. Having successfully provided modern textbooks and reference books for the 97 participants from 11 countries of Eastern Europe, it would be important to continue such provision for the participants for the upcoming sessions.

3. Future Focus

To date the focus of the activities has been principally on the reform of the curricula of the social sciences at the post secondary level and of civic education at the secondary level. The results of those activities to date are described above and recommendations are made for strengthening

2/5
157

their operation in the future. Continuing the work of the activities should be possible within the current order of magnitude of the resources being provided.

The main issue facing work on education reform in the future is whether there should be a conscious evolution in the emphasis of any future education reform program so that greater attention is paid to the needs of secondary level through reforming the structure of schools and on the training of teachers to carry out the reformed curricula at the secondary level. The initial focus of the program on the post secondary level teaching of social sciences was based on several conclusions. One was that the U.S. has a comparative advantage given its superior university educational system and the weaker performance of its primary and secondary public school systems. Another was that a greater return on investment could be had from working with the trainers of leaders rather than of the general population. Presumably similar conclusions underlie the apparent decisions of other donors (e.g. World Bank) who are preparing to work with the universities. While both these conclusions are supportable, especially in the near term, they do not give enough weight to several other factors. One is that there are very serious rigidities at the post-secondary level arising from the interplay of tenure, academic freedom for instructors and the overhang of communist ideology in the social sciences. Another is that the U.S. does comparatively well in providing instruction in civics and related social sciences at the secondary level. A third is that it is equally important (if not more important) to create a democratic way of acting and thinking in students from an early age as it is to improve the way in which democracy is studied as a social and political phenomenon.

As indicated in subpart 1 above, changes have been made in the law and regulations aimed at introducing greater decentralization, and there has been some discussion of introducing new methods of organizing schools in order to make them more efficient and democratic. However, this is largely at the paper reform level. Action has not taken place, and programs for introducing concrete changes have not been developed. There would seem to be a major opportunity to be of assistance by using the experience of the decentralized school systems and more democratic administrative structures of the secondary level school systems in the U.S. This would mean involving school administrators in the activities.

Work in Poland to date on education reform has largely been confined to preparing changes in the curricula. Little has been done in the reform of teacher training. The fact that the Ministry of National Education has prepared a new secondary level curriculum makes work on strengthening teacher training most timely. While the reform of teacher training is a very major undertaking, it could be made manageable by focusing on the Civic Education component of secondary education and by using a system of regional education centers and selected model schools as channels for the effort. Such an effort would involve testing new materials and teaching methods. Indicators of progress could be the degree of use of interactive, reflective methods and problem-solving inquiry methods and group processes in the schools as they introduce the new secondary level curriculum.

However, to pursue such an approach to the education reform activities would require a higher level of resources for education reform than is now the case. Indeed, a system-wide reform of

3/158

secondary education is beyond the capability of any expected level of resource to be made available by the USG. Thus, it would seem that such an undertaking could be considered only in conjunction with undertakings from multilateral organizations and would require a much greater degree of projectization of the effort than is now the case or under consideration.

LITHUANIA

The level of SEED supported activities in Lithuania to date has been modest. Exhibit 5 in part F below lists the activities which have been undertaken. For that reason the Evaluation Team placed its emphasis on identifying opportunities for future support for education reform.

The Evaluation Team conducted interviews with 12 persons in Lithuania. They included the A.I.D. Representative, the PAO and the Coordinator of the Baltic EFL Fellows Program of USIS, the country representatives of the UNDP and the EEC, the Director of the In-Service Training Center and the Professor of Communications of the Department of Pedagogics of the Vilnius Pedagogical University and the Deputy Director of the Pedagogical Institute of Scientific Research. Interviews also were held with three Fulbright-sponsored scholars and specialists working in the Vilnius Pedagogical University and in Kaunas University.

1. Country Situation

Structural Reform

Lithuania still has a highly entrenched, old-fashioned bureaucracy which was socialized under the Communist system. Institutional reform is likely to proceed at the rate of a glacier. The inertia which is the residue of the long period of Soviet occupation, with its highly centralized and bureaucratized system of education, is a massive impediment to structural reform, along with the funds reform would require. Most of the personnel in leadership positions in schools and the offices of the Ministry share the same mentality and resist change. They fear change as a threat to their security. This is particularly strong in the case of higher education, where professors were carefully trained to have the Marxist-Leninist ideology permeate all their courses. They have changed the titles of their courses and their own political labels, but the substance and methods of their teaching continues as before independence.

The country has adopted a new set of laws in 1991 and published a booklet in 1992 describing the aims and structure of education reforms for primary and secondary schools. However, these are but paper reforms that await implementation. We should look, in the future, for evidence that the recommendations of the 1992 booklet are put into operation. It is important to note that the preamble to the 1992 booklet emphasizes the importance of teaching toward a democratic way of life, the importance of depoliticized and demilitarized schools and a commitment to the General Declaration of Human Rights. However, student councils are controlled by administrators, who also control and censor school papers, where they exist. There is no functioning democracy in schools for either students or teachers. Disciplinary practices are authoritarian and while students seem to be ready to engage in more discussion with the adults,

teacher training in new ways of classroom control and management is just beginning. They are likely to need assistance from educators with experience in schools that function in a democratic mode.

The educational structure, though still highly centralized, allows for the development of private schools. However, only one such school exists in Vilnius. Lack of funds is a serious impediment to the development of private schools.

Partially as a result of a SEED-funded visit to the U.S. by Eastern European educators (four of whom were from Lithuania), one Lithuanian educator has shifted from the Ministry of Education to Vilnius Pedagogical University and became its Manager of Inservice Education. The Teacher Center at Vilnius Pedagogical University works closely with the In-service Institute in the Ministry by helping to put together on short notice lectures or workshops on specific topics. They also plan to develop new roles for the "Inspectors" who work at the district level, to change their role to become "teacher developers" based at teacher centers. They are receiving help in this from England.

Curricular Reform

Curricular reform is not yet discernible in higher education in the National University at Vilnius Similarly at Vytautas Magnus University in Kaunas -- reopened in 1991 after being shut down for 20 years during the Soviet era -- the forces of tradition are in substantial control even though the current Rector talks about reform. Key positions are occupied by Deans who use authoritarian methods of decision making and go unchallenged by a fearful faculty, most of whom have two other jobs in order to survive.

Reform is more likely to occur in some aspects of subcollegiate schooling. One promising source of reform is the new Inservice Training Center at the Vilnius Pedagogical University. A Department of Civic Education at the Ministry is currently developing materials whereby civic education will be integrated in all courses at the primary level and will be taught in separate courses in secondary schools. All of these ideas are in their planning stages, with implementation to follow after appropriate teaching materials are produced. Plans are also afoot for creating special schools for "students at risk" who are on the verge of dropping out or who have dropped out and are engaged in a variety of illegal activities. Close to 3,000 of such students can be found in Vilnius alone and about 11,000 in the country as a whole. In a country with a population of about 3.8 million, that is a very large number.

2. Activity Assessments

(1) Civic Education Program

The Ministry of National Education has developed and published a new national education policy. Civic Education has been identified as a key component of the secondary and primary level curricula. The sound development of this curricular component has been identified as a priority

need by the Ministry. Much impetus for this curricular reform has come from a Lithuanian-American organization named APPLE (American Professional Personnel for Lithuanian Education), which along with other activities, works with the Inservice Training Center holding summer seminars on various topics including Civic Education. These SEED-funded summer seminars present useful materials to teachers who, on their own, returned during consecutive summers for different seminars. The recruitment and placement of a Fulbright academic specialist in social studies at Vilnius Pedagogical University is very much recommended. In addition to curriculum preparation, such a specialist would be involved in the work of the In-Service Teacher Training Center of the university. The recruitment and placement of US Fulbright exchange teachers in selected secondary schools to advise in curricular revision and development is also recommended. The English Language Teaching program also might be used for this purpose.

(2) Ethics Education Program

The Ministry of Education has authorized a program in ethics education to serve as an alternative to religious education for those parents and students who so desire. The development of this ethics education will serve as an important component to the social studies curriculum at the secondary and primary levels. In the summer session in 1993 the In-Service Training Center will focus on the teaching of ethics. The ethics course is a broad course that encompasses some matters from philosophy, aesthetics, etiquette, civic education, ecology, and communications. It is a replacement of the Soviet notion of "guiding the development of the child."

The recruitment and placement of an academic specialist at Vilnius Pedagogical University to assist in the development of a curriculum and appropriate teaching materials for ethics education is strongly recommended. The recruitment and placement of Dr. Susan Anderson of the University of Central Florida as a Fulbright Scholar also is highly recommended. Dr. Anderson has been actively engaged in such activity at Vilnius Pedagogical University during 1992-93. Her work in the In-Service Training Center of the University has been much valued and appreciated.

(3) Special Education Program

Attention to the mentally and physically handicapped has been identified by the Ministry of Education as an important element in democratization. It demonstrates how democracy will lead to the inclusion of all of society in the benefits available. Important developments in this area have occurred through the efforts of Dr. Yolata Krokys, a SEED-funded Fulbright lecturer, during 1992-93. This work began after a SEED-funded visit from Pennsylvania of four specialists in the education of the handicapped. The education of such children in Lithuania was based on archaic notions, made rigid by bureaucratic formulae borrowed from the Soviets. The Siauliai Institute prepares teachers for the handicapped, consistent with these outmoded theories. The work of APPLE seems to be revolutionizing education of the handicapped, including challenging the complacency of the Siauliai Institute. The work to integrate such children into the "least restrictive environment" is just beginning. APPLE is conducting 12 five-day seminars in special education on four different topics. One series will focus on problems related to fetal alcohol

syndrome, a very large problem in Lithuania. There will be collaboration on this with a Native American group which has had much experience with this problem. The recruitment and placement of another Fulbright academic specialist to serve as advisor to the Ministry of Education and to Vilnius Pedagogical University for 1993-94 is strongly recommended. Curriculum development at the Ministry and the establishment of a special education major at the University should be encouraged. The Fulbright specialist could be selected in the context of the APPLE Program.

(4) Fulbright Program

We interviewed two Fulbright Scholars at Vytautas Magnus University in Kaunas. One is a professor of Anthropology; the other is a professor of English Literature. While they are involved in teaching and carrying on their research, they are not involved in curricular reform. The two Scholars were not even aware that there was an expectation that they would carry on curricular reform. The work of the Fulbright Scholar in special education was discussed in the previous section. If SEED is to continue supporting the Fulbright program it should be pursued along the lines described in the above discussion of the Polish program.

(5) Books for Democracy

We saw no libraries or programs that have received Books for Democracy. However, as in the case of Poland, it would make sense to send books and other materials to support the other education reform activities.

3. **Future Focus**

Since the program in Lithuania is so new work in the future -- apart from continuing to support work in special education -- would consist largely of new starts. The focus on preparing reformed civic and ethics education curricula at the secondary level responds to the targets of opportunity presented by the local initiatives. It could be carried out through the Fulbright exchange and the Books for Democracy programs. However, given the fact that the preparation of the curricula will need to be completed by the preparation of teaching materials and the training of teachers in the new materials, we doubt that it would be wise to undertake these new starts unless there is reasonable probability that the SEED program will be able to continue to supply support to those follow-on efforts and that the funds for implementing the program on a system-wide basis are likely to be provided by A.I.D. or some other external organization.

BULGARIA

Bulgaria has been a major recipient of support from the Political and Social Process project. However, nearly half of the funds obligated by March 1993 had been provided to the American University in Bulgaria which was not a part of this evaluation. The activities falling within the scope of the evaluation are listed in Exhibits 6 and 7 in part F below. Work on education in Bulgaria also was supported by the regional activities listed in Exhibits 1 and 2.

Most of the SEED funded activity has been focused on the university level. Given that fact the Evaluation Team also focused its attention on the needs of the post-secondary level. It held interviews with 26 persons. They included the U.S. Ambassador; personnel of the AID Office and the USIS Office who were involved in education activities, the Executive Director of the Bulgarian Fulbright Commission; the Country Coordinators for the EFL Fellows Program and for the University of Delaware/Bulgarian Coalition; country representatives of the World Bank, the UNDP and the EEC; officers of the Sts. Cyril & Methodius International Foundation; the National Secretary of the Bulgarian Association for Free Elections; the Deputy Minister and the Directors of the Departments of International Relations and of International Programs of the Ministry of National Education; the Vice Rector and the Director of the Center for Teacher Qualification of the Faculty of Education of Sofia University; the Executive Director and the Director of the International Office of the New Bulgarian University; the Chairman of the Commission on Science and Education of the Parliament. Interviews also were held with three Fulbright exchange scholars and two Fulbright exchange teachers.

1. Country Situation

Structural Reform

At the primary and secondary education levels there are as yet no clearly formulated plans for structural changes. The system is highly centralized at the Ministry level, and it is likely to be some years before significant decentralization occurs. The Soviet model has a strong hold on educators and administrators at various levels. They feel secure with it since they have experienced it for 45 years. Furthermore, the structural reform of Bulgaria's educational system has been delayed by repeated reorganizations of the Ministry of Education. Since 1991, the Ministries of Education, Science, and Culture have been reorganized three times, and it is likely that a fourth reorganization is imminent since widespread dissatisfaction is reported both with the current joining of these three areas and with the Minister, a physician, who leads them all. Uncertainties in the rapidly changing Ministry, together with ambiguities in laws related to education, hinder structural reform. The organization developed during the Communist era continues through inertia and through people's fear of change and insecurity in their jobs. Funds needed for significant reorganization are lacking, together with competent professionals not wedded to the previous system. There is a need to train mid-level educational administrators who can manage change toward decentralization of the system and decision making at regional and local levels.

A law has been passed granting autonomy to institutions of higher education. However, this law is currently being re-examined and is likely to be revised. Nonetheless, Sofia University is making plans to adopt a credit system for course work and the western style A.B., M.A., PH.D. degree programs to replace the current diplomas. The adoption of the credit system, plus the fact that all required ideological courses have been eliminated, will introduce flexibility into students' programs. A relatively recent structural development is the creation of the Eastern European Studies Center, a free-standing program associated with Sofia University. With its relative autonomy and flexibility, this Center could be a vehicle for curricular reform.

The New Bulgarian University was recognized by Parliament in 1991 with the purpose of creating a new type of educational institution -- one more open to students, to new relationships between students and professors, and to social change. It was started with a \$1,000 grant from the Open Society Fund (Soros), and has developed a variety of courses in the humanities, law, business and computers. With high demand from potential students came expansion, new courses and programs. It now offers over 100 courses on the bases of modest tuition. It also carries on distance learning modeled on the British system.

Curricular Reform

At Sofia University there are moves to introduce Western style credit and degree systems. While these are structural changes, curricular reform will of necessity occur as a concomitant of shifting to the credit system. This, however, is at a very early stage of development. Other than this, some curricular development seems to be taking place in the Eastern European Studies Center at Sofia University and at the New University of Bulgaria.

At the primary and secondary education levels, curricular reform is barely beginning. An occasional new text is in use, such as one in philosophy written by the Deputy Minister, or an experimental project in Varna in Philosophy for Children developed by Professor Matt Lipman from New Jersey. All required courses in Communist ideology have been eliminated. There are some recommendations that courses in religion will take their place in the secondary schools, but there is no action taken as yet regarding this suggestion. Turmoil in the Ministry of Education, derived from repeated reorganizations and changing leadership, has been a major deterrent to curricular reform. The lack of new texts as well as the rigidity and poor education of teachers are also major impediments. Funds are needed to create new texts and teaching materials as well as to mount massive in-service teacher education programs.

Various multi-lateral donors are in the process of developing extensive programs in-country in the area of the human resources development. Most of these initiatives involve various components of the national educational system, e.g., the World Bank is about to negotiate a US\$50 million loan. The UNDP and the EEC are also engaged in negotiations for major development funding of the education sector. Coordination with such programs of development is imperative if Bulgaria is to maximize the benefit to be drawn therefrom. AID and USIA efforts should be initiated and developed in the context of the priorities and on-going project activities of the various multi-lateral donors active in the country.

2. Activity Assessments

(1) New Bulgarian University (NBU)

NBU was created in 1991 and has been in the forefront of educational program reform -- e.g., adult education, distance education, continuing education, modular offerings. The academic staff of the institution has utilized its newly-granted autonomy from the Ministry of Education to experiment in curricular reform, especially in the social sciences. There is a high demand for

admissions to the new courses and programs. It is recommended that a Fulbright academic specialist in the social sciences be recruited and placed at this university.

(2) Eastern European Special Studies Program of Sofia University (EESSP)

The EESSP was established at Sofia University in 1990 with the assistance of the Sts. Cyril and Methodius International Foundation. The program is a free-standing entity attached to the Office of the Vice-Rector for Academic Programs and was established to provide a series of interdisciplinary courses to a limited number of students interested in Eastern Europe and the West. Particular interest has evolved in American culture and society and a sub-program called "Multi-Cultural Diversity in American Society" has been created. Two Fulbright academic specialists taught courses in the program in 1992-93. It is recommended that two Fulbright academic specialists be recruited and placed at Sofia University in the EESSP. They would assist in the development of additional courses in the program as well as in the teaching of such courses.

(3) Fulbright Program

Two Fulbright academic specialists who were placed in the Department of English Philosophy at Sofia University also participated in the development of two courses in American Civilization and Culture in the Eastern European Special Studies Program (EESSP). Within the EESSP a program entitled "Multi-Cultural Diversity in American Society" has been established. The two courses taught by the Fulbright specialists were among the most appreciated in the EESSP. The EESSP has attracted a very high calibre of students. It should offer a good pool for exchange students for placement in the US.

According to the new Fulbright Executive Director who is on the faculty of Sofia University and at the Eastern European Studies Center, six Fulbright scholars will be coming to Bulgaria for the 1993-94 academic year and will be working on curricular reform in the social sciences. It would make sense to have these scholars attached to the Eastern European Studies Center (EESC) which is an "interinstitutional, interdepartmental, interdisciplinary program" with offices at Sofia University and the New Bulgarian University. However, they must be made aware of their responsibility for curricular reform as it relates to the development of democracy.

(4) Books for Democracy

USIA has distributed to schools some 10,000 copies of two Bulgarian language SEED-funded booklets, one entitled "What is Democracy?" and the second, "What is the Market Economy?" We don't know how they are being used. Indeed, we have no clear information on the actual use of Books for Democracy in Bulgaria except at the American University of Bulgaria (AUB). However, from our various interviews it is clear that these books are needed and would be very much appreciated in several institutions and programs. Certainly, AUB makes excellent use of the books provided under the program. They are intensively used by the students and quite often by members of the community, who may use them in the library but not take them out.

As in Poland and Lithuania, the Books for Democracy Program is not being used directly to support the other education reform activities which are under way. In addition to Sofia University and other regional universities, the books would be useful at the Eastern European Studies Center.

3. Future Focus

The focus of the recommended program is modest and narrow--consisting of support through the Fulbright program and Books for Democracy program for curricular reform of social studies at the New Bulgarian University and the Eastern European Special Studies Program of Sofia University. Because of its still quite rigid attitudes toward structural reform, we have not included a recommendation to use Sofia University as the representative of the southern tier in the regional university education administrative program. Nor have we recommended starting support to the Bulgarian Association for Fair Elections (BAFE) or for the Projects for International Education Research (P.I.E.R.) since such activities would involve the program in work beyond that of curricular reform of the formal education system and could better be addressed under other SEED projects. Indeed, we have not even suggested that attention be paid at this time to the reform of the curricular in social studies at the secondary school level because there do not appear to be targets of opportunity to do so. This, of course, could change, and we recommend that A.I.D. remain open to responding to such future opportunities.

C. IMPACT INDICATORS

The following are proposed qualitative indicators that could be used to gauge the impact of the Education Reform and Books for Democracy initiatives. Each of the indicators presented here is briefly explained, and the existing SEED-funded activities to which it is applicable are noted. These indicators reflect the evaluators' views of what should be the future direction of the AID programs under review, and therefore it would not be worthwhile to apply the indicators to the programs as currently implemented. The main evaluative comments on existing activities are contained in sections B, D, and E of the report.

Influence of New Programs and Materials on Attitudes: The attitudes of numerous teachers, prospective teachers, and pupils are influenced in positive ways, in particular with respect to their understanding of the concepts of citizenship and their image of democratically-governed countries. A measure of this influence can be produced via a study of the changing attitudes of pupils vis-a-vis themselves, their co-students, their local community and their country.

- Poland: Ohio State Civic Education Program
- Poland: Books for Democracy
- Lithuania: Civic Education Program
- Lithuania: Ethics Education Program
- Lithuania: Special Education Program
- Bulgaria: EESSP
- Bulgaria: Fulbright Program

Influence of New Courses on Curricula: University faculties gradually restructure their curricula as a result of experimental courses. New courses address hundreds of university students in various academic disciplines, especially the social sciences. The influence of such revised courses and programs on the training and subsequent professional life of the students can be evaluated through alumni follow-up.

- Poland: American Studies Center/Warsaw University

Enrichment of Social Science Disciplines: Professional fields of social science are upgraded, and modern social science thought is conveyed to thousands of future citizens and social scientists of the region. Evaluation of these changes are possible by a follow-up of the program participants.

- Poland: Batory Foundation Program in Political Science

Effect of Specialists on Curricula: Specialists effect curricular changes in their institutions and academic programs. Colleague teachers and professors are influenced to engage and share in curricular review and change and in the development of appropriate teaching materials. The multiplier effect of this professional involvement can be measured by a survey of curricula and materials produced, local faculty involvement, student participation in the revised programs, and tests of student knowledge.

- Fulbright Programs

Utilization of Instructional Materials: Instructional materials are used by teachers in classes throughout the system. Thousands of students are exposed to their contents. Materials are used directly to support the other education reform activities which are under way. Teacher utilization and instructional value can be measured by sample surveys. Attitudinal changes in students can also be surveyed.

- Books for Democracy Programs

Impact of Training of Trainers: Participants teach thousands of students over each academic year. Evaluation of the knowledge of the students and subsequent professionals can be gauged by a follow-up of the participant alumni.

- Poland: Olsystyn Summer School of Economics

Improved University Administration: One or more universities act as models for university reform for the region and assume leadership roles in the reform of curricula in the social sciences, due to administrative reform, willingness to experiment, etc. The students graduating from this institution play a major role in the emerging professional life of the nation.

- Lithuania: University Education Administration Program

- Bulgaria: New Bulgarian University

D. FINDINGS, ISSUES AND RECOMMENDATIONS

The following findings, issues and recommendations are based on the analysis contained in the above discussion.

FINDINGS

General

- Structural reform of the education systems of the countries visited has not made significant progress. Indeed, most of the authorities in charge of the Ministries of Education and the state universities in these countries are persons with long training and participation in the communist-led institutions and have casts of mind which resist significant change.
- While there has been considerable discussion of the topic of curricular change, little concrete action has been taken. At the university level that action appears mostly in new institutions such as the American Studies Center at the University of Warsaw and the New Bulgarian University. In Poland and Lithuania there appears to be an openness to reform of social studies at the secondary level.
- Discussion of and preparation for the training of teachers and education administrators appears to be even less advanced than that concerning the reform of curricula.
- The Fulbright exchange program is not effectively organized to provide support to the purpose of curricular reform. Its participants have been neither selected for that purpose nor informed that they have such responsibilities, although USIA informed the evaluators that recent steps have been taken to inform grantees and selectees of the program's curricular reform objectives.
- The Books for Democracy Program is providing useful materials but its purpose and distinctive quality often are not understood by the receiving organizations and the program is not being used directly in support of the other education reform activities of the overall program.
- The various components of the SEED funded activities related to education do not see themselves as being part of an overall program. The AID field offices and the Embassies do not provide program guidance, administrative support or liaison services which would foster such an understanding.
- There are not yet coherent strategies at the country level for providing assistance to education reform in support of democratization.

2/3/68
→

Poland

- The major impact of the SEED supported activities to date has been the preparation of a secondary level civic education curriculum.

Lithuania

- AID activities in Lithuania began so recently that no discernible impact on progress in education reform can be observed except in special education.
- Structural changes are not yet taking place at the universities. Some structural changes are beginning to take place below the university level and an official publication regarding the organization of schools has been issued by the Ministry.
- The Ministry of Education has adopted policies favoring the reform of curricula for Civic and Ethics education at the secondary level.

Bulgaria

- There are no systematic efforts at curricular reform at any level of education. Plans are being made, some small steps taken, but the inertia of the long years of Communist influence will take time and hard work to overcome. Some steps on curricular reform are being taken through the work of the Eastern European Studies Center, the Sts. Cyril and Methodius Foundation and the New University of Bulgaria.

MAJOR ISSUES

Suitability of Vehicles for Assistance. In all the countries visited the Evaluation Team noted that the persons under the Fulbright exchange program were not effectively being used for curricular reform and that the Books for Democracy program was not operating in direct support of the other education reform activities. The Evaluation Team recommends that the operation of those two programs be modified so that they would provide such support. However, it is not certain that USIA will be able or willing to introduce the modifications needed for SEED related purposes when the structure of the programs serves other purposes which receive much greater funding. If the modifications are not possible, A.I.D. will need to reconsider the use of these two programs as vehicles for education reform. An institutional grant or a contract approach could be a useful alternative.

Greater Attention to Structural Reform and Teacher Training. The reform of curricula (social studies at the university level and civic education at the secondary level) in itself is not likely to provide the support for democracy that is the goal of the program. To be effective the reformed curricula will have to be accompanied by new materials, the training of teachers in its use and reforms to the structure of the universities and schools so that democratic approaches are lived as well as studied. Addressing these needs would require resources well beyond the level

currently being devoted to these activities and probably would require different modalities of providing the assistance than are currently being used. Targets of opportunity can be supported (as is recommended in this report) but without more comprehensive follow-up by someone, the likelihood of achieving impact is very much reduced.

RECOMMENDATIONS

General

- Resources should be augmented or consolidated in order to make possible tangible impacts in at least a few areas of activity. The order of suggested priority for additional funding is provided, by country, in part E below.
- The persons participating in the SEED-supported Fulbright Exchange program should be selected for their experience in the reform of educational structures and curricula -- especially in the social sciences. Those persons should be placed in organizations which have clearly indicated an interest in carrying out significant reforms in organization or in curricula.
- The Books for Democracy program should be organized so that it directly supports the other education reform activities rather than just supplying core collections or miscellaneous books on democracy to worthy institutions.
- In deciding on the program focus to be followed in the country strategies, A.I.D. should recognize the importance of fostering more democratically organized schools and of the need for the training of teachers and administrators.
- Activities undertaken always should consciously include consideration of funding for their broader application. This will usually call for greater involvement with other donor organizations.

Poland

- The Ohio State Civic Education program should be continued in order to support the development of instructional materials and the training of teachers.

Lithuania

- SEED-funded programs should assist with the creation of new texts and materials focusing on Civic and Ethics Education at the secondary level.
- These programs should continue supporting the strong work begun by APPLE, both in the education of the handicapped and the in-service education of teachers.

Bulgaria

- The Fulbright exchange program should be conducted in direct support of the curricular reform efforts at NBV and the EESSP.

E. PROPOSED DEVELOPMENT PRIORITIES, BY COUNTRY

The following are proposed priorities among future activities under the Education Reform and Books for Democracy programs. These include existing activities to be continued, and activities to be carried out in modified form.

POLAND

1. Curriculum Reform

Herein are proposed three (3) activities (in order of proposed priority) for future funding under the A.I.D./SEED Project. The priorities have been developed in the context of the current situation and the assessment of the activity as previously described.

(a) Ohio State Civic Education Program

Basis of priority: The exposure of numerous experienced teachers and prospective teachers to Civic Education will influence the lives of thousands of their pupils. A measure of this influence can be produced via a subsequent study of the changing attitudes of pupils vis-a-vis themselves, their co-students, their local community, and their country.

Progress indicators/benchmarks:

- (1) Training of 200 pre-service prospective teachers over a period of 5 years
- (2) In-service training of 500 over a period of 3 years
- (3) Introduction of a content-based course in Civic Education at each academic level of the Secondary School Curriculum

(b) American Studies Center/Warsaw University

Basis of Priority: Various Faculties will manage gradually to restructure their curricula as a result of the experimental courses provided via the American Studies Center. The influence of such revised courses and programs on the training and subsequent professional life of the students is strong. Institutional evaluation of this influence is a function of alumni follow-up.

37-171

Progress indicators/benchmarks:

- (1) The ASC will develop/offer five (5) courses on an inter-disciplinary basis to 100 students from various faculties
- (2) Four (4) seminars on various social science topics/themes by the ASC

(c) **Batory Foundation Program in Political Science**

Basis of Priority: Upgrading of the professional field of political science throughout the region. The delivery of modern political science thought to thousands of future citizens and social scientists of the region. Evaluation of these changes are possible by a follow-up of the program participants.

Progress indicators/benchmarks:

- (1) Training of 40-50 university professors of Political Science from different countries of the region annually for three (3) years.
- (2) Introduction of five (5) new courses into Political Science curriculum of the participants' institutions

2. **Books for Democracy**

(a) **Ohio State University Civic Education Program**

Basis of Priority: The instructional materials will be used by teachers in classes throughout the national system. Thousands of students will be exposed to the contents of the Civic Education curriculum. Teacher utilization and instructional value can be measured by sample surveys. Attitudinal changes in students can also be surveyed.

Progress indicators/benchmarks:

- (1) Three hundred (300) reference materials donated and utilized by the textbook development staff of the Ministry
- (2) Publication of five (5) instructional/teaching materials for use on a pilot basis in the Civic Education curriculum at each academic level of the Secondary School

(b) **American Studies Center/Warsaw University**

Basis of Priority: The revised courses and academic activities of the ASC will address hundreds of university students in various academic disciplines, as well as the Social Sciences. The ASC

can survey its student participants concerning the professional value of such programs and activities.

Progress indicators/benchmarks:

- (1) Four (4) faculties and five (5) professors will have prepared and offered five (5) courses; and utilized available materials in the preparation of the former
- (2) Four (4) seminars presented by the ASC on various vital social issues

(c) **Olsztyn Summer School of Economics**

Basis of Priority: Ninety (90) professors of Economics from various countries of the region will teach some 6000 students over each academic year. Evaluation of the knowledge of the student economists and subsequent professionals can be gauged by a follow-up of the participant alumni.

Progress indicator/benchmarks:

- (1) Twenty (20) reference/textbooks will have been provided for ninety (90) professors for two (2) annual programs

LITHUANIA

1. Curriculum Reform

(a) **Civic Education Program**

Basis of Priority: The development of a civic education curriculum for the national system will provide students with sound ideas and principles vis-a-vis their role as young citizens. The training of teachers for instruction this important component of the curriculum will make more likely that students nation-wide will be imbued with the fundamental concepts of citizenship. A pilot sample for school.

Progress indicators/benchmarks:

- (1) Recruitment and placement of one (1) Fulbright social science curriculum specialist
- (2) Development of a Civic Education curriculum for each academic level at the Secondary School over a three (3) year period
- (3) Pre-service training of two hundred (200) prospective teachers and in-service training of five hundred (500) over a three (3) year period

(b) Ethics Education Program

Basis of Priority: There is need for the development of values involving society, community, family, self, neighbor in the context of a broad democratization process. It is deemed all the more essential for the adolescents at the Secondary School level.

Progress indicators/benchmarks:

- (1) Recruitment and placement of a Fulbright Ethics curriculum specialist and the development of a curriculum for each academic level at the Secondary School
- (2) Training of a core of fifty (50) teachers of Ethics Education at Vilnius Pedagogical University

(c) Special Education Program

Basis of Priority: The work already undertaken in special education as a result of the present of a Fulbright specialist has resulted in a systematic attention to a large number of handicapped children and adults within the educational system. The meaningful integration of the handicapped into society is necessary in a democratic political system.

Progress indicators/benchmarks:

- (1) Recruitment and placement of a Fulbright Special Education specialist at Vilnius Pedagogical University
- (2) Development of a Special Education curriculum for the Ministry of Education
- (3) Establishment of Special Education specialization program at Vilnius Pedagogical University

BULGARIA

1. Curriculum Reform

(a) New Bulgarian University (NBU)

Basis of Priority: NBU is already recognized as exerting meaningful influence in higher education in the country because of its willingness to experiment. The students graduating from this institution will play a major role in the emerging professional of the nation.

34
174

Progress indicators/benchmarks:

- (1) Involvement of a Fulbright Economics curriculum specialist in program development
- (2) Introduction of five (5) new courses over a period of three (3) years

(b) Eastern European Special Studies Program of Sofia University (EESSP)

Basis of Priority: The EESSP is considered a vital program at Sofia University because it provides for novel inter-disciplinary courses. Participating in the program is limited and screened rigorously. The exposure of such students to a specialized program dealing with American life, culture, and society will be most influential in projecting a sound image of the USA to future leaders of the country.

Progress indicators/benchmarks:

- (1) Development of four (4) specific courses dealing with American society, culture, and life
- (2) Offering of these four (4) courses for academic credit in the EESSP
- (3) Fifty (50) participants in the new courses of the EESSP

F. EXHIBITS

The following pages are the exhibits referred to in the previous discussion.

Exhibit 1

EDUCATION REFORM

1. Educational Reform Specialists

Description: Twenty-nine American lecturers in the social sciences were placed in host country universities for one semester to one year to work with local administrators on reforming and redeveloping curriculum and to conduct specialized lectures.

Funding: \$999,000

Program Dates: Fall/Spring 1991/92

2. Secondary School Teacher Exchange Program

Description: Secondary-level educators/teacher trainers were placed in host country institutions.

Funding: \$284,500

Program dates: Fall 1991/Spring 1992

3. Poznan Economics Summer Institute

Description: A team of six economists from DePaul University staffed a summer economics institute in Poznan, co-sponsored by the Poznan Academy of Economics. Month-long institute was attended by approximately fifty professors of economics from around the country.

Funding Level: \$30,030

Program dates: July/August 1991

4. Participant Training

Description: Undergraduate and graduate students from Hungary, Czechoslovakia, and Bulgaria (including ethnic minority Turks) who had obtained scholarships to study in the U.S. were given additional funds to make that study financially feasible.

Funding: \$250,000

Program Dates: Fall 1991

5. American University in Bulgaria

Grantee: University of Maine/American University in Bulgaria

Description: Support for the creation of the American University in Bulgaria, including curriculum specialists, materials and materials development.

Funding: \$90,870

Program Dates: Fall 1991

6. Curriculum Development

Description: Five member team consulted with curriculum developers at the Ministry of Education in Hungary to develop social studies materials.

Funding: \$18,030

Program dates: July/August 1991

Exhibit 1 (p.2)

7. Legal Education

Description: Two American law professors assisted with legal reform curriculum development in Czechoslovakia.

Funding: \$14,250

Program dates: March/April 1991

8. International Relations

Description: International Relations specialist conducted specialized course for law and social science students in Czechoslovakia.

Funding: \$14,250

Program dates: March-July 1991

9. Educational Choices

Description: Individual conducted seminars in Czechoslovakia pertaining to choices in education for school directors, teachers, and parents. Hosted by the Ministry of Education's Office for Innovation and Independent Schools.

Funding: \$4,250

Program dates: September 1991

10. Diplomatic Training

Description: Two Bulgarian diplomats (the Head of Foreign Service Selection and Training, and the Deputy Foreign Minister) were brought to the U.S. for a diplomatic training program. Their program coincided with a single-country IV project for eleven young Bulgarian diplomats.

Funding: \$18,926

Program dates: July 1991

11. Development of Higher Education

Description: Partial support for travel of Citizens Democracy Corps team of university administrators to Hungary and Czechoslovakia to work on higher education administration issues.

Funding: \$1,486

Program Dates: October 1991

12. Polish Rectors Project

Description: Partial support for rectors of two technical universities who participated in a U.S. program for East European university rectors.

Funding: \$7,024

Program Dates: September 1991

13. Curriculum Reform Specialists

Description: A series of visits of U.S. curriculum specialists for consultations with their East European counterparts on curriculum reform.

Funding: \$12,086

Program dates: Fall 1991

52
177

Exhibit 1 (p.3)

14. Diplomacy Project

Description: Partial funding supported a seminar for 16 East European young diplomats from Hungary, Czechoslovakia, and Poland conducted at the Diplomatic Academy of Vienna.

Funding: \$2,100

Program Dates: July - August 1991

15. Social Studies Summer Institute in Hungary

Description: Two-week summer institute helped develop curricula for social studies programs in Hungary.

Funding: \$9,940

Program Dates: Summer 1991

16. Curriculum Development in Management Training

Description: Sponsorship of academic specialist to conduct management training workshops and seminars in Poznan.

Funding level: \$3,509

Program Dates: Fall 1991

17. Civics Education

Grantee: Russell Sage College

Description: Civic education project for fifteen secondary-level educators.

Funding level: \$116,280

Program Dates: March/April 1992

18. American Studies Conference

Description: Sponsorship of twelve selected Central and East European scholars to attend American Studies Conference designed to promote study of U.S.

Funding Level: \$32,585

Program Dates: April 1992

19. Social Sciences Handbook

Description: Support for the development of a handbook in the social sciences for teachers, textbook writers, and curriculum specialists which was based on Hungarian examples. Handbook developed by the Hungarian Center for Educational Research in collaboration with the Center for Civic Education, the Council for the Advancement of Citizenship, and the Pew Charitable Trusts.

Funding: \$40,000

Program dates: Spring 1992

20. Baltic University Educators

Description: Seven university rectors and deans participated in a three-week academic workshop focusing on issues such as accreditation, university administration, development of libraries and research.

Funding: \$11,900

Program dates: June/July 1992

Exhibit 1 (p.4)

21. Theory of Democracy

Description: Month-long program on liberal democracy and separation of powers for faculty members at University of Cluj, Romania, assisting in the development of a new undergraduate political science curriculum.

Funding: \$11,916

Program dates: May/June 1992

22. Economics Workshop

Description: Academic specialist worked with economics faculty in Ljubljana to develop new curricula.

Funding: \$7,000

Program dates: May 1992

23. Small Business Development

Description: Small business specialist worked with faculty throughout Hungary in developing small business outreach programs with private sector entities.

Funding: \$11,245

Program dates: April/May 1992

24. Economic Development

Description: Agricultural economist conducted workshops for faculty of agricultural institutions throughout the Baltics.

Funding: \$4,236

Program dates: April 1992

25. Educational Reform

Description: General education specialist conducted a series of seminars for faculty in the Baltics.

Funding: \$2,540

Program dates: April 1992

26. Special Education Curriculum Specialists

Description: Officials from the Commonwealth of Pennsylvania Special Education Commission surveyed special education needs in the Baltics.

Funding: \$16,895

Program dates: March 1992

27. Teacher Training in Lithuania

Description: Travel-only grants to seven Lithuanian speaking American specialists who served as curriculum advisors in a broad range of academic disciplines.

Funding: \$19,472

Program dates: Summer 1992

Exhibit 2

BOOKS FOR DEMOCRACY

1. Special Book Procurement

Description: Purchase of specialized collections on a wide range of subjects for universities, academies, and other institutions throughout Central and Eastern Europe.

Funding: \$150,216

Program dates: June 1991 - December 1992

2. Purchase of Journal Subscriptions

Description: Purchase of periodicals for libraries and institutions throughout Central and Eastern Europe.

Funding: \$123,717

Program dates: June 1991 - December 1992

3. Donation of Books

Grantee: Sabre Foundation

Description: U.S. non-profit organization will provide donated book collection to host country institution for distribution country-wide to increase access to American books.

Funding: \$60,000

Program dates: June 1991 - December 1992

4. Donation of Books

Grantee: Prague Spring Foundation

Description: U.S. non-profit organization will provide donated book collection to host country institution for distribution country-wide to increase access to American books.

Funding: \$15,000

Program dates: June 1991 - December 1992

5. Special Collections for Libraries

Description: Core collections of key works in six subject fields, including political science, management, public administration, ethics, and law, and a core education collection were presented to local universities and institute libraries.

Funding: \$359,900

Program dates: Fall 1991

6. Library Fellows Program

Description: Three Library Fellow spent one year in libraries in Poland, Romania, and Yugoslavia to assist in developmental library activities and consultation.

Funding: \$170,860

Program dates: September 1991

7. Institution-to-Institution Book Donation Projects

Description: Special allocation of funds facilitated the shipping of donations of texts from U.S. universities to universities in CEE.

Funding: \$69,072

Program Dates: Fall 1991

Exhibit 2 (p.2)

8. Books for Fulbright Teachers

Description: Books purchased supported work of Fulbright secondary school teachers working in Eastern Europe.

Funding: \$71,000

Program Dates: Fall 1991

9. 'What is Democracy' Pamphlet

Description: Development and production of a pamphlet describing basic underpinnings of a democratic society. Translated into all vernacular languages.

Funding: \$89,447

Program dates: Fall/Winter 1991

10. Albanian translation project

Description: Translation, production and distribution of U.S. texts through non-commercial channels to university and other educational audiences in Albania.

Funding Level: \$45,000

Program Dates: Ongoing

11. Administration

Description: Funds provided administrative costs for programs.

Funding: \$70,000

12. Strengthening distribution activities

Description: Support costs enabled East European donated book organizations to establish and maintain effective national distribution networks.

Funding Level: \$50,000

Program dates: Ongoing

13. Publishing education

Description: Sponsorship of Eastern European participants in U.S. publisher training workshops in the U.S.

Funding Level: \$226,628

Program Dates: Summer 1991; Summer 1992

14. Publishing education

Grantee: University of Nebraska Press

Description: Sponsorship of University of Nebraska Press training project with Czechoslovak universities.

Funding Level: \$32,631

Program Dates: March - October 1992

15. Purchase of books and journals

Description: Purchase of 65 sets of a "publisher's bookshelf" enhanced professional libraries in Central and East Europe.

Funding Level: \$ 42,291

Program Dates: Procured for distribution in summer 1992

Exhibit 2 (p. 3)

16. Business/Management Periodicals on CD-ROM

Description: Full text of more than 200 business/management periodicals on CD-ROM disks with systems hardware for installation in three national libraries.

Funding Level: \$210,945

Programs Dates: Installation in Hungary, Poland and Czechoslovakia in summer 1992, with CD-ROM subscriptions running for three-year period.

17. American Studies Collections

Description: Collections of approximately 70 titles which illustrate American institutions and intellectual life, for presentation to appropriate institutions, universities, and American Studies Centers in Central and Eastern Europe. Approximately 100 sets purchased.

Funding: \$142,591

Program dates: Ongoing

18. VOA Special English Books

Description: Allotment of funds to help with in-country distribution of special English books and materials.

Funding: \$10,000

Program dates: Fall 1992

Exhibit 3

EDUCATION REFORM - POLAND

1. Educational Reform Specialists

Description: Four American lecturers in the social sciences were placed in host country universities for one year.

Funding: \$173,740

Program Dates: Fall/Spring 1991/92

2. Secondary School Teacher Exchange Program

Description: Secondary-level educators/teacher trainers were placed in host country institutions.

Funding: \$284,500

Program dates: Fall 1991/Spring 1992

3. Poznan Economics Summer Institute

Description: A team of six economists from DePaul University staffed a summer economics institute in Poznan, co-sponsored by the Poznan Academy of Economics. Month-long institute was attended by approximately fifty professors of economics from around the country.

Funding Level: \$30,030

Program dates: July/August 1991

4. Polish Rectors Project

Description: Partial support for rectors of two technical universities to participate in a U.S. program for East European university rectors.

Funding: \$7,024

Program Dates: September 1991

5. Curriculum Reform Specialists

Description: A series of visits of U.S. curriculum specialists to consult with their East European counterparts on curriculum reform.

Funding: \$12,086

6. Diplomacy Project

Description: Partial funding to support a seminar for 16 East European young diplomats from Hungary, Czechoslovakia, and Poland conducted at the Diplomatic Academy of Vienna by retired Foreign Service Officer Hans Tuch.

Funding: \$2,100 (multi-country)

Program Dates: July - August 1991

7. Curriculum Development in Management Training

Description: Sponsorship of academic specialist who conducted management training workshops and seminars in Poznan.

Funding level: \$3,509

Program Dates: Fall 1991

367
183

Exhibit 4

BOOKS FOR DEMOCRACY - POLAND

1. Special Book Procurement

Grantee: Stefan Batory Foundation Summer Business School
Description: Purchase of various 75 copies of 5 English language business and economics textbooks for summer business school participants drawn from economics faculty throughout Central and Eastern Europe.
Funding: \$4,800
Program dates: August 1991

2. Purchase of Journal Subscriptions

Description: Purchase of periodicals for the two Polish Parliamentary libraries.
Funding: \$ 9,208
Program dates: Fall 1991

3. Donation of Books

Grantee: Sabre Foundation
Description: U.S. non-profit organization provided donated book collection to host country institution for distribution country-wide to increase access to American books.
Funding: \$60,000
Program dates: June 1991 - December 1992

4. Publishing Education

Grantee: Stanford Publishing Institute
Description: Two Polish publishers participated in a publishing institute seminar.
Funding: \$16,725
Program Dates: August 1991

5. Presidential Presentation

Description: Purchase and presentation of a requested collection of key works for the President's office.
Funding: \$ 5,000
Program dates: Summer 1991

6. Special Collections for Libraries

Description: Fourteen sets of a core collection of key works in six subject fields, including political science, management, public administration, ethics, and law, and a core education collection were presented to local university and institute libraries.
Funding: \$54,000
Program dates: Fall 1991

Exhibit 4 (P.2)

7. Library Fellows Program

Description: One Library Fellow spent one year at the Polish National Library to assist in developmental library activities and consultation.

Funding: \$55,000

Program dates: September 1991 - June 1992

8. Books for Fulbright Teachers

Description: Books purchased to support work of Fulbright secondary school teachers working in Eastern Europe.

Funding: \$ 6,666

Program Dates: Fall 1991

9. 'What is Democracy' Pamphlet

Description: Development and production of a pamphlet describing basic underpinnings of a democratic society. Translated into all vernacular languages in addition to English.

Funding: \$89,447 (multi-country)

Program dates: Fall 1991

10. Business/Management Periodicals on CD-ROM

Description: Full text of more than 200 business/management periodicals on CD-ROM disks with systems hardware for installation in three national libraries.

Funding Level: \$210,945 (multi-country)

Programs Dates: Installation in Hungary, Poland and Czechoslovakia in summer 1992, with CD-ROM subscriptions running for three-year period.

Exhibit 5

EDUCATION REFORM - LITHUANIA

1. Economic Development

Description: Agricultural economist conducted workshops for faculty of agricultural institutions throughout the Baltics.

Funding: \$4,438

Program dates: April 1992

2. Educational Reform

Description: General education specialist conducted a series of seminars for faculty in the Baltics.

Funding: \$2,540

Program dates: April 1992

3. Special Education Curriculum Specialists

Description: Officials from the Commonwealth of Pennsylvania Special Education Commission surveyed special education needs in the Baltics.

Funding: \$16,895

Program dates: March 1992

4. Teacher Training in Lithuania

Description: Travel-only grants to seven Lithuanian speaking American specialists who served as curriculum advisors in a broad range of academic disciplines.

Funding: \$19,472

Program dates: Summer 1992

Exhibit 6

EDUCATIONAL REFORM - BULGARIA

1. Educational Reform Specialists

Description: Two American lecturers in the social sciences will be placed in host country universities.

Funding: \$86,870

Program Dates: Fall/Spring 1991/92

2. Secondary School Teacher Exchange Program

Description: Secondary-level educators/teacher trainers were placed in host country institutions.

Funding: \$284,500

Program dates: Fall 1991/Spring 1992

3. Diplomatic Training

Description: Two Bulgarian diplomats (the Head of Foreign Service Selection and Training, and the Deputy Foreign Minister) were brought to the U.S. for a diplomatic training program. Their program coincided with a single-country IV project for eleven young Bulgarian diplomats.

Funding: \$18,926

Program dates: July 1991

4. American University in Bulgaria

Grantee: University of Maine/American University in Bulgaria

Description: Support for the creation of the American University in Bulgaria, including curriculum specialists, materials and materials development.

Funding: \$90,870

Program dates: Fall 1991

5. Participant Training

Description: One-year grants to help defray unmet costs for Bulgarian students and scholars who have already obtained scholarship funds to attend U.S. universities and colleges.

Funding: \$100,000

Program dates: Fall 1991

6. Minority Participant Training

Description: One-year grants to help defray unmet costs for ethnic minority students and scholars who have already obtained scholarship funds to attend U.S. universities and colleges.

Funding: \$50,000

Program dates: Fall 1991

379
187

Exhibit 7

BOOKS FOR DEMOCRACY - BULGARIA

1. Donation of Books

Grantee: Sabra Foundation

Description: U.S. non-profit organization will provide donated book collection to host country institution for distribution country-wide to increase access to American books.

Funding: \$60,000

Program dates: June 1991 - December 1992

2. Publishing Education

Grantee: Denver Publishing Seminar

Description: Two Bulgarian publishers participated in a publishing institute seminar.

Funding: \$16,725

Program Dates: August 1991

3. Special Collections for Libraries

Description: Twelve sets of a core collection of key works in six subject fields, including political science, management, public administration, ethics, and law, will be presented to local university and institute libraries.

Funding: \$37,000

Program dates: Fall 1991

4. Books for Fulbright Teachers

Description: Books purchased to support work of Fulbright secondary school teachers working in Eastern Europe.

Funding: \$6,666

Program Dates: Fall 1991

5. 'What is Democracy' Pamphlet

Description: Development and production of a pamphlet describing basic underpinnings of a democratic society. Translated into all vernacular languages in addition to English.

Funding: \$89,447

Program dates: Fall/Winter 1991

**PROGRAM EVALUATION OF SELECTED
A.I.D. ASSISTANCE TO DEMOCRATIC
INSTITUTIONS IN BULGARIA,
LITHUANIA AND POLAND**

ANNEX IV: DEVELOPMENT OF INDEPENDENT MEDIA

**IQC No. AEP-0035-I-00-3003-00
Delivery Order No. 4**

38/189-

ANNEX 4: DEVELOPMENT OF INDEPENDENT MEDIA

	Page
A. Introduction	1
B. Poland	2
1. Current Situation	3
2. The Media Resource Center	4
3. Solidarity Information Service	8
4. Overall Assessment and Priorities	8
C. Lithuania	9
1. Current Situation	9
2. The Liucija Baskauskas Network	11
3. Vilnius University School of Journalism	13
4. Baltic News Service	15
5. Overall Assessment and Priorities	15
D. Bulgaria	16
1. Current Situation	16
2. Radio Stations of the Center for the Study of Democracy	18
3. Radio Tangra	20
4. Aura Radio at the American University in Bulgaria	21
5. Leff Information Service	23
6. Overall Assessment and Priorities	24

3/198

	Page
E. Overall Assessment and Recommendations	25
1. Overall Assessment	25
2. Recommendations	26
F. Level of Resources and Prioritization	30
G. Impact Indicators	31
H. Exhibits	34

3/19/15

ANNEX IV: DEVELOPMENT OF INDEPENDENT MEDIA

A. INTRODUCTION

Since April 1991 through the Independent Media Project (No. 180-0022) A.I.D. has funded the United States Information Agency (USIA) and the International Media Fund (IMF) to provide training, equipment and technical assistance to Central and Eastern European countries. The objective has been to help those countries in developing and strengthening independent broadcast and print media through providing equipment and technical assistance to the media and training for the journalists. A two-year budget of \$12.6 million was provided to USIA. Of that amount \$10 million was passed to the International Media Fund. USIA spent the remaining \$2.6 million on a wide range of training activities in Eastern Europe and in the U.S.

The IMF has used the funds provided to it in the following ways in the countries which we visited.¹

Poland (\$636,000 disbursed):

- \$623,000 for the Media Resource Center to renovate its space, equip it with radio and television facilities and assist it in running 14 week courses for journalism students and in supervising and coordinating a wide range of other training activities; and
- \$13,000 for the purchase of equipment for the Solidarity Information Service, an independent wire service created to supply objective reports to hundreds of new independent radio stations.

The Baltics (including Lithuania) (\$80,000 disbursed):

- Training and some equipment for the Baltic Independent, a weekly English newspaper; and

¹Figures were provided by IMF by telephone after completion of field visits.

- **Training and some equipment for the Baltic News Service, a new, independent news service specializing in economic news.**

Bulgaria (\$597,000 disbursed):

- **Equipment and training for the Center for the Study of Democracy to start three new radio stations in the cities of Sofia, Varna and Plovdiv;**
- **Equipment for a student radio station at the American University in Blaevograd;**
- **Equipment for a private radio station in Sofia; and**
- **Equipment for the Leff News Service, a new independent wire news service.**

The various training activities supported by USIA for the three countries are listed in Exhibits 1, 2 and 3 in part H below. Persons from those countries also have participated in training programs for the whole region listed in Exhibit 4. These lists are provided by the October 1992 Compendium of Projects from USIA. Exhibit 5 is a list of participants from the three countries in courses given by the VOA since June 1983.

In Washington the Evaluation Team met with persons in A.I.D., USIA, the Voice of America (VOA) and the IMF who were connected with the design and implementation of the activities. In the three countries visited the Evaluation Team met with representatives of A.I.D. and USIA who were involved in the oversight of the activities, with nationals of the countries who had participated personally in the activities and with nationals and others who were knowledgeable about the activities or the problems being addressed. Altogether the team conducted interviews with some 48 persons in the countries visited. Of those, six were employees of the USG and the rest were U.S. citizens or nationals of the countries visited who participated in the conduct of the activities or received their benefits or were knowledgeable about the activities. A listing of the persons is given in Attachment 2. The number of interviews with persons who had participated in the exchange programs was limited by the fact that many of the U.S. participants had returned to the U.S. and were scattered to their points of origin and that there was no comprehensive listing of the names and addresses of all the nationals of the countries visited who had participated in the activities being assessed. Partly because of those limitations and partly because the major activities, in funding levels and apparent impact, were those supported by the IMF, the Evaluation Team put its principal focus on assessing those IMF activities. However, the team heard many observations concerning the training programs which are reflected in this report.

B. POLAND

The Evaluation Team conducted interviews with over 20 persons in Poland. These included the representatives of the Office of A.I.D., the PAO and the Press Attache of USIA; the

3-21-92

Media Advisor to the Council of Ministers; senior editors of two prominent newspapers; the Director and Editor in Chief of Polish Television and the Program Director of Polish Radio; the Director of the Polish Television Training Center; the Director, TV Coordinator and several students at the Media Resource Center; the Director of the Polish Institute of Management; and working journalists and television anchor persons.

The following discussion presents the Evaluation Team's analysis of the current situation facing the media in Poland, its assessment of the media related activities underway and under consideration and its recommendations for future action.

1. Current Situation

Of the three countries we visited, Poland is furthest along the road to a totally free press. Indeed, it would appear that Poland is well on the way to finding its own direction in the world of media. Less than three years ago there were only three private radio stations and one private television station. Today, there are at least 45 private radio stations and 18 private television stations. The newspaper field has exploded, and it is estimated that more than 200 new publications are now in existence.

A new media law has been passed and, although some concerns have been expressed, it has been given a good reception by most senior media people. The major concern is over a clause which calls on the media to recognize Christian values. It is generally accepted that the law will undergo some more positive changes as the new media continue to improve. The law also provides for a four-year term for the Director-General of state television, giving him some protection from political pressure.

Television and Radio

State television now has two national channels. Two other national channels are available. The Catholic Church is expected to get one and the other probably will be awarded to state regional outlets to form a state network. There are also 18 private or "pirate" stations operating without licenses on a localized basis. The pirate stations carry mostly foreign programming but do provide some news with their very small staffs.

In Warsaw, the two private stations claim to have taken half the audience away from state television. However, most people still watch the state channels for news, with 18 million tuning in every night for the 7:30 PM news. Most of the news on the state channel is political or foreign with little coverage of other everyday issues. Regional state stations carry the network signal but are allowed to opt out for a few hours every day to carry local programming.

397
194

State television started carrying commercials 2-1/2 years ago and the private stations are carrying very crude commercials most of which are just text across the screen. There is considerable doubt that private television will have the revenue in the foreseeable future to compete with state television in information programming.

Private radio, which has exploded all over the country, is good. The big success, Radio Zet, is considered by many Americans living in Poland to be as good as U.S. radio. State radio has responded to this challenge and is evidently a good source of objective news in Poland.

A new government commission is just being appointed to rule on radio and television frequencies and to award new licenses. They have already received 700 applications for radio licenses and over 200 for television.

Journalism

The major weakness in all media is that there is still too much opinion and not enough fact. There is not a tradition of pursuing the real facts and most journalists don't know how to properly research complex subjects. This situation is complicated by the battles going on within media circles. As one observer said: "When journalists meet, they talk about politics, not journalism." The major battle is between the old guard, many of whom are still in high media positions, and the new guard composed of those who led the dissident movement in the 1980's. A further complication is that there are at least seven different journalist associations as even those once united by the underground movements are now fighting amongst themselves. As a result, young journalists do not have a role model because there is no one journalistic community.

The journalism schools also are not a part of the solution. They currently provide almost no practical training. Most senior media people agree that the curriculum must be totally overhauled, but there seems to be no movement towards change within the schools themselves.

2. The Media Resource Center

The most important entity related to the media in Poland with which AID financing has been associated is the Media Resource Center.

Description

The Center was originally set up in 1991 under the direction of Professor Jerome Aumette, Director of the Journalism Resources Institute at Rutgers University. It was used primarily as the base for various seminars by visiting experts from the U.S. and for teaching journalism courses to university students. Since September 1992, the director of the Center has been Jane Dubija, a Polish-American who has lived in Warsaw for the past 10 years. Through the 1990's, she was a correspondent for U.S. National Public Radio and reported

on the dissident movement and the eventual overthrow of the Communist government. She has started and operated two newspapers in the post-Communist era, both of which failed for economic reasons. Since Ms. Dubija's appointment, the Center has undergone a rebirth and is now the centerpiece of all USAID media efforts in Poland.

The full-time staff of the Center consists of a secretary and a television coordinator. There are part-time radio and print coordinators; other local resources are brought in as needed. Ms. Dubija is paid for 80% of her time. She is also the Director of the Central and East European Media Center (CEEMC) funded by the Polish Journalists Association. The Center is located on two floors of a downtown building shared with the Polish Journalists Association. This arrangement has resulted in a close co-operation and joint planning of training with the Journalists Association.

The major activity of the Center is providing journalism courses for students. Five courses are now being offered: two for print, two for radio and one for television. Each of the five courses consists of one four-hour class each week for 14 weeks. There are approximately 20 students registered in each course for the 1992-93 year although some are attending more than one course. Almost all of them are students from the University of Warsaw and many of them are from the journalism faculty. (The university curriculum is all social and political sciences and does not teach any practical journalism courses. Furthermore, the university recently canceled its graduate journalism course.) The different classes which were observed were impressive. They appeared to be well taught, and there was considerable debate between teacher and students who seemed very bright. The students all said they could not get such practical teaching anywhere else, and they asked that the courses be expanded.

Other activities at the Center include: (i) conferences and training seminars, most of them in conjunction with the Central and East European Media Center. (A list of 20 such events were held in 1992 (see Exhibit 6); (ii) provision of advice and consultation for young media entrepreneurs; and (iii) informal meetings of Polish journalists to discuss journalistic issues.

Accomplishments To Date

The accomplishments of the Center to date have been impressive. Among them are the following:

- Enrollment in the journalism classes has risen from 10 to over 60 in the past year.
- Many of the students have gone quickly into jobs in the media, sometimes while still attending the courses. (Exhibit 7 is a list of 27 former students and their current employment.)

27
1996

- Because of the growing reputation of the Center and Ms. Dubija's close contacts with the local journalistic community, there is a growing list of requests for help from independent radio and television.
- Ms. Dubija's stature in the Warsaw journalistic community has resulted in the Center's being integrated into this community.
- The Union of Polish Newspaper Publishers recently requested a seminar on management and advertising. It was so successful that they have now asked the Center to host three more for small, medium and large newspapers.
- The Polish Committee for Unesco recently asked Ms. Dubija to be a member of the committee on information and mass media.
- The Center recently organized a media-government seminar as a joint effort with the Central and East European Media Center. The seminar attracted top government officials and the Prime Minister attended the closing dinner and showed her interest by staying for three hours.
- The Center has translated the BBC guide on journalistic ethics and practices into Polish. Polish state television is now distributing it to all its journalists.
- Jarek Wlodarzyk, a University of Warsaw student who attends the Center's courses, asked for advice on starting a student newspaper. Ms. Dubija helped him draw up a business plan and she and her staff assisted with the first two editions of the paper, called Auditorium. Ten thousand copies of each edition were picked up by university students within two hours of distribution. Advertising is now being sold and the student has been funded by the European Journalism Network to carry him through the next six months until the publication becomes viable commercially. He then plans to establish it on 12 campuses. In the past there were no student newspapers in Warsaw.

Future Plans of the Center

Ms. Dubija has defined the Center's goals as follows: (i) to help people in journalism in the transition from a controlled press in a totalitarian state to a free press; (ii) to define the role of the media and help the media fulfill that role; (iii) to teach new skills that were not provided in the Communist or underground press; and (iv) to see that journalism is suitable to the norms of the country and is a model that fits with society's mores. Ms. Dubija's long-term objective for the Center is to have it offer a full one or two-year journalism course. Her more immediate plans are to expand the curriculum with courses in English, journalistic ethics, management, advertising and sociology. Jacek Poprzeczko, Deputy Editor of *Polityka* and Deputy Chairman of the Polish Publishers Association, said that he has discussed with Ms. Dubija the possibility of using the Center as a base for a new journalism school.

297
197

An Academic Council, with representatives of the Polish Journalists Association, has just been created to work on future plans for the educational program to be offered at the Center. A staff committee has been formed to decide on such issues as: tougher criteria for entrance to the courses as applications increase; fee schedule (the students now pay only a token amount); a formal program evaluation by the students; a more detailed tracking of student placement in the media. The staff also will be looking at other ways to raise funds to support an improved curriculum. For instance, the new studio possibly could be used as a production center for students to make commercials and programs for sale to independent stations which are desperately short of this kind of material. The Center and the CEEMC will soon start the publication of a monthly bulletin, in English and Polish, to publicize the activities of the Center.

Problems and Constraints

A serious problem is the nature of the ongoing supervision of the Center from Rutgers University. There was common agreement with IMF staff in Washington, Embassy staff in Warsaw and the Center staff that the time has come for severance of the ties with Rutgers. Professor Aumette did a valuable job in creating and supervising the Center through its first difficult years. The consensus now is that the situation in Poland is changing so rapidly that local direction is needed on a day-to-day basis. Administration of the Center has been difficult to manage because of long delays in decisions from the U.S.

A second serious problem is a shortage of staff at the Center. The demands have become too much for the few people involved.

Recommendations

We strongly support continued (even expanded) support to the Center. It has had important success and has the potential of being a center of excellence for the whole region. To assist the effort we recommend that the following steps be taken:

- Appoint a Board of Directors to ensure a proper business approach to an expanded program. The IMF and the U.S. Embassy in Warsaw should be represented on the Board. This can be followed by a severance of the ties with Rutgers University.
- Request that a full business plan be prepared annually in which objectives would be set and reported on quarterly.
- Prepare a strategy for a slow withdrawal of A.I.D. funding, probably starting in the third or fourth year, so that the responsibility for an improved press is taken on by Polish organizations associated with the Center.

Benchmarks

The success of the Center can be measured in several ways. Some of them are listed below.

- Detailed tracking of employment in the media of graduates from the Center's courses.
- A postmortem on all seminars. This would include a report by the seminar leaders and also an evaluation report by all participants.
- A course evaluation by all students at mid and end-term.
- An on-going record of the applications received each year for the Center's courses.
- Quarterly reviews of the objectives set out in the annual business plan.

3. Solidarity Information Service

This is a new independent service founded to provide radio voice reports to the hundreds of new independent radio stations springing up all over Poland. The only other news service is the Polish Press Agency which is run by the government. It provides services only in print. In any event, most of the independent radio stations appear to want service from a non-governmental agency. Few of them can afford to have their own correspondents in the various cities and regions of the country.

The IMF has provided a very modest amount of assistance to this new service. We heard several favorable comments about it from senior media executives, but were unable to arrange a visit to the service itself. We cannot make any recommendation concerning future support.

4. Overall Assessment and Priorities

The overwhelming focus of the use of the resources of the program in Poland has been on the Media Resource Center with the balance going for various types of training. The support for the Center has been important to the Center's progress. Since the Center is becoming a major vehicle for the training of media professionals the program would seem to be making a significant contribution to strengthening the independent media. Thus our priority recommendation for the future is that the program continue its support for the Media Resource Center. This is based on our observations of the center's activities and on the general opinion we heard concerning its operations. It has high potential for being a major force to support the independent media.

C. LITHUANIA

The Evaluation Team conducted interviews with over 15 persons in Lithuania. These included the Political Counselor of the Embassy, the Representative of A.L.D., and the PAO of USIA; the Director and the Technical Director of Lithuanian Radio and Television; the Managing, Program and Engineering Directors of Lithuanian Television; the Director of Channel 3; the Director of a private radio station; the chief Editor of two newspapers; the Head and a professor at the School of Journalism of Vilnius University; and the Director of the Baltic News Service.

The following discussion presents the team's analysis of the current situation facing the media in Lithuania, its assessment of the media related activities underway and under consideration and its recommendations for future action concerning those activities.

1. Current Situation

Everything in Lithuania is dominated by the terrible economic conditions facing the country. People have been without heat in their homes all winter and inflation has been so bad that most have barely enough money for food. There has been a 30% decline in agriculture production and a 50% decline in industry. Conditions became so bad that in a recent election the former Communist party was returned to power under a new name. The new government is trying to improve relations with Russia in an attempt to keep many of the factories open.

There is a free press but much of it is a spinoff of former Communist publications with many of the same people in positions of power. Although the government does not appear to exercise any direct control over the content of state radio and television, the recent change in government resulted in new personnel in the top positions and their attitudes have yet to be tested.

Television and Radio

There are currently four television channels seen in most of the country. There are also 11 small municipal television stations scattered around the country which are financed by local governments on low frequencies and broadcasting only a few hours a day. Two of the nationally seen channels are in the Russian language, originate in Moscow and carry no Lithuanian programming. Another is a Polish channel. The fourth is operated by the government but carries very little Lithuanian programming. It just suffered a 25% budget cut; is badly overstaffed and has antiquated facilities. Two other channels, available only in the area of the capital, have recently been dormant but licenses have been granted to independents who are now attempting to get them on the air. Advertising dollars are almost non-existent and most observers believe that private television will have a difficult time surviving.

There is general agreement that state television is improving, and we were told that everyone watches the main evening news on state television. However, the Russian private channel, Ostankino, is evidently still the most popular channel. The quality of its entertainment programming, which includes some old U.S. series, is much higher than Lithuanian television and everyone in Lithuania speaks Russian. (Russian is the second language as it has been taught for three or four days a week in the schools. However, this is rapidly changing as instruction in Russian is being reduced to one or two days while English is being taught for three to five days. The Baltic countries have strong ties with the Scandinavian countries and are looking to their lead in having English as the second language.)

Private radio has developed strongly since independence and now gets the highest audiences, primarily because of its Western music. The stations have very small staffs and carry very little news. State radio, with its large news staff, is still the major source for news on radio.

Newspapers

As in all Eastern Europe countries, the newspaper industry has grown enormously. It is now estimated that there are over 200 newspapers, most of them weeklies. Editors with whom we talked said there was no direct government pressure on them concerning the content of their papers. However, with one exception, all the newspapers are printed on state-owned presses and distributed by a state-owned company; and it is evidently a not uncommon practice for the state to let its displeasure be known by altering printing and distribution schedules. One newspaper, the Standard, has bought its own presses, but they are old and the quality of printing suffers in comparison with the state-printed newspapers. Some newspapers are also experimenting with home delivery by retired people in an attempt to break away from the state monopoly, but this accounts for only two or three percent of distribution to date.

Because of the poor economy, many newspapers are failing and circulations and advertising revenues either remain stagnant or are decreasing. As the editor of one newspaper said: "My biggest problem is the economic situation -- people don't have the money to buy a newspaper."

Journalism

Although the consensus is that a free press does exist in Lithuania, everyone agrees that truly objective journalism does not exist. As seems to be the case in all East European countries, opinion holds sway over facts in all the media. At least there is pluralism and all opinions are heard, not just the one opinion of previous Communist governments.

2. The Liucija Baskauskas Network

Description

Ms. Baskauskas, a Lithuanian-American who has been living in Vilnius for the past three years, has accomplished the amazing feat of obtaining a seven-year license for one of the only three country-wide television channels in Lithuania. The license issued to her by the Lithuanian government gives her an option for a five-year renewal at the end of the first seven years. The system, known as Channel 3, is currently carrying the Russian state channel from Moscow in the Russian language and with no Lithuanian content. Ms. Baskauskas' license allows her to replace the Russian programming with Western and Lithuanian programming.

Ms. Baskauskas is currently receiving some funding from the Frittord Foundation of Norway. This is covering her largest current expense of \$300,000 per year for power to run the transmission system within the borders of Lithuania. She needs a capital investment of between \$500,000 and \$1 million. This would provide her with a studio and facilities for the broadcasting of Western programs with Lithuanian subtitles, and for the production of Lithuanian programs. She has approached various organizations for funding, including the IMF in Washington. IMF representatives have visited her twice in Vilnius, and she has made two trips to IMF offices in Washington, one as recently as January 1993. IMF has a detailed list of her equipment needs and she is optimistic that a favorable decision will be made soon.

Accomplishments To Date

- She has obtained a license good for 12 years.**
- She has obtained funding to finance her current costs.**
- She has obtained space in the Vilnius television complex and has renovated it in preparation for the installation of studio and production equipment.**
- She has completed negotiations for the acquisition of Western programming. She has a commitment from the U.S. Discovery network for 200 hours of programming. She will receive it at no cost until the advertising market improves and she will then give Discovery 50% of the ad revenues on the programs. She has made similar deals with the British Broadcasting Corporation for its World News Service and Asian Service and with Euro Sports and Euro News.**
- She has run full-page questionnaires in all major Lithuanian newspapers to learn viewing habits and interests of current television viewers. Over 10,000 replies have been received and they are still coming in.**

- She has made formal applications to many funding organizations and is optimistic about receiving help from the European Bank for Reconstruction and from the Soros Foundation.

Future Plans

Ms. Baskauskas says she has the following objectives:

- Start showing non-Russian programs, primarily from the West.
- Improve the quality of the Western programming and add sub-titling in Lithuanian to help viewers learn English.
- Produce Lithuanian programming, including news.
- Increase news programming gradually until she hits 16 hours per day.
- Provide considerable educational programming in the afternoon hours. Her questionnaires are showing a high demand for this kind of programming with specific requests for help in planning proper diets, raising families, training nurses, providing agricultural advice, etc. She has hosted several successful series on Lithuanian state television on privatization and how to start a business.
- Collect news from the local municipal stations and re-transmit it to the entire country to provide a service that is not available in Lithuania.
- Her ultimate objective is to expand the network to cover the other two Baltic nations, Latvia and Estonia.

Problems and Constraints

Ms. Baskauskas' plans are very ambitious and she is still looking for most of the funding. Indeed, outside funding will have to carry her for the foreseeable future as advertising revenue growth will be very slow due to the weak economy. She also needs considerable expertise if she goes ahead -- advisors in station management, programming, technical, advertising and finance. She would welcome visiting trainers in these areas.

Recommendations

- We recommend that the IMF provide at least part of the financing Ms. Baskauskas needs to get on the air with subtitled Western programming. It is impossible to meet Ms. Baskauskas without being excited by her enthusiasm and her incredible accomplishments to date. If she succeeds the impact would be tremendous. Sixteen hours a day of Russian television would be eliminated and replaced with a window

107
203

on the Western world. Lithuanians are intensely interested in the West. They were among the most isolated countries during the Soviet regime as less than 100 people a year were allowed out of the country for any reason.

- Our only concern is that her enthusiasm and energy need to be harnessed to a detailed business plan. A detailed analysis of her current financial situation should be done before a final commitment of funds. Consultations should also take place with other possible funding organizations in an attempt to give her a solid base for the next few years.

Suggested Benchmarks

- A business plan with quarterly objectives should be completed by an early date.
- A Board of Directors should be appointed to supervise a quarterly review of targets set for programming agreements, programming production, advertising revenues, staff hiring, audience reaction/ratings, budgeted operating costs, etc.

3. Vilnius University School of Journalism

Description

The journalism faculties at Bulgarian and Polish universities are poor and appear to be resisting change. It was a delight to find exactly the opposite -- a real enthusiasm for change and improvement -- with Marius Lukosiunas, Director of the Vilnius University School of Journalism, and Ina Navazelskis, an American-Lithuanian who is the Baltic correspondent for Newsweek and teaches journalism courses at this school. They are both working on a total overhaul of the curriculum. Old Soviet-ordered courses on Scientific Atheism and Marxist theory have already been dropped. Many courses in practical journalism are being added and Ms. Lukosiunas says she has been given complete freedom to design the new journalism courses. Ms. Navazelskis also says she has been given total freedom for the last three years to teach her course in Western journalism. She is also teaching a course on objective news reporting, the difference between fact and opinion. She is using visiting foreign correspondents, ambassadors, etc., as visiting lecturers.

USIA has funded some teaching at the school and the head of the VOA Lithuanian service, Romas Sakadolakis, lectured at the school last year and left some radio recorders with the faculty. The IMF is giving consideration to funding a student radio station and providing some computers, radio and television equipment and software for teaching practical journalism courses. Professors Joseph Slade and Don Fourney, who conducted seminars in Lithuania in 1992, recommended that help be given to the school. Professor Irving Fang of the University of Minnesota, who spent three months in Lithuania in 1992, also recommended that teaching equipment be donated to the University at Vilnius.

HT
204

Accomplishments To Date

- **There has been an obvious improvement in the calibre of the students in the past year or so. Most new students speak English, which was not the case just two years ago, and they are now, under encouragement, asking bold, pointed questions about the serious issues of journalism.**

Future Plans

- **Complete plans for a new curriculum.**
- **Decide on whether the course is to be four or five years.**
- **Obtain funding for the purchase of needed equipment. At the moment, students do not even have typewriters, let alone computers.**
- **Pursue plans for a student radio station.**

Problems and Constraints

- **Lack of equipment hinders the move into practical courses of journalism.**
- **The tradition of partisan journalism is difficult to overcome. Relationships between government, the media and the public still have to be worked out in this new society.**

Recommendations

- **That a commitment be made to the school to provide the requested list of equipment for the next semester.**
- **That funding be provided to the school for a student radio station patterned after the one funded by the IMF at American University in Blaevograd, Bulgaria. (See part D 4 below.)**

Benchmarks

- **Set a deadline for introduction of a new journalism curriculum.**
- **Request annual analysis of the hiring experience of course graduates.**
- **Set an on-air deadline for a student station.**
- **Appoint a Board of Directors for the station.**

- Have the Board request a business plan with quarterly objectives to be reviewed by the Board.

4. **Baltic News Service**

Description

This is a wire news service based in Vilnius. It is one of three sister companies located in each of the Baltic states. It is the only news service currently operating other than the state-run service. The company was originally started as a sub-division of a joint Estonian-Swedish effort. Its service was especially important in the early days of independence as the state service, Elta, was slow, bad and not objective. The state service evidently has improved because of the competition. The agency specializes in economics, energy, unemployment, and other business related topics. The service is currently being purchased by all news outlets in Lithuania. Four new commercial radio stations take only the Baltic News Service. Most of its revenue now comes from the English service it provides to businesses and embassies.

The Baltic News Service has an outstanding reputation for being first with stories. All the senior media people we talked to in Lithuania praised the quality of the Service, especially its objective approach to the news. It is seen as totally independent from any power source. In fact, it has received several veiled warnings from the government about some of its reporting but claims it ignores them and adds that it is not concerned with these minor pressures. A visit to the newsroom leaves the impression that the company is doing very well financially with computer setups at all work stations.

The Baltic News Service received funding from the IMF to help in setting up a communications system. The head of the Vilnius office was high in his praise of the training that also had been provided by the IMF on several occasions. The assistance appears to have been well spent in helping to start an independent news agency which is considered an important contributor to the growing free press in the Baltic countries.

Recommendations

- It would appear that Baltic News is now at the stage where it can progress on its own. We therefore recommend that no further funding be provided unless there is proof of severe need.

5. **Overall Assessment and Priorities**

The program provided a very modest amount of assistance to the Baltic News Service which has established itself as a source of reliable information. That is a success. More important, the program has established contact with two potentially important institutions whose programs are described above. Thus, our recommendation is that the highest priority be

given to supporting the strengthening of the Vilnius University School of Journalism and that second priority be given to assisting the Liucija Baskauskas Network to get access to subtitled Western programming and to the technical assistance needed to strengthen its capability.

D. BULGARIA

The Evaluation Team conducted interviews with 15 persons in Bulgaria. These included the Representative and Activity Manager of A.I.D. and the PAO of USIA; the owners, directors and employees of several private radio stations; the Director General, Program Producer and News Anchor of Bulgarian National Television; the Director of the Center for the Study of Democracy; the President of the Leff Information Service; and a Fulbright exchange scholar at the University of Sofia.

The following discussion presents the team's analysis of the current situation facing the media in Bulgaria, its assessment of the media related activities underway and under consideration and its recommendations for future action concerning those activities.

1. Current Situation

Bulgaria's transition to a democratic free market society is going to take longer than originally projected. Bulgaria is suffering from severe economic constraints. It is estimated that unemployment is approaching 16 percent and inflation accelerated to approximately 80 percent in 1992. Even higher estimates of inflation were offered during meetings with Bulgarian television officials. Bulgaria accurately can be described as being in a state of flux economically. In the media sector, this unstable economic condition appears to have the greatest negative impact on television and radio.

Bulgaria's progress towards a free press appears to be much slower than in Poland and Lithuania. All major newspapers are tied to a political party or labor union or are financed with mysterious money believed to be funds smuggled out of the country by Communists and now being smuggled back in for private purposes. The problem of more opinion than facts seems more serious here. However, the U.S. Ambassador, who is back in Sofia after an earlier stay, says the difference between then and now is like night and day. There is evidently an increasingly open dialogue on radio and television, and polls have shown that people believe there is a high degree of objectivity on radio and TV unlike newspapers which they think are more opinion than fact.

Radio

There are now 12 private radio stations, most of them having been started in the last six months. Four of the stations were started with financial help from IMF and one of them was the first independent station in Bulgaria. However, the most popular new independent station, Radio Express, was started without U.S. help. Forty-two radio licenses have been

issued by the government, but most have not yet made it on the air.

The state has four radio networks with the main one getting 50% of the audience. The new private stations are sharing almost 40% of the audience in Sofia. This is remarkable considering that only 60% of listeners get the new FM stations and that the government maintains a monopoly of AM broadcasting for itself.

Television

Television is still dominated by the state with two channels, but only one is seen nationwide. The only other functioning TV channels are Ostankino from Moscow and TV5 from France. Two private television licenses were granted some time ago, but the recipients did not proceed because of the very doubtful economic prospects. The new head of state television said he believed it will be at least 10 years before private television is commercially established. Of course, he may be exaggerating in order to support his position that state television deserves support.

The state television network carries very little Bulgarian programming. It produces only 6% of its entertainment programs and a total of 140 minutes a day of information programming. The remaining hours are filled with foreign programs. The Russian channel has superior entertainment programming and is getting about 40% of the audience in Sofia, the capital city. Inflation has reduced the network's spending power by two-thirds in the past two years. Budgets are being handed out by the government one month at a time. The new Director-General, Mr. Hacho Boyadzhiev, told us that if his new budget is not approved soon, he will have to cancel programs. He also said he needs \$100 million to modernize his facilities. A tour convinced us that his figure is probably underestimated.

Mr. Boyadzhiev is the fifth Director-General in three years. He was chosen by a direct vote in parliament after his predecessor was fired for political reasons. There is a radio-television committee of parliament, but even Mr. Boyadzhiev admits no one pays any attention to it. A new media law has been debated, but we were told that it would be a long time coming as the government prefers having no rules to hinder its actions.

The state network accepts advertising, but there is very little of it. Mr. Boyadzhiev hopes to move most of the information programming to Channel 1 and make Channel 2 more of an entertainment channel. He proposes to sell 49% of this channel to private interests and then attempt to make a profit which he can use to improve Channel 1. This would make it even more difficult for any private channel to survive.

Assistance

Most of the U.S. help has gone to four activities: (i) the Center for the Study of Democracy which has helped put three new independent radio stations on the air; (ii) a student radio station at the American University in Blaevograd; (iii) a private radio station in Sofia, Radio

Tangra, which is now the second-highest rated independent station; and (iv) Leff, the first independent wire news service in Bulgaria.

2. Radio Stations of the Center for the Study of Democracy

Description

This project started in the fall of 1990 when the Center first contacted the IMF. At the time it was almost impossible to start any media outlet without funding from some power base which then influenced program content. The IMF funded studio equipment and the station, Radio Vitosha, went on the air in April 1991 with VOA material in English only. In January 1992, the station started carrying some local programs in Bulgarian and since then has been slowly reducing the VOA content in order to retain its audience against the other new independent stations. It is now producing 263 minutes a day of its own material with the remainder being mostly music coming from the VOA. From approximately 8:00 a.m. until 5:00 p.m., it carries news on the hour in Bulgarian plus several 24-minute blocks of analysis, discussions, advice, etc.

Radio Vitosha, which had been broadcasting on a state transmitter, has just switched to its own more powerful transmitter and so is free of any government interference to its signal. There are now 20 people on its staff and management is very optimistic about the future. The station started carrying advertising when Bulgarian programming started in January 1992. They estimate that just one minute per hour would carry their current costs. However, they have been existing on mostly barter, giving free promotion in return for the hotel space they are occupying and for furniture, computers, etc.

The Center has started two other stations, one in the city of Plovdiv and one in the city of Varna. They took the same approach of starting with VOA material and slowly replacing it with their own production. Plovdiv received studio equipment from the IMF while Varna is operating with rented equipment, volunteer staff and some financial help from the Soros Foundation. The Center has asked the IMF for funding to purchase additional studio equipment and a transmitter and says this step is crucial to the future of the Varna station since it would permit it both to increase the scope of coverage and be fully independent of the use of state-owned facilities.

Accomplishments to Date

- The Vitosha and Varna stations were the first independent stations to break the state monopoly, and they have helped set standards for new, independent radio stations.
- A recent attitude survey of 1,500 people showed that Radio Vitosha in Sofia was getting 5% of the audience and getting the younger and better educated listeners. The survey also showed that people were listening primarily for music, local news and news from the U.S. A listenership survey is being done in Varna in April. Its

4/21/2011

management believes it is either narrowly in first place or a strong second to the state station.

- Advertising revenue is growing, but slowly. The stations are now offering a three-city package to advertisers.

Future Plans

- More training for the staff at all three stations is planned. The International Executive Service Corps is sending a radio management expert to spend a month teaching primarily advertising, sales and marketing. They also hope to arrange training for journalists in professional standards and ethics.
- The Varna station is to obtain additional studio equipment and a transmitter.
- The Plovdiv station is to negotiate a \$40,000 loan from a bank to continue improvements and move the station from its current space in the trade union building to a hotel to remove any suspicion of union influence.

Problems and Constraints

- Independent radio is growing rapidly and is increasing its ratings. Many of the independent stations are extremely well financed with "Red" money -- mysterious funds thought to be brought back into the country by former Communists. For instance, the most popular independent radio, Radio Express, has almost no advertising but has a staff of 80 and reporters in mobile radio cars. It would appear that the Center's stations, still carrying a lot of VOA material, will have a very tough battle getting the necessary commercial revenue from the fragmented advertising market. However, the stations assert that they are close to breaking even.
- We must say here that we were somewhat disturbed by the very posh quarters occupied by Radio Vitosha in the most expensive hotel in Bulgaria. The offices were extremely well decorated and equipped. The staff, from management to secretaries, were the best-dressed people we saw in Bulgaria. The Center for the Study of Democracy was also in impressive quarters.

Recommendations

- No further help should be provided to Radio Vitosha without a close examination of the cost effectiveness of its operations.

- We support the request for equipment for the Varna station. However, our concern about its ability to survive in a very difficult market, leaves us with very mixed feelings. Its financial prospects should be examined in detail.

Benchmarks

- Detailed quarterly reports should be demanded on revenues, ratings, staff numbers, barter deals, and Bulgarian programming content.

3. Radio Tangra

Description

Radio Tangra went on the air in Sofia in December 1992 with studio equipment and a transmitter provided by the IMF. The station is located in a renovated premises in a university student arts building, but has severed its earlier ties with student associations. It has a staff of 24, including four journalists, and has contracts with six newspapers, bartering promotion for access to the newspaper's reporters. Music is the station's strength, but it also runs special programs for students on current issues.

The two owners, former musicians, say that it would have been extremely difficult to start without the IMF's help. They claim that theirs is the only truly independent station since they are operating on their own money, obtained by a bank loan with their apartments as collateral, and since the three radio stations discussed in part (2) above are still heavily depend on material supplied by the VOA. In any event, commercial revenue is growing. The station has raised commercial rates twice since going on the air. Commercials are up to 25 a day from a start at about six a day. The station is almost breaking even. They believe they can cover increasing costs and break even in six months. However, the staff is working for very low wages until they have more success.

Accomplishments to Date

- After just one month on the air, the station was third in ratings with 6.6% against 50.5% for the state Channel 1 and 16% for Radio Express. The latest ratings show that Radio Tangra is still in third place but up to 9.5% with state radio and Radio Express unchanged. Its biggest success is with young people between 10:00 p.m. and midnight when a music program starts with 15% of the available audience and peaks at 24% at 11:30 p.m.
- The station is now broadcasting 24 hours a day after starting with 18 hours.

Future Plans

- Production of more talk and phone-in shows.
- Production of live concerts by local bands tied-in with the production of CD recordings.
- More training for staff, especially in sales, promotion and management.

Problems and Constraints

- They do not appear to have any major problems. Although lack of advertising dollars makes it very difficult marketplace, the owners are very optimistic about the future.

Recommendations

- When asked directly if they needed any more help from the IMF, the owners said they had difficulty with the maintenance of equipment -- that there was not anyone in Bulgaria who could help. They also said they would welcome training. Since the IMF's help has got them off to a good start, we recommend that training be provided as well.

4. Aura Radio at the American University in Bulgaria

Description

This station has a five-year government license and had been on the air just six weeks when we visited it. The IMF signed a contract to provide \$25,000 worth of equipment. The first shipment of facilities worth \$13,000 put them on the air. The IMF has a list of the remaining equipment needed and station staff are anxiously awaiting delivery.

The station has an agreement with VOA to run a minimum of 12 hours a day of VOA material, most of it music. The station currently carries VOA material from midnight until 6:00 p.m. The station also has an arrangement with BBC for free access to its satellite news service for the time being. The station staff programs the 6:00 p.m. to midnight period with news on the hour, seven days a week. The staff also are producing evening talk shows dealing with subject matter not previously heard in Bulgaria -- issues such as sexism, discrimination against homosexuals, family problems. They are also dealing with local politics.

Day-to-day direction is provided by the student General Manager, Khristo Grozev, and five student directors of music, news, technical, advertising and marketing. There is a Board of Directors composed of Mr. Grozev, three faculty members, one student not involved in the

427
212

station and two local citizens. The staff consists of 15 students who work part-time and receive a credit from the school of journalism. We were impressed with their enthusiasm and accomplishments. The station hopes to start giving token salaries soon, but the biggest expenses are for telephone, transmission and music rights. The station still owes 50,000 Leva (\$1,923) for the frequency license and 15,000 Leva (\$577) for studio construction costs.

Accomplishments to Date

- A telephone survey after the first two weeks on the air indicated a high interest in the new station. It claims that 75% of the cafes in Blaevograd where it is located were tuned to the station. A more scientific survey is now being conducted by a university professor. When the station runs phone-in shows its two phone lines are tied up constantly.
- Although the city's population is only 50,000 and advertising is almost unknown, the station earned 30,000 Leva (\$1,154) in commercial revenue in the first month.
- It has just completed building a new, more powerful antenna which is currently being installed and will extend the range to a 35-kilometer radius of the city.
- It has just built a second studio, lining it with eggcrates, and is waiting for more equipment from the IMF so it can do production work while the first studio is on the air.

Future Plans

- A one-half hour daily news program at 9:30 p.m. using Radio Free Europe as its major source of material.
- A soap opera-comedy about two Bulgarian families. It is currently being written by students and will be run in daily 15-minute segments and repeated in a block on Sundays.
- Expansion of its own Bulgarian programming until VOA material is reduced from 18 to 12 hours.

Problems and Constraints

- Inability to finance the purchase of rights to good music.

Recommendations

- The IMF should provide the \$10,000 promised for equipment (tape machine, mixer panel and microphones) for a second studio to do production work.

- U.S. Embassy staff in Sofia should keep watch on the station and be prepared to make recommendations if more help is needed in the near future.

Benchmarks

- Request quarterly reports from the Board of Directors on increases in Bulgarian programming; increases in commercial revenues; ratings; integration with the school of journalism, etc.

5. Leff Information Service

Description

Leff is a new, independent wire news service that specializes in economic news. The only other news agency in Bulgaria is run by the government. The company was founded by Boris Basmadjiev, a journalist and magazine publisher. With a full-time staff of seven and part-time staff of six, he produces a 70-page report daily which he delivers by hand to his customers. Leff claims to have a lot of credibility as a totally independent operation, not tied to any political faction and therefore taking an objective approach to news. This was borne out in several interviews we had with senior media executives.

Leff has received \$25,000 from the IMF for a communications system which is now being installed. This will enable Leff to deliver its service electronically. Leff's major target will be the regional radio stations and the 200 new regional newspapers which cannot afford the government news service. Leff has done a market survey and believes that with electronic delivery it will immediately add 30 to 40 papers and 10 to 15 radio stations to its customers.

Accomplishments to Date

- Leff recently won a contract from Dow Jones to represent that prestigious agency in Bulgaria and to be the exclusive carrier of its service. Other much bigger companies competed against Leff, but it believes its reputation for independence made the difference. This has given Leff a big advantage as it believes all major media outlets will buy its service to obtain access to Dow Jones while smaller outlets will buy because of the lower cost.
- Leff is close to concluding a similar contract for rights to United Press International.
- Leff has received funding from the Soros Foundation for equipment to access satellites for sending and receiving news.

Future Plans

- **If Leff receives another \$25,000 from the IMF, which it says has been promised and is on the way, it will be able to finance a major expansion into more work stations for reporters and facilities for picture and radio receivers.**
- **Leff will hire freelancers in 12 regional cities.**
- **Leff will negotiate deals with its regional customers for them to provide news from their areas on a fee per item basis.**
- **Leff plans to expand its full-time staff to 20 as it gains new customers.**
- **Leff plans to publish a digest of Bulgarian business news to be sold to hotels and embassies.**

Problems and Constraints

- **Leff needs training for its staff and would like to send one staff member to spend some time at one of the better news agencies.**
- **Leff needs help in gaining contacts for possible deals with other news agencies.**

Recommendations

- **The IMF should provide Leff with the additional \$25,000 it needs for expansion.**
- **Leff should be made a priority for training in the next six months.**

Benchmarks

- **Quarterly reports on number of new customers, staff additions, new arrangements with other wire services, etc.**

6. Overall Assessment and Priorities

The program in Bulgaria was the most active of the three which the Evaluation Team observed. It has contributed to the strengthening of five private radio stations and an independent new service. Building on this experience, our recommendation is that future priority be given to supporting the radio station at the American University and the Leff Information Service. We see both organizations having a good potential for providing services to population groups key to the effective installation of a market economy and

43 3/25

comprising current and future opinion leaders. The commercial radio stations could use additional assistance but their current operations raise some concerns about their cost effectiveness and commercial viability.

The major shortcomings of the program to date is that it has not found a way to work with television or to strengthen the training of journalists and other media professionals. This reflects the local situation rather than any failings on the part of the program planners and managers. Nevertheless, we suggest that the program place emphasis on seeking to identify and assist an in-country training mechanism such as those being assisted in Poland and Lithuania.

E. OVERALL ASSESSMENT AND RECOMMENDATIONS

1. Overall Assessment

Based on the previous discussion of country programs the following are the Evaluation Team's common findings and recommendations.

A free press now exists in Eastern Europe just three years after the end of Communist rule

The old state monopolies have been replaced by hundreds of new independent media outlets, mostly in the print media, but many in radio and some in television. For instance, it is estimated that over 1,000 newspapers have been started in Poland in the last three and one-half years (most of which have failed because the market place cannot support that volume). There are still some hindrances to the free press, especially in the area of television, but the fact remains that anyone can start a newspaper, and hundreds have, and be left free to express opinions on any issue. Indeed, all political views can now be read or heard throughout Eastern Europe.

Independent wire news services have been started with IMF help in the Baltic countries, Poland and Bulgaria. They are providing objective news coverage and are the only alternatives to state news services. Their customers, primarily the new, small independent press and radio, had high praise for the new services. The Voice of America is carried, along with local news in the local language, on a number of new, independent radio stations assisted by IMF funding.

More opinions than facts

A free press, however, does not automatically mean a good press. After 50 years of state-directed media and an even longer tradition of advocacy journalism, much of the new free press is devoted more to opinion than to fact. Time and again we heard that you must read three or four newspapers for all the opinions and then make up your own mind on what the real facts are. It must be kept in mind, however, that the more objective approach of U.S. journalism is not followed even in Western Europe where many newspapers strongly reflect

their owners' political views. "I can't say any paper is totally objective here", said one Polish newspaper editor. "Yes, the U.S. press is less partisan but we pattern our journalism more after the approach of Le Monde. But we are now an independent press."

Commercial viability is the great challenge

There is great interest among private persons in establishing independent media and laws to support the existence of such media either have been passed (as in Poland) or are under consideration. Indeed, investments are being made even before formal franchises are granted, and advertising revenues, almost unknown under the Communist government are growing. However, given the difficult economic conditions facing the economies of these countries, it is likely that there will be a large number of commercial failures among the independent media. Thus, attention will have to be paid to prospects of commercial viability and to the needs for technical assistance and training related to management and commercial operations.

AID support is giving positive results

AID support has been of significant assistance to several organizations which have been making progress on their goals thereby contributing to the strengthening of the independent media. The Media Resource Center in Poland is becoming a strong force for training of media personnel and could become a center of excellence for the whole region. The Vilnius University School of Journalism is actively reforming its curriculum. The Baltic News Service has become strong enough that it probably can continue to grow without external, concessional support. The new independent radio stations assisted in Bulgaria are gaining strength. The training provided through USIA generally is praised.

Assigning the degree of importance of the A.I.D. funded support to the progress being made by the independent media is a task we cannot meet. Other assistance agencies are quite active and, above all, the overwhelming impetus and support for the independent media is coming from within the countries visited. It responds to the opportunities presented by the loosening of controls and its main impediment is the difficult economic situation facing the independent media. Thus, we do not find it possible to go further than saying that the program is having positive results.

2. Recommendations

New and promising opportunities

There are several opportunities for making an impact on the development of the independent media which should be seized. One is to provide assistance to the new holder of the right to use a current Russian TV channel in Lithuania who wants to adopt Western programming and provide independent news coverage in the Baltics. Another is to support student radio stations such as the one which has stated in the American University in

Bulgaria. A third would be to give more support to journalism schools as they show interest and movement (as currently is the case in Lithuania). None of these starts would be costly.

Provision of equipment should be part of a business plan and accompanied by training

The IMF has provided equipment to the organizations with which it has been working. This appears to have given good results to date because of the experience its personnel had in operational media. However, given the economic situation referred to above, it would be advisable for requests for funding of equipment in the future to be submitted to close review of the economic prospects of the applying organization and the provision of support for equipment usually should be part of a package which includes a business plan and the necessary training.

Support for state broadcasting is justified

Before visiting the three European countries, we met with various A.I.D. and USIA officials in Washington and read many of the activity reports. This left us with the understanding that there is a reluctance to support the state broadcasting systems since the main objective of the program is to support private media entrepreneurs. We think that this approach is short-sighted. The best broadcasters in Western Europe have traditionally been public broadcasters funded in some way by public money. The BBC in Great Britain is the best known example, but similar public broadcasters exist in every Western European country. Of course the public broadcasting entities of Eastern Europe are not yet of the quality of those in Western Europe. However, throughout Eastern Europe state broadcasting organizations are throwing off government direction. There are still some problems in most countries with government pressures but more and more those pressures are being resisted as state broadcasters follow the leadership of the new and independent print media. Furthermore, most of the best journalists in these Eastern European countries are working with state broadcasters. Although independent radio and television are making steady progress, lack of commercial revenues does not allow them to establish large news departments to compete with the state broadcasters, and the personnel of the latter will be dominating news coverage for many years. It makes more sense to improve them than to ignore them. The Rutgers University study team in 1991 reached a similar conclusion. Furthermore, the more independent of government control the publicity around broadcasters become, the more likely it is that the overall atmosphere for privately owned broadcasters will be positive. The increasing professionalism of the leasers will help all.

Western programming is needed

There is a tremendous demand by television broadcasters for programming from the West. Russian channels are still seen throughout all three countries we visited. In fact one Russian channel, Ostankino, is extremely popular because of its entertainment programs, including some from the U.S. Indeed, everywhere we went we were told that there is a tremendous appetite for programs that can show something about Western life styles and

437
218

Western democracy. The programming doesn't have to be the latest network series. Any documentaries, children's shows, light entertainment, concerts, opera, ballet, etc., would be welcomed and would strengthen the position of the outlet showing them. Professor Irving Fang of the University of Minnesota reached the same conclusion during a three-month training mission to the Baltic countries in 1992.

Eastern European countries cannot afford to pay very much for programming, but there is enough material from the archives of the last 20 years to satisfy their immediate needs. Consideration should be given to using a person experienced in the U.S. television marketplace to make deals for program distribution with these Eastern European countries on a barter or discounted basis. Such deals probably would pay off for the supplying companies in years to come. In the meantime they would help the spread of democracy. The person in charge might be engaged on salary or on a contingent fee basis.

Training is having a positive effect but should be refocused

There has been a wide variety of training: year-long scholarships at U.S. universities; short-term visits to the U.S. for seminars; two to five-day seminars in Eastern Europe by visiting U.S. experts; longer visits of one to three months by U.S. experts; Fulbright scholars posted to teaching positions in universities. It is difficult to assess the effect of the large amount of training that has been provided throughout Eastern Europe. Still, in our opinion, there is no question that most of the training has been successful. Throughout our three weeks we met many people who had attended training courses. They were nearly unanimous in saying that the training had been beneficial and had contributed to the improvement in the media. There was also nearly unanimous support for continued training from the U.S. with especially strong requests coming from Lithuania and Bulgaria. Indeed, our view is that the major focus of future programming should be on training.

We did hear, however, many suggestions for changes and improvements in the approach to training. Those most commonly heard are the following:

- **Practical teaching, not theory, is now the need. We heard time and time again that people are tired of hearing lectures on theory; that what they need now is practical experience. We heard requests for training in many specialized areas -- camera work, tape editing, researching difficult stories, economic reporting, communications systems, management, marketing, organization, and on and on.**
- **Replace lectures with debate and discussion. The journalists in the three countries we visited are proud that a free press has been established and although they know they still need help they want the final decisions to be left to them. Representative comments are: "We are tired of being lectured to. We are European. Our system is different." "We want to exchange our experiences with yours and debate solutions, not just be told how to do it."**

- **Eliminate many of the short seminars in Eastern Europe and replace them with one to three month visits by U.S. media experts. In that connection there were repeated requests that visitors come in and work on site until they understand the local situation and can then work with the people on a day-to-day basis. Several people referred very positively to the work done by Professors Irving Fang of the University of Minnesota who spent three months in the Baltics, and also to Romas Sakadolakis of VOA who spent several months working on site with various media organizations. At our briefing sessions in Washington, officials at both USIA and IMF said that they were moving towards this kind of operation. We encourage that trend.**
- **Training sessions in Eastern Europe should be planned in cooperation with the prospective trainees and their organizations. Sometimes we heard that the training sessions were not exactly what was needed. Things are changing so fast in all of these countries that someone sitting in the U.S. cannot possibly know what the current needs are. Furthermore, there are so many demands for training that only the national entities can set their priorities.**
- **Reduce training seminars in U.S. to one to three months and plan them better. One recipient of an eight-month visit to the U.S. admitted, rather reluctantly, that long visits such as his were a luxury and a better payoff would be obtained by shorter sessions for more people. Some who had been in the U.S. said their visits were not well planned -- that there was too much wasted time and not enough practical experience. One highly placed television executive said that he would not be in his present job without the U.S. experience. He said, however, that it was only his own efforts in completely replanning his U.S. stay that made it so valuable. He was to spend some time at a television station and then move on to visits to Washington and various universities. He persuaded the station to keep him for the full three months, and he worked through most departments in that station. He said his most valuable experience was working directly with the news director.**
- **Make the topic of management in general, but especially in marketing and sales, a major priority for the future. This was the area that came up for discussion with almost every senior executive. However, there are two pitfalls in this area. One is that it may be a little too early for this kind of training as the economies in Eastern Europe are so bad that there is very little advertising money available and too many media outlets are chasing the same dollars. Another is that visiting U.S. experts must not go in selling the current U.S. market as the answer. Ad agencies, television commercial production houses, radio jingle writers -- all of these are almost unknown in Eastern Europe. Most local businessmen do not believe that advertising helps sales. Those who do advertise at the moment are doing it for prestige. They will need to be convinced of its commercial value.**
- **Cooperation with training activities of other nations should be emphasized. A great deal of training is also being done by Great Britain, France, Italy and the**

4-3
220

Scandinavian countries. Professor Irving Fang wrote a report a year ago outlining a plan for a co-operative training program in the Baltics to involve the U.S., Denmark, Sweden and Finland. We found no evidence that practical measures have been taken to coordinate these various programs.

- A better tracking system is needed of participants in training seminars and workshops both in-country and in the U.S. This tracking should include an objective evaluation and follow up of where these people go and a second follow up and evaluation of the program one year later. Presently USIA and IMF are responsible for tracking their own trainees.

F. LEVEL OF RESOURCES AND PRIORITIZATION

The suggestions and recommendations made in this report would not require an increase in the level of resources which have been provided during the past couple of years. Most of the recommendations for providing equipment concern equipment whose funding already has been promised and, we understand, provided within current authorized levels. New starts (such as work with more journalism schools and student radio stations) could require some additional equipment, but it could easily be accommodated from reducing the support of purchasing newsprint which we understand is being planned. The effort to provide western programming for private channels is one of facilitation rather than purchasing of materials. The recommendations concerning training address improvements and some refocusing rather than increases in magnitudes.

Although it may not be necessary for budgeting, the following is our listing of the descending order of priority among the types of activities we observed.

- Training
- Media Resource Center in Warsaw
- School of Journalism at Vilnius University
- Radio Station AURA at American University in Bulgaria
- Leff Information Service in Bulgaria
- Bauskauskas Network in Lithuania
- Supply of Western Programs to Eastern European Broadcasters

Our highest priority is for training. We have doubts about continuing to spend large amounts of money on technical equipment except for journalism schools and university stations. Eastern Europe is in such a state of flux that there is considerable doubt as to who

will eventually control new technical facilities. Also, in two of the three countries we visited, Poland and Bulgaria, there is no shortage of people willing to start newspapers and radio and television stations. Only in Lithuania was there any concern that such efforts would not happen without the donation of technical equipment.

Within training our top priorities would be:

- Management training in general, but especially in marketing and sales. This should not be done to the exclusion of other specialized training but it was the area that came up for discussion with almost every senior executive. Training also is badly needed in technical areas and in specialized areas such as economic reporting, objective journalism, camera work and editing.
- On the job training by U.S. media experts who would spend from one to three months working daily with Eastern European Media.
- Possibly more important than all other training is expertise and technical equipment to help the journalism schools totally revamp their curricula. Eastern Europe does not have the tradition of objective journalism and there is a desperate need to train young journalists in a western approach to the profession of journalism.
- If funds are limited, reduce year-long courses in the U.S. Better value can be obtained by either training Europe or training larger groups in the U.S. for shorter periods and giving them practical hands-on training in newspapers and radio and television stations.

G. IMPACT INDICATORS

In the above discussions of the particular activities which were analyzed, we have provided suggested benchmarks for measuring or following the progress being made under them. The following are suggested indicators of progress and impact of the program. The main problems with these suggested indicators is that they cannot easily be used to determine the extent to which the A.I.D. financed activities are contributing to the progress. Such a determination would require an analysis both of all the other activities underway in relation to the media and of the various general influences (e.g. economic, political and social) which are at work. That disaggregating analysis could be performed but would require a level of resources which is not easily justifiable given the current level of resources being provided. Thus, the impact indicators would be used only for illuminating overall trends to be supplemented by educated estimates of whether the contributions from the A.I.D. funded activities are significant.

Number of new media outlets established since the start of the project

This would be a fairly easy indicator to use since the information is available without sophisticated analysis. The problem is that the indicator does not tell one anything about the relationship of the number of outlets to the quality of the political and civic life of the country. It also may give a too optimistic picture since many of the outlets which are started are likely to fail because of poor management or poor economic conditions. It also better measures the local spirit than the impact of A.I.D. funded activities. Despite all these drawbacks this indicator could be used as a rough estimate of whether diversity (and supposed independence) was increasing or decreasing.

Degree of financial independence of private media in operation

Without financial independence it is unlikely that a private outlet will be able to survive. If it must receive a subsidy from public or political sources it is difficult to maintain full freedom of action. Furthermore, the degree of financial independence may reflect the successful utilization of assistance aimed at technical and business management problems. However, there are problems with this indicator. One is that it is hard to measure since to do so thoroughly one must be able to analyze financial records which are not always available or reliable. Another is that the financial weakness of any outlet could be the result of general economic conditions which are beyond the influence of the program. On balance, it seems to us that this factor is of such importance that an effort should be made to use it. Surrogates for detailed analysis of the accounting records should be sought. Among them could be gross revenues, diversification of resources of capital and loans and trends in the volume of human and physical resources being used.

Variety of programming available to the public

The virtue of this indicator is that it is fairly easy to use. A scientific approach to recording variety in various possible outlets and in various subject matter areas could become very elaborate and costly. However, this would seem to be an area in which one could form useful options through general observations of the product over time. Of course, variety in programming in itself does not insure that the media will become more independent or that democratic institutions will be strengthened. Nevertheless, variety both leads to and indicates openness and, in the context of Eastern Europe, responds to a strong desire of the populace. Thus it comes close to being a good in itself.

Amount and quality of programming available through private media as compared to situation at start of the project

The amount of programming available through private outlets is relatively easy to ascertain. It can also be done very objectively. Determining whether the quality of programming has improved is more difficult and subjective. Still, some rough surveys of the public together with the informed opinions of persons active in public life and in the media, could give an

indication at least of whether quality was improving, falling or unchanged. The amount and quality of programming are indicators of the strength of the outlet. Even if the number of readers, listeners or viewers has not increased to the same degree as the amount and quality of the programming over time they are likely to do so over time.

Degree of increase in circulation or audience ratings for private media since the beginning of the project

The greater the audience the greater the potential influence of the media outlet and the more likely that the outlet will be sustainable. Thus it is important to measure these indicators. Furthermore, obtaining the data is not difficult. There is the theoretical problem that an increase in the audience does not necessarily mean that the outlet is having a positive effect on strengthening democracy. That will depend on many other factors as well. Still, as in the case of the variety of programming, an increase in the number of users is so important to the independence of the private media as to be a good in itself.

Reform of law governing the operation of the media to incorporate protection and support for private sector outlets.

We found that this indicator did not have the importance which we had thought it would. In general, the impediments to the strengthening of the independent media were not legal ones. The impediments were economic and cultural factors and a lack of experience in business and technical matters. This is not to say that the reform of legal provisions could not be helpful, but investment in the independent media was going forward strongly without waiting for legal reforms. In some particular circumstance a change in the law may be identified as being important. In general, such reform is not a major need.

Degree to which external news resources (e.g. AP, Reuters, US networks) are being used.

This indicator is relatively easy to use and does give some indication of the openness being achieved. However, it is not very useful to measure the degree to which local institutions are being strengthened and local persons are being prepared for and supported in careers of professional journalism. The ultimate goal of the program is an independent media participating constructively in the democratic life of the countries. This indicator is not likely to be central in measuring the progress to that goal. It can be used as an interim measure of progress.

Degree to which persons trained under the project hold positions of influence in the media

This indicator is a good one for measuring the potential impact of the A.I.D. financed activities. It is not very useful as a measure of the degree of independence achieved by the media or the constructiveness of its role in strengthening democracy. Still, as in the case of the use of external news sources this indicator is a useful interim measure of impact.

461
224

Conclusion

There has been progress under each of the above indicators. The most notable have been the increase in the number of new media outlets and in the variety of programming (including foreign sources material) available to the public. Increases in the audience of, and the amount of programming available through the private media have also been significant. Less progress is apparent on establishing the financial independence of the private media and in reforming or implementing reforms of the laws governing the operation of the media. However, the former is most likely the result of the economic conditions facing the media and the latter does not seem to be of great significant. On balance, over the past several years significant progress has been made in strengthening the independent media. While the A.I.D. financed activities have been helpful to particular media outlets and particular institutions, there does not seem to be a basis for concluding that the activities have played an important role in the overall progress which has been made to date. Given the relatively modest level of resources which are likely to be available in the future, achieving a clearer linkage between future A.I.D. financed activities and impact will require stricter targeting on limited aspects of the overall goal.

H. EXHIBITS

The following pages (35 through 60) are the exhibits referred to in the previous discussion.

Exhibit 1

INDEPENDENT MEDIA TRAINING - POLAND

1. Management Program for Central and East European Media Managers
Description: Two-week training program designed to equip media managers to cope with change. Sessions include motivating subordinates, management by objective, time management, management styles, organizational structure, delegating, audience research and advertising and sales.

Funding: \$44,722 (multi-country)

Program dates: August 1991

2. Broadcast Journalism Training

Description: A two-week media training program conducted in Polish by a VOA journalist with local media personnel.

Funding: \$4,235

Program dates: October 1991

3. Communications Consultants

Description: Two communications specialists were placed in Polish universities and/or institutes for one year to conduct media training.

Funding Level: \$69,272

Program dates: Fall 1991 - June 1992

4. Election Coverage

Description: Two American specialists conducted workshops to train Polish journalists, particularly from broadcast media, in pre-election coverage.

Funding Level: \$22,538

Program dates: May 1991

5. Professionals in Residence

Description: Nine American media professionals were placed at Polish universities and other institutions for two week training and support programs.

Funding: \$49,120

Program dates: June 1991

6. Television Training

Grantee: USTTI

Description: Sponsorship of one Polish broadcaster to participate in course on stages of production and distribution of syndicated television.

Funding: \$3,068

7. Economic Journalism Project - Poland

Description: Two academic specialists travelled to three cities in Poland conducting seminars and workshops on economic journalism.

Funding: \$6,482

Program dates: Fall 1991

4/10/91
226

Exhibit 1 (cont'd)

8. Training Program for Polish Journalists

Grantee: Rutgers University

Description: Three-week training program in Washington and Brunswick, New Jersey designed to give Polish journalists a chance to observe local and public affairs reporting in the American media.

Funding: \$67,014

Program dates: October/November 1991

9. Radio Internships

Description: Partial support for two-week program of Polish broadcaster to interface with commercial radio stations in the U.S.

Funding: \$1,300

Program Dates: March 1992

10. Television Internships

Description: Two-week internships for 2 Polish television technical directors.

Funding: \$3,838

Program Dates: May 1992

11. Professional Development Year for Polish Journalist

Grantee: Loyola University

Description: Non credit academic year at American university school of journalism or mass communication for young Polish journalist.

Funding: \$9,610

Program dates: September 1992

12. Television Production

Description: Specialist worked with Polish television officials on programming and placement.

Funding: \$5,720

Program dates: Fall 1992

13. Journalism Degree Program

Description: Specialist spent several weeks working with officials at the Wroclaw Technical University and the University of Wroclaw helping to develop a first-time journalist degree program.

Funding: \$5,013

Program dates: Summer 1992

14. Television Production

Description: Specialist worked with Polish television officials on programming and placement.

Funding: \$5,720

Program dates: Fall 1992

Exhibit 2

INDEPENDENT MEDIA TRAINING - LITHUANIA

1. General Management of Baltics' Television Stations
Description: Consultant provided advice on TV news, productions, programming, general station management, financial management, marketing, and privatization.
Funding: \$8,686
Program dates: November 1991
2. Programming of Independent Television Programs in Lithuania
Description: Expert invited to discuss with USIA and IMF officials the possibilities of programming on an independent television station in Lithuania.
Funding: \$981
Program dates: November 1991
3. Training of Radio/TV Journalists
Description: Conducting of Workshops for radio and television journalists on how to operate as a free press.
Funding: \$26,482
Program dates: January - March 1992
4. Media Book Collection
Description: Provision of specialized book collections in media issues for journalists.
Funding: \$16,487
Program dates: October 1991 - December 1992
5. Radio and Television Programming
Description: Three-week program in Washington and Athens, Ohio, designed to give Baltic journalists a first hand look at the latest in U.S. radio and television programming and equipment.
Funding: \$62,025
Program dates: April 6-24, 1992
6. Radio Programming and Production Techniques
Description: Two-week media training program conducted in the Lithuanian language on U.S. radio programming and production techniques.
Funding: \$3,677
Program dates: April 27 - May 8, 1992
7. Media Management Program
Description: Two-week training program designed to equip media managers to cope and function in a changing environment, including management by objective, time management, audience research and advertising and sales.
Funding: \$13,230
Program dates: June/July 1992

467
228

Exhibit 2 (cont'd)

8. Broadcast workshops

Description: Two person team conducted workshops in the Baltic states for broadcast managers and staff as a follow-up to the radio and television program which took place in Athens, Ohio in the spring.

Funding: \$16,187

Program dates: August/September 1992

9. Publishing Newspapers for Profit

Description: Consultant conducted three day workshops in Lithuania for newspaper publishers, editors and other newspaper management.

Funding: \$5,325

Program dates: September/October 1992

10. Communications Consultants

Description: Two communications specialists will be placed in Latvian universities and/or institutes for up to one year to conduct media training.

Funding Level: \$ 60,000

Program dates: September 1992-August 1992

11. Management of Radio Stations

Description: Manager of US TV station conducted visit to Lithuanian TV station following internship in US of Lithuanian TV station manager.

Funding: \$1,482

Program date: September 1992

12. Radio Programming, Placement and Management

Description: VOA Lithuanian Department Chief to spend three months in Lithuania working with both private and public radio stations on programming, placement of programs and management of stations. Donation of recording equipment and books will be donated.

Funding: \$14,343

Program dates: October-December 1992

13. Professional in Residence - Radio (Lithuania)

Description: Lithuanian speaking radio specialist spent three months working with state and private radio on programming and placement.

Funding: \$7,000

Program dates: October 1992 - January 1993

Exhibit 3

INDEPENDENT MEDIA TRAINING - BULGARIA

1. Constitutional Guarantees for Freedom of the Press

Grantee: Northwestern University

Description: Two-week training program for nine Bulgarian journalists with emphasis on the importance of U.S. constitutional guarantees to secure press freedom; the roles of both skills training and the study of applied theory in U.S. schools of journalism; the role of the audience and audience demographics in defining, validating and controlling content and the presentation of news in the various U.S. media; the importance of balanced, unbiased, non-partisan reporting and editing to the U.S. media audience, and advertising in the continuing competition of the U.S. media marketplace.

Funding: \$49,202

Program dates: June/July 1991

2. Management Program for Central and East European Media Managers

Description: Two-week training program designed to equip media managers to cope with change. Sessions include motivating subordinates, management by objective, time management, management styles, organizational structure, delegating, audience research and advertising and sales.

Funding: \$44,722 (multi-country)

Program dates: August 1991

3. Professional Development Year for Bulgarian Journalist

Grantee: University of Maine - Orono

Description: Non credit academic year at American university school of journalism or mass communication for young Bulgarian journalist.

Funding: \$8,035

Program dates: September 1991

5. Radio Internships

Description: One-month internship with VOA Europe for three Bulgarian radio journalists to introduce them to American radio broadcasting techniques.

Funding: \$14,810

Program dates: July-August 1991

6. Media Program for Bulgarian Member of Parliament

Description: Washington program for key member of Bulgarian parliament to explore audio/visual law issues.

Funding: \$4362

Program Dates: July 1991

7. Electronic News Gathering

Description: Workshop for Bulgarian TV personnel on broadcast news writing skills, principles of news gathering and on-air performance techniques.

Funding: \$6867

Program dates: August 1991

473
230

Exhibit 3 (cont'd)

8. Professional Development Year for Bulgarian Journalist

Grantee: Emory and Henry College

Description: Non credit academic year at American university school of journalism or mass communication for young Bulgarian journalist.

Funding: \$7,429

Program dates: September 1992

9. Television Station Management and Broadcasting

Description: A media services specialist worked with Bulgarian Television station management and broadcasting.

Funding: \$17,207

Program dates: September 5 - October 18, 1992

47
221

Exhibit 4

INDEPENDENT MEDIA TRAINING - REGIONAL

1. Management Program for Central and East European Media Managers
Description: Two-week training program designed to equip media managers to cope with change. Sessions included motivating subordinates, management by objective, time management, management styles, organizational structure, delegating, audience research and advertising and sales. Countries represented were Yugoslavia, Poland, Czechoslovakia, Hungary, Bulgaria, and Romania.
Funding: \$45,841 (multi-country)
Program dates: August 1991
2. Broadcast Journalism Training - Poland
Description: A two-week media training program conducted in Polish by a VOA journalist with local media personnel.
Funding: \$4,235
Program dates: October 1991
3. Communications Consultants
Description: Eleven communications specialists were placed in universities and/or institutes for one semester to one year to conduct media training programs, lecture in communications and journalism.
Funding Level: \$530,000 (multi-country)
Program dates: Fall/Winter 1992
4. Election Coverage - Poland
Description: Two American specialists conducted workshops to train Polish journalists, particularly from broadcast media, in pre-election coverage.
Funding Level: \$22,538
Program dates: Spring/Summer 1991
5. Professionals-in-Residence - Poland
Description: Nine American media professionals were placed at Polish universities and other institutions for two week training and support programs.
Funding: \$49,120
Program dates: June 1991
6. Media Program for Bulgarian Member of Parliament
Description: Washington program for key member of Bulgarian parliament who explored audio/visual law issues.
Funding: \$4,362
Program Dates: July 1991

Exhibit 4 (p.2)

7. Television Training - Poland

Grantee: USTTI

Description: Sponsorship of one Polish broadcaster who participated in course on stages of production and distribution of syndicated television.

Funding: \$3,068

Program dates: March 1992

8. Training Program for Romanian Television Journalists

Grantee: Chico State University

Description: Three-week training program designed to give ten Romanian TV personnel a close look at American television and hands-on experience preparing their own material for broadcast.

Funding: \$49,603

Program dates: July-August 1991

9. Professional Development Year for Romanian Journalist

Grantee: Chico State University

Description: Non credit academic year at American university school of journalism or mass communication for young Romanian-journalist.

Funding: \$9,351

Program dates: September 1991

10. Professional Development Year for Czechoslovak Journalist

Grantee: University of Missouri

Description: Non credit academic year at American university school of journalism or mass communication for young Czechoslovak journalist.

Funding: \$7,630

Program dates: September 1991

11. Professional Development Year for Hungarian Journalist

Grantee: University of Southern Mississippi

Description: Non credit academic year at American university school of journalism or mass communication for young Hungarian journalist.

Funding: \$3,848

Program dates: September 1991

12. Professional Development Year for Bulgarian Journalist

Grantee: University of Maine - Orono

Description: Non credit academic year at American university school of journalism or mass communication for young Bulgarian journalist.

Funding: \$9,661

Program dates: September 1991

479
233

Exhibit 4 (p.3)

13. Constitutional Guarantees for Freedom of the Press

Grantee: Northwestern University

Description: Two-week training program for nine Bulgarian journalists emphasizing the importance of U.S. constitutional guarantees to secure press freedom; the roles of both skills training and the study of applied theory in U.S. schools of journalism; the role of the audience and audience demographics in defining, validating and controlling content and the presentation of news in the various U.S. media; the importance of balanced, unbiased, non-partisan reporting and editing to the U.S. media audience, and advertising in the continuing competition of the U.S. media marketplace.

Funding: \$48,083

Program dates: June/July 1991

14. Radio Internships

Description: One-month internship with VOA Europe for three Bulgarian radio journalists introducing them to American radio broadcasting techniques.

Funding: \$14,810

Program dates: July-August 1991

15. Economic Journalism Project - Poland

Description: Two academic specialists travelled to three cities in Poland conducting seminars and workshops on economic journalism.

Funding: \$7,482

Program dates: Fall 1991

16. Electronic News Gathering

Description: Workshop for Bulgarian TV personnel on broadcast news writing skills, principles of news gathering and on-air performance techniques.

Funding: \$6,867

Program dates: August 1991

17. Workshop for Journalists and Government Press Officers

Description: a two-week program in Czechoslovakia taught basic skills, with a focus on the government relationship to the media.

Funding: \$8,187

Program Dates: August 1991

18. Computer Literacy for Journalists

Description: Workshop held in Albania to teach journalists the basics of word processing and working with computers.

Funding: \$14,147

Program Dates: September 1991

4-1
234

Exhibit 4 (p.4)

19. Workshop for the Czechoslovak Press Agency

Description: Held in both Prague and Bratislava, this workshop trained editors and reporters in two areas: a) the role of the journalist in a free, democratic society, and b) how to cover the news.

Funding: \$5,912

Program Dates: September 1991

20. Workshop on Western Scholarly Publishing

Description: Workshop for members of Charles University Press and Czech Technical University Press. Participants were taught the history of western scholarly publishing and given surveys of administrative and management systems, economic realities, and departmental responsibilities; book production procedures and the use of computers in publishing was also covered.

Funding: \$12,564

Program Dates: September 1991

21. Radio Management

Description: Series of presentations on how to recruit, train and motivate employees in radio and television.

Funding: \$5,642

Program dates: March 1992

22. Critical Analysis of Mass Media

Description: Program on the ethics and education of journalists.

Funding: \$1,910

Program dates: March/April 1992

23. Long-Term Media Consultant to Romania

Description: Adviser to Independent SOTI-TV on all aspects of television management.

Funding: \$27,987

Program Dates: January - March 1992

24. Journalism Workshop on Women in Media

Description: One week workshop conducted by four American women media specialists, co-sponsored by the Hungarian Association of Journalists.

Funding: \$5,948

Program Dates: November 1991

25. Training Program for Polish Journalists

Grantee: Rutgers University

Description: Three-week training program in Washington and Brunswick, New Jersey for ten Polish journalists to observe local and public affairs reporting in the American media.

Funding: \$67,014

Program dates: October/November 1991

Exhibit 4 (p.5)

26. Sales and Management Program for Independent Czech Radio Managers
Description: Two-week training program in Washington designed to acquaint independent radio station owners and operators with the latest in U.S. sales and management techniques including management by objective, time management, management styles, organizational structure, delegating, audience research and advertising and sales.
Funding: \$44,469
Program dates: November 4-15, 1991

27. American Electoral Process
Grantee: Chico State University
Description: Three-week training program in Washington and Chico designed to give Romanian journalists a close look at the American electoral process and how the American media covers a Presidential campaign.
Funding: \$52,926
Program dates: February/March 1992

28. Training Program for Albanian Journalists
Grantee: University of Georgia
Description: Two-week training program in Washington and Athens, Georgia designed to acquaint Albanian journalists with U.S. reporting techniques and desktop publishing.
Funding: \$44,782
Program dates: March/April 1992

29. Radio Internships
Description: Partial support for two-week program of Polish broadcast to interface with commercial radio stations in the U.S.
Funding: \$1,300
Program Dates: March 1992

30. Desktop Publishing Workshop
Description: Ten-day workshop with selected journalists.
Funding: \$6,567
Program dates: March 1992

31. Radio Programming and Production
Description: Two-week media training program for Romanian journalists.
Funding: \$4,558
Program Dates: April 1992

32. Television Internships
Description: Two-week internships for 2 Polish television technical directors.
Funding: \$4,182
Dates: May 1992

425
236

Exhibit 4 (p.6)

33. Administration

Description: Funds to provide administrative costs for programs.

Funding: \$55,362

34. Journalism Primer

Description: Provision of funds to produce a specialized primer for Romanian journalists.

Funding: \$1,000

Program dates: Ongoing

35. Media Workshops

Description: Series of workshops for journalists in Slovenia.

Funding: \$4,602

Program dates: May 1992

36. Czechoslovakian Radio Managers

Description: Four consultants met with representatives of the Czechoslovak State Radio regarding moving from state owned to public radio.

Funding: \$3,896

Program dates: June 1992

37. Media Workshops

Description: Specialist consulted with Albanian newspaper publishers and managers to provide training in management techniques.

Funding: \$1,101

Program dates: June 1992

38. Management Program for Media Managers

Description: Two week training program designed to equip media managers to cope and function in a changing environment, including management by objective, time management, delegating, audience research, advertising and sales.

Funding: \$52,794

Program dates: June/July 1992

39. Radio Programming Production

Description: Two week media training program for Czechoslovak journalists.

Funding: \$2,200

Program dates: May 1992

40. Radio Programming Production

Description: Two week media training program for Albanian journalists.

Funding: \$4,200

Program dates: May/June 1992

Exhibit 4 (p.7)

41. Professional Development Year for Lithuanian Journalist

Grantee: University of North Carolina

Description: Non credit academic year at American university school of journalism or mass communication for young Lithuanian journalist.

Funding: \$9,734

Program dates: September 1992

42. Professional Development Year for Latvian Journalist

Grantee: Georgia Southern University

Description: Non credit academic year at American university school of journalism or mass communication for young Latvian journalist.

Funding: \$9,163

Program dates: September 1992

43. Professional Development Year for Romanian Journalist

Grantee: University of California at Chico

Description: Non credit academic year at American university school of journalism or mass communication for young Romanian journalist.

Funding: \$7,610

Program dates: September 1992

44. Professional Development Year for Bulgarian Journalist

Grantee: Emory and Henry College

Description: Non credit academic year at American university school of journalism or mass communication for young Bulgarian journalist.

Funding: \$7,429

Program dates: September 1992

45. Professional Development Year for Polish Journalist

Grantee: Loyola University

Description: Non credit academic year at American university school of journalism or mass communication for young Polish journalist.

Funding: \$9,610

Program dates: September 1992

46. Professional Development Year for Hungarian Journalist

Grantee: University of Tennessee-Knoxville

Description: Non credit academic year at American university school of journalism or mass communication for young Hungarian journalist.

Funding: \$13,038

Program dates: September 1992

47. Professional Development Year for Slovene Journalist

Grantee: University of Tennessee-Knoxville

Description: Non credit academic year at American university school of journalism or mass communication for young Slovene journalist.

Funding: \$13,038

Program dates: September 1992

487
238

Exhibit 4 (p.8)

48. Professional Development Year for Slovak Journalist

Grantee: University of Missouri

Description: Non credit academic year at American university school of journalism or mass communication for young Slovak journalist.

Funding: \$2,580

Program dates: September 1992

49. Professional in Residence - Radio (Lithuania)

Description: Lithuanian speaking radio specialist spent three months working with state and private radio on programming and placement.

Funding: \$7,000

Program dates: October 1992 - January 1993

50. Journalism Degree Program

Description: Specialist spent several weeks working with officials at the Wroclaw Technical University and the University of Wroclaw helping to develop a first-time journalist degree program.

Funding: \$5,013

Program dates: Summer 1992

51. Media Workshops and Training

Description: Travel only grants for CEE participants at the USTTI media workshops.

Funding: \$17,500

Program dates: Spring and Fall 1992

52. Television Station Management and Broadcasting

Description: A media services specialist worked with Bulgarian Television station management and broadcasting.

Funding: \$17,207

Program dates: September 5 - October 18, 1992

53. Role of the Media in an Election

Description: Television journalist presented lectures on the role of the media in Czechoslovakia.

Funding: \$1,876

Program dates: June 1992

54. Television Production

Description: Specialist worked with Polish television officials on programming and placement.

Funding: \$5,720

Program dates: Fall 1992

491
239

Exhibit 4 (p.9)

55. Television Radio and Management

Description: Two specialists consulted with Albanian TV and Radio on programming and production issues.

Funding: \$8,102

Program dates: August-September 1992

56. Publishing Independent Press

Description: Specialist worked with publishing officials on the establishment of an independent daily newspaper in Albania.

Funding: \$5,135

Program dates: September 1992

57. Producing Newspapers for Profit

Description: Specialist spent two weeks in Estonia and Latvia advising local newspapers how to become more profitable.

Funding: \$6,259

Program dates: November 1992

49
240

Exhibit 5: **VOICE OF AMERICA INTERNATIONAL TRAINING**
Poland Participants Listed by Course (June, 1983 to present)

182/55

68. Sixth News & Current Affairs Workshop on Drugs 09/25/89 - 10/06/89 (Not SEED)

SICLENSKA, Elzbieta

Staff Writer

Gazeta Wyborcza

70. Seventh News & Current Affairs Workshop on Drugs 03/19/90 - 03/30/90 (Not SEED)

BOCHENEK, Jacek
PRZADA, Sławomir

Reporter
Reporter

Polish TV, Channel Two
Polish TV, Channel One

74. VOA/Northwestern Workshop for Polish Journalists 05/19/90 - 06/10/90

BARDU, Piotr
BUDWICKA, Magdalena
CLOGER, Ryszard
KALDOROWICZ, Grzegorz
KIKITA, Czesław
KONCICZ, Maria
SENGOWICZ, Anna
STELMACZAK, Sławomir
SZABLOWSKA-SZABEL, Maria

Radio Broadcaster
Broadcaster
Radio Broadcaster
Editor
Radio Broadcaster
Broadcaster
Polish Broadcaster
Radio Broadcaster, Olczyna
Broadcaster

Polish Radio, Katowice
Polish Radio, Warsaw
Polish Radio, Poznan
OPINIA
Polish Radio, Koszalin
Polish Radio, Szczecin
Polish Radio, Warsaw
Polish Radio
Polish Radio, Warsaw

50

78. 1990 Broadcast Studio Design & Operations 07/23/90 - 08/03/90

WASIA, Paweł

Chief Engineer

Polish Radio and TV

90. 1991 High Frequency Broadcasting (USTFI) 04/22/91 - 05/10/91

PIETRUSKI, Mieczysław

Senior Counselor

Polish Radio and Television

Exhibit 5 (cont'd)

4/28

97. East European Broadcast Management Workshop 08/05/91 - 08/16/91
KIEFEL, Andrzej Commercial Director Krakow Television
STZIEMBOSZ, Maciej Project Director Regional Stations
- 102: Tenth News & Current Affairs Workshop on Drugs 09/09/91 - 09/20/91 (Not SEED)
KOZAK, Grzegorz Deputy Director, East Department Polish TV
115. 1992 High Frequency Broadcasting 05/04/92 - 05/22/92
GODZIOA, Filomena Section Head National Radiocommunication Agency
NYZYNSKI, Wojciech Engineer Institute of Telecommunications
118. East/Central/Baltic TV Management Program 06/08/82 - 06/19/92
ZIMOSKI, Wojciech Manager, International Trade & General Relations KATOWICE TV
ZIMOCZ, Marcin Anchor & Chief Panorama Channel 2 TV
121. 1992 Broadcast Studio Design & Operation (USTTI) 07/20/92 - 07/31/92
PIETUSKI, Ryszard Senior Adviser, Engineering Committee for Radio & Television
137. Sales and Management-East/Central European Editors 09/21/92 - 10/02/92
WIECKIOLSKI, Jerzy Editor Zycie Gospodarcze

Exhibit 5 (cont'd)

492
497

145. Professional Development Fellows Conference

03/03/93 - 03/05/93

LIS, Yemassee

Was Anchor

Polish IV

Overseas Courses (for which individual participant data is not available)

104. VOA Broadcast Lectures (Poland)

50 participants

10/15/91 - 10/31/91

Exhibit 5 (cont'd)

VOICE OF AMERICA INTERNATIONAL TRAINING
Lithuania Participants Listed by Course (June, 1983 to present)

h
L
S

- | | |
|---|--|
| 112. VOA/Ohio University Baltic Radio & Television | 04/06/92 - 04/24/92 |
| GRUSYS, Albertas
LAPINSKAITIS, Gintaras
NAUDIS, Audrius
RLEIKYS, Alancas | Editor-in-Chief
Editor, Foreign News, Panoramas
Editor, Lithuanian Language Service Section
Editor-in-Chief |
| | E-1
Lithuanian TV
Radio Vilnius
RADIOCENTRAS |
| 115. 1992 High Frequency Broadcasting | 05/04/92 - 05/22/92 |
| SAUPELO, Leonas
VITKUNAS, Algirdas | Engineer
Technical Director |
| | Lithuanian Radio & Television
Lithuanian Radio & Television |
| 118. East/Central/Baltic TV Management Program | 06/08/82 - 06/19/92 |
| JASKAUSKAS, Romas
SESTAKUNSKAS, Ramaras | Managing Director, East
Director |
| | Lithuanian TV
Lithuanian TV, Kamos Dept. |
| 145. Professional Development Future Conference | 03/03/93 - 03/05/93 |
| BELOIA, Justas
GLINEVICIUS, Ruta | Secretary
Senior Writer |
| | Lithuanian Journalists Union
Lietuvos Rytas |

Exhibit 5 (cont'd)

VOICE OF AMERICA INTERNATIONAL TRAINING
Bulgaria Participants Listed by Course (June, 1981 to present)

81. 1991 Prof. Dev. Year (South Carolina/Bulgaria)	09/01/90 - 05/31/91
KALDAROVA, Ekaterina Freelance Journalist	Union of Democratic Forces
97. East European Broadcast Management Workshop	08/05/91 - 08/16/91
BEZLOV, Yihanir KONSTANTINOV, Raina Director, Radio Research & Sales Director	Center for the Study of Democracy/ Radio Sofia
100. 1991 Prof. Dev. Year; U/Maine/Bulgaria	09/01/91 - 05/31/92
ZHELEVA, Violeta Prof. Dev. Year; U/Maine - Reporter	WUM
121. 1992 Broadcast Studio Design & Operation (USTTI)	07/26/92 - 07/31/92
ZAFIROV, Anton Head, TV & FM Maintenance Laboratory	National Board Radio & TV Stations
145. Professional Development Fellows Conference	03/03/93 - 03/05/93
STIEHM, Stvetoslava Reporter	Bulgarian TV

Exhibit 5 (cont'd)

Handwritten initials

Overseas Courses (for which individual participant data is not available)

83. Seminars for Radio and Print (Bulgaria)	45 participants	09/27/90 - 10/07/90
88. Northwestern University Team (Bulgaria)	300 participants	03/22/91 - 03/30/91

Exhibit 6

**List of Conferences Held in 1992
by the Central and East European Media Center
and The Media Resource Centre**

- Public Affairs Reporting, February 4-5, 1992
- Trends in the Advertising World, February 7, 1992
- The Future of the Polish Press Agency, March 5, 1992
- Investigative Reporting, March 30-31, 1992
- An Introduction to Advertising in the Media, April 2-5, 1992
- Radio Journalism Workshop, February 20 - April 3, 1992 (Eight Sessions)
- Management Techniques in Television, April 27-28, 1992
- The Basics of Production: Documentary, Informational, and Arts Television Programs, May 4-5, 1992
- A Seminar for Young Journalists from Latvia, Byelorussia, and the Ukraine, May 2-9, 1992
- Cooperation Between Press Spokespersons for Governmental and Public Organizations, and the Media, May 14-15, 1992
- What Kind of Broadcast Law Do We Expect? May 19, 1992
- Managing Newspapers and Magazines, May 20-21, 1992
- An Introduction to Print Journalism, June 8, 1992
- Reporting on Human Rights, June 11, 1992
- TV News Programs, June 22-30, 1992
- Audience Research and Program Planning, July 1-3, 1992
- Political Cartoons, August 17, 1992

Media as a Business in Market Economy, September 20-26, 1992

Media and HIV/AIDS Prevention, October 15-16, 1992

The Role of Advertising in the Media in Post-Communist Countries, November 19-20, 1992


 2/98

Exhibit 7

List of Media Resource Centre Students' Achievements

Radio Workshop Participants:

Wojciech Hoflik - After one semester, he was recommended by M.R.C. to "Radio Zet" to work as a reporter. After a couple of weeks he was promoted to the chief's (Andrzej Woyciechowski's) assistant. Excellent voice and talented reporter.

Dariusz Gasiorowski - He took part in two semesters in Media Resources Center and started cooperation with "Radio Zet" as a disc-jockey. Has also published in Gazeta Wyborcza, Polityka, and Dialog.

Antonina Kowalska - Cooperation with "Radio Zet". When she finished her first semester, she began a regular astrology broadcast. Soon she will have a weekly program on radio Zet, night time.

Agnieszka Bielawska - Cooperation with radio WAWA. While taking part in our workshops, she wrote commentaries, interviews, and reviews. She is comfortable in hosting programs. A very good writer and speaker.

Maciej Golab - Works for radio WAWA specialized in presenting radio news.

Artur Podgorny - Cooperation with social affairs department in Polish Radio, channel one. An author of three published reports. His reporter's talent was obvious in his first semester at the M.R.C. Very good speaker.

Dawid Makowski - By the end of second semester, started to work for Polish Radio, channel one, "Four Seasons" program, as a reporter. Skillful, knows how to get information.

Magdalena Kulik - took part in two sessions, very bright person with reporter's talent, excellent English, knowledge of political and social affairs. Adept at interviews. Stands a good chance of being hired in the News Room of Polish Radio on a permanent basis.

Marian Rynkiewicz - Attending workshops since November 1992, studying different kinds of radio journalism. Before studying in M.R.C., he was an editor of local radio station in candies industry (Wedel), and was not satisfied doing it. Today, he has more experience.

Print Workshop Participants

Urszula Dlugon - After first semester in our Center, her reports have been published in "Zycie Codzienne", writing a sight of health center.

Agnieszka Cerngler and Marta Karasinska - They attended for two semesters. Authors of interview with Bob Comstock, published in "Nowa Europa" newspaper.

Wojciech Hoflik - Works for "Polityka" (daily), an author of a report about military strategy in the former Yugoslavia.

Antonina Kowlaska - Her astrological and fortune-telling texts are published in magazines: "Twoj Styl" and "Sukces".

Artur Podgorny - Ongoing cooperation with "Firma" magazine as a reporter. Publishes his report about music in specialized publications.

Our students employed on permanent basis in "Firma" magazine are:

Katarzyna Sokolowska, Grazyna Jadowska, Cezary Szymanek, Izabela Spyrko, Piotr Tymoszuk, Jacek Piatkowski and Sylwia Radzikowska - all of them have been studying at M.R.C. one year now, making progress in writing. The best writers are Katarzyna Sokolowska and Jacek Piatkowski. The rest of them can write good reports.

Jacek Pawlowski - an author of report about presidents of Ostroleka. Published in local paper and republished in quite a few national titles.

Iwona Kolakowska - Editor in local Newsletter of Uniwersytet Dochowoy Brachma Kumaris.

Television Workshops and Courses

Przemyslaw Babiarz - An actor. In a competition organized Polish TV for Sports News Presenter, with other 12 people, he passed an entrance exam to TV presenters workshops. In June 1992, he took part in this workshop and after started to work for the main Polish TV sports new office. Then (in September) he was studying at our center. Since October 1, he has been employed on a full time basis as a journalist in the Main Sports Program Editorial Office. He is the host of the sports section of the main evening news program at 7:30 p.m.

Stanislaw Snopak - Participant in our July course and September workshops. Employed on permanent basis as presenter in Polish TV's Main Sport Programs Editorial Office.

Jacek Laskowski - Studying in September workshops. Works as a journalist in Sport New program, Polish TV station.

Edward Durda - Participant in both July and September workshops, regularly works with all sports programs edited by Polish TV.

Aneta Maciejewska - July course participant. Cooperates with PTV.

Michal Wilinski - Journalism student (Warsaw University). By the time he completed our July

250
5/3

course, he had already started to work for sports programs in Polish TV station.

Pawel Maciag - Completed September workshops. Was hired by a local program (public TV), titled TKW.

Marcin Rokicki - Finished September workshops. Employed in private TV station "Top Canal".

Magdalena Saganlak - She won a competition for TV Presenters, was a participant in workshops for TV presenters for 5th to 23rd September 1992. She leads negotiations on contract matters with channel two in PTV.

Beata Paukau - She took part in September course to become an Educational TV presenter. She hosts programs on Wednesdays on subjects of literature and Polish language.

**PROGRAM EVALUATION OF SELECTED
A.I.D. ASSISTANCE TO DEMOCRATIC
INSTITUTIONS IN BULGARIA,
LITHUANIA AND POLAND**

ANNEX V: PERSONS INTERVIEWED

**IQC No. AEP-0085-I-00-3003-09
Delivery Order No. 4**

517
252

ANNEX V
PERSONS INTERVIEWED

I. RULE OF LAW

A. POLAND

- | | |
|--|---|
| 1. William Joslin
AID Representative, Warsaw | 10. Dr. Wieslaw Staskiewicz
Director, Sejm Bureau of
Research, Warsaw |
| 2. John Aanenson
AID Democratic Initiatives
Project Officer, Warsaw | 11. Hanna Gajewska
Advocate, Warsaw |
| 3. Dennis Wolf
USIA Political and Social Process
Project Officer, Warsaw | 12. Dr. Andrzej Mania
Dean, Faculty of Law and
Political Science, Jagiellonian
University, Krakow |
| 4. Ann Sigmund
USIA Public Affairs Officer,
Warsaw | 13. Wladyslaw Brzeski
Deputy Mayor of Krakow |
| 5. Joseph McManus
USIA Public Affairs Officer,
Krakow | 14. Dr. Aleksandr Ratajczak
President of Polish Lawyer's
Association and Professor of Law,
Adam Mickiewicz University,
Poznan |
| 6. Douglas Ebner
USIA Public Affairs Officer,
Poznan | 15. Dr. Piotr Gosieniecki
Lecturer, Faculty of Law, Adam
Mickiewicz University, Poznan |
| 7. Robert Stark
CEELI Commercial Law
Specialist, Warsaw | 16. Ewa Borkowska-Bagienska
Vice-Dean, Adam Mickiewicz
University Law Faculty, Poznan |
| 8. Roy Gordet
CEELI Commercial Law
Specialist, Krakow | 17. Mark Brzezinski
Researcher, U.S. Fulbright
Commission, Warsaw |
| 9. Ronald Dwight
IRIS Project Director, Warsaw | |

- | | |
|--|---|
| <p>18. Dieter Birkenmaier
Legal Advisor, European
Community Delegation, Warsaw</p> <p>19. Marcin Juszczyk
DePaul University Human Rights
Program participant, Warsaw</p> <p>20. Agnieszka Suchecka-
Tarnacka
DePaul University Human Rights
Program participant, Warsaw</p> <p>21. Tomasz Stawecki
Faculty of Law, Warsaw
University</p> <p>22. Marcin Juszczyk
Attorney, Wardynski & Partners,
Warsaw, DePaul University
Human Rights Program
participant</p> | <p>23. Agnieszka Suchecka-
Tarnacka,
Attorney, Lawyer Collective No.
3, Warsaw</p> <p>24. Jane Dobija
Director, Warsaw Media
Resource Center</p> <p>25. Karol Jakubowicz
Advisor to the Prime Minister,
Warsaw</p> <p>26. Marek Nowicki
Helsinki Commission</p> |
|--|---|

B. Lithuania (Vilnius)

- | | |
|---|--|
| <p>1. John Cloutier
AID Representative</p> <p>2. Victor Sidabras
USIA Public Information Officer</p> <p>3. Kurt W. Muellenberg
USIA Resident Expert, Ministry
of Justice</p> <p>4. John Zerr
CEELI Liaison</p> <p>5. William Walters
CEELI Legal Specialist</p> | <p>6. Nnamdi Ezera
CEELI Senior Project
Coordinator (visiting from
Washington)</p> <p>7. Vytautas Pakalniskis
General Counsel, Lithuanian
Economic and Foreign Investment
Development Company (former
Minister of Justice)</p> |
|---|--|

52
254

- | | |
|---|---|
| <p>8. Jorgen Lissner
UNDP Resident Representative,
Vilnius</p> <p>9. Mindaugas Losys
Chairman of the Supreme Court,
Vilnius</p> <p>10. Juozas Zilyis
Chief Judge of the Constitutional
Court, and Head of Seimas Legal
Department</p> <p>11. Kestutis Stungys
Chairman, Lithuanian Lawyers'
Association</p> <p>12. Valentinas Mikelenas
Dean, Vilnius University Law
Faculty</p> <p>C. Bulgaria (Sofia)</p> <p>1. Hugh Kenneth Hill
U.S. Ambassador</p> <p>2. Mark Dillen
USIA Public Affairs/Press &
Culture Attache</p> <p>3. Gerald Zarr
AID Representative</p> <p>4. Brad Fujimoto
AID Projects Officer</p> <p>5. Harlan Pomeroy
CEELI Liaison</p> <p>6. Robert Scherle
CEELI Legal Specialist, Judicial
Training</p> | <p>13. Petras Smaliukas
Deputy Minister of Justice and
Judge of Constitutional Court</p> <p>14. Povilas Pauparas
Director, Publishing House,
Supreme Council of Lithuania</p> <p>15. Violeta Razinskaite
Head of Department of Courts,
Ministry of Justice</p> <p>16. Olegas Skinderskis
Head of International
Cooperation Service, Ministry of
Internal Affairs</p> <p>7. Thomas Flynn
USIA Professional in Residence,
Ministry of Justice</p> <p>8. Rita Jane Spillane
USIA Professional in Residence</p> <p>9. Ognian Shentov
Director, Center for the Study of
Democracy</p> <p>10. Stephan Kyutchukov.
Secretary, Law Program Center
for the Study of Democracy</p> <p>11. Boyko Dimitrachkov Research
Fellow, Law Program, Center for
the Study of Democracy</p> |
|---|---|

12. **Yonko Grozev**
Research Fellow, Law Program,
Center for the Study of
Democracy
13. **Misho Vulchev**
Minister of Justice, Sofia
14. **Todor Bourilkov**
President, Bulgarian Bar
Association
15. **Gerhard Ries**
Legal Adviser, Council for
Normative Acts, Council of
Ministers
16. **Evgenia Kotseva** Instructor,
Faculty of Law, Sofia University
17. **Tseko Tsekov**
Professor, Faculty of Law, Sofia
University
18. **Petko Angelov**
Secretary, Ministry of the Interior
19. **Dr. Ilko Eskenazi**
Deputy, National Assembly
(former Deputy Prime Minister)
20. **Valetin Georgiev**
Legal Advisor, Council for
Normative Acts, the Council of
Ministers
21. **Georgii Petkanov**
Dean, Faculty of Law, Sofia
University
22. **Krassimira Sredkova**
Vice-Dean, Faculty of Law, Sofia
University
23. **Orlin Borissov**
Lecturer, Faculty of Law, Sofia
University
24. **Silvy Chernev**
Attorney, Sofia
25. **Jeffrey S. Hops**
Faculty member, Faculty of Law,
New Bulgarian University
26. **Morton H. Sklar**
Fulbright teacher, Faculty of Law,
Sofia University
27. **V. Agirev**
Head of Prisons Section, Ministry
of Justice

~~25~~
256

D. WASHINGTON

1. **Amy L. Schwartz**
Deputy Asst. Secretary of State
Human Rights and Humanitarian
Affairs
Department of State
2. **Gerald Hyman**
Projects Officer
EUT/DR
A.I.D.
3. **Peter Antico**
U.S.I.A.
4. **John Jasik**
U.S.I.A.
5. **Amy Young**
U.S.I.A.
6. **Mark Ellis**
CEELI

257
✓

II. EDUCATION REFORM

A. POLAND

1. **Mr. Julius Varallyay**
Operations Officer
Resident Mission
The World Bank
Warsaw
2. **Dr. Jacek Strzemieczny**
Director, Teacher Training
Ministry of National Education
Warsaw
3. **Ms. Ewa Paluszkiewicz**
Head Librarian
American Studies Center
University of Warsaw
Warsaw
4. **Dr. Leszek Carlicki**
Director
American Studies Center
University of Warsaw
Warsaw
5. **Dr. Piotr Skurowski**
Head, Studies Program
American Studies Center
University of Warsaw
Warsaw
6. **Dr. E. Valentine-Jakubiak**
Associate Director
Russian and East European
Institute
Indiana University
7. **Ms. Eva Johansson**
Programme Officer
U.N.D.P.
Warsaw
8. **Mr. Dieter Birkenmaier**
Programme Officer
E.E.C.
Warsaw
9. **Mr. Jacke Wojnarowski**
Executive Director
The Bartory Foundation
Warsaw
10. **Mr. Krzstof Rybinski**
Director
Olsztyn Summer School of
Economics
The Bartory Foundation
Warsaw
11. **Ms. Teresa Zagrodka**
Associate Director
Olsztyn Summer School of
Economics
The Bartory Foundation
Warsaw
12. **Dr. Andrzej Dakowski**
Executive Director
Polish Fulbright Commission
Warsaw
13. **Mr. Denis S. Wolf**
Deputy Director
U.S.I.A.
Warsaw
14. **Ms. Ann Sigmund**
Director
U.S.I.A.
Warsaw

- 15. Dr. Kenneth Mike Jenson
English Language Program
Officer/USIA
The American Center
Warsaw
- 16. Ms. Anna E. Wilbik
Cultural Affairs Specialist
The American Center
Warsaw
- 17. Dr. Elzjeta Czwartoz
Regional Education Trainer
Partners for Democratic Change
Dept. of Educational Psychology
University of Warsaw
Warsaw

B. LITHUANIA

- 1. Mr. John Cloutier
A.I.D Representative
U.S. Embassy
Vilnius
- 2. Mr. Victor Sidabras
Public Affairs Officer
USIS Office
Vilnius
- 3. Ms. Vaida Paulauskaite
Director, IN-Service
Training Centre
Vilnius Pedagogical
University
Vilnius
- 4. Mr. John S. Phillips
English Language Fellow/USIA
Lithuanian In-Service Teachers'
Training Institute
Vilnius

- 5. Mrs. Jurate Krokys
Fulbright Specialist
In-Service Training Centre
Vilnius Pedagogical Univ.
Vilnius

US Address after Aug. '93
8623 Ferndale Street
Philadelphia, PA 19115
- 6. Dr. Susan M. Andersen
Professor of Communications
Department of Pedagogics
Vilnius Pedgagical Univ.
Vilnius

US Address

School of Communication
Univ. of Central Florida
Orlando, FL 32816

259
53

7. Dr. Caroline Linse
Coordinator, Baltic EFL
Fellows Program/USIS
Public Affairs Office/USIS
Riga, Latvia

8. Mr. Derek E. Blink
Coordinator, PHARE Programme
E.E.C.
Vilnius

9. Mr. Jorgen Lissner
Resident Representative
U.N.D.P.
vilnius

10. Dr. Raymond Sidris
Fulbright Specialist
Dept. of Antropology
Kaunas University
Kaunas

11. Dr. Zivile Gimbutas
Fulbright Specialist
Department of English
Kaunas Univeristy
Kaunas

12. Dr. Edmundas Lekevicius
Deputy Director
Pedagogical Inst. of
Scientific Research
Vilnius

C. BULGARIA

1. Mr. Mark E. Dillen
Counselor for Press &
Culture, US Embassy
Sofia

2. Dr. Walter Theurer
Cultural Affairs Officer
US Embassy
Sofia

3. Ms. Kathy Schalow
Asst. CAO
U.S. Embassy, Sofia

4. Mr. Brad Fujimoto
Projects Officer
USAID, Sofia

5. Mr. Lambo Kjuchukov
Deputy Minister
Ministry of National
Education, Sofia

6. Mr. Jordan Stoichov
Director
Dept. of Interntional
Relations, Ministry of National
Education, Sofia

7. Mrs. Antoaneta Damianova
Director
Department of International
Programs,
Ministry of National Education
Sofia

8. Dr. Boris Calabov
Vice Rector, Acad. Programs
Sofia University, Sofia

9. Dr. Roumen Valcher
Director, Center for Teacher
Qualification
Faculty of Education
Sofia Univeristy

535
260

- | | |
|--|--|
| <p>10. Dr. Julia Stefanova
Executive Director
Bulgarian Fulbright
Commission, Sofia</p> <p>11. Dr. Sandra A. McCollum
In-Country Coordinator
University of Delaware/
Bulgarian Coalition, Sofia</p> <p>12. Mr. Rouslan Abadzhiev
Assistant Coordinator
University of Delaware/
Bulgarian Coalition, Sofia</p> <p>13. Mr. Julian Popov
Executive Director
New Bulgarian University
Sofia</p> <p>14. Mr. Michael Minkov
Director, International Office
New Bulgarian University, Sofia</p> <p>15. Mr. Fabrizio Ossella
Resident Representative
U.N.D.P., Sofia</p> <p>16. Mr. Miroslav Sevlieski
National Secretary
Bulgarian Association for Free
Elections (BAFE), Sofia</p> <p>17. Dr. Peter Fischer-Appelt
President
Sts. Cyril & Methodius
International Foundation, Sofia</p> <p>18. Mr. Michael Tachev
Vice-President
Sts. Cyril & Methodius
International Foundation, Sofia</p> | <p>19. Mrs. Margarita Lazarova
Project Officer
Sts. Cyril & Mehtodius
International Foundation, Sofia</p> <p>20. Mr. Peter Carney
Country Coordinator
EFL Fellows Program/USIS
Sofia University, Sofia</p> <p>21. Dr. Roberta E. Adams
Fulbright Specialist
Dept. of English Philology
Sofia University, Sofia</p> <p>22. Dr. Priscilla Homola
Fulbright Specialist
Dept. of English Philology
Sofia University, Sofia</p> <p>23. Dr. Ann Larsen
Librarian
American Univeristy
of Bulgaria, Blagoevgrad</p> <p>24. Mr. M. Sepetliev
Chairman
Commission on Science and
Education
Parliament of Bulgaria, Sofia</p> <p>25. Ms. Galina Y. Sotirova
Project Officer
Resident Mission
The World Bank, Sofia</p> <p>26. Ms. Petia Nestoreva
Program Officer
E.E.C., Sofia</p> |
|--|--|

261

D. WASHINGTON

1. **Gerald Hyman
Projects Officer
EUR/DR
A.I.D.**
2. **Peter Antico
U.S.I.A.**
3. **Mary Ashley
U.S.I.A.**
4. **Judith Segal
U.S.I.A.**
5. **Larry Plutken
U.S.I.A.**

262
5/51

III. INDEPENDENT MEDIA

A. POLAND

1. **Karol Jakubowicz**
Media Adviser to the Council of Ministers and co-author of the new broadcasting law
2. **Jacek Proprzczyko**
Deputy Editor-in-Chief of *Polityka*, a weekly newspaper, and Deputy Chairman of the Polish Publishers Association
3. **Grzegorz Gajewski**
Deputy Director of TV Krakow Regional Station for Polish Television
4. **Jaroslaw Gugala**
Director and Editor-in-Chief Polish Television and TV News Agency TA1
5. **Anrzej Wojnach**
Director of the Polish Television Training Centre
6. **Elzbieta Naumienko**
Director of the Polish Institute of Management
7. **Ryszard Holzer**
Features Editor of *Zycie Warszawy*
8. **Senior Editors at Zycie Warszawy**
9. **Michael Komar**
Co-owner of New Television Warsaw
10. **Beyta Pankau**
Television Anchor
Polish Television
11. **Maciej Ilowicki**
Chairman of the Presidential Advisory Council on Information & the Media & Chairman of the Polish Journalists Association
12. **Stanislaw Jedrzejewski**
Program Director
Polish Radio
13. **Jane Dobija**
Director, Media Resource Center & Director, Central and East European Media Foundation
14. **Jarek Wlodarzyk**
Editor, Student Newspaper Auditorium
15. **Andrzej Radominski**
TV Coordinator
Media Resource Centre
16. **Michael Braxton, Press Attache**
17. **Ann Sigmund**
PAO
18. **Students at the Media Resource Centre**

B. LITHUANIA

- | | | | |
|----|--|-----|---|
| 1. | Roman Jankauskas
Program Director
Lithuanian Television | 9. | Liucija Baskauskas
Director of Tele 3
Vilnius |
| 2. | Saulius Sondeckis
Director Lithuanian Radio
and TV | 10. | Edvinas Butkus
Director
Baltic News Service |
| 3. | Saulius Stoma
Editor-in-Chief
Lietuvos Aidas Daily Newspaper
Vilnius | 11. | Leonid Shapiro
Engineer
Lithuanian Television |
| 4. | Romualdas Mironas
Director of Vilniaus Varpas
Private Radio Station
Vilnius | 12. | Raimondas Sestakauskas
Managing Director
Lithuanian Television |
| 5. | Juozas Vilciaskas
Technical Director
Lithuanian Radio & Television | 13. | Embassy staff in Vilnius
John Cloutier
A.I.D. Representative |
| 6. | Marius Lukosiunas
Head of the School of Journalism
Vilnius University | 14. | Victor Sidaleras
PAO |
| 7. | Ina Navazelskis
Professor of Journalism
Vilnius University &
Correspondent
for Newsweek | | |
| 8. | Linas Medelis
Publisher and Editor-in-Chief
Vilnius laikraštis | | |

264
547

C. BULGARIA

1. **Khristo Grozev**
General Manger
Aura Radio, as student radio
station at American University
Blagoevgrad
2. **Inko Raspopov**
Director
Radio Vitosha, Sofia
3. **Petko Gergiev**
Program Director
Radio Vitosha
4. **Vladimir Yordanov**
Executive Director
Centre for the Study of
Democracy
5. **Ognian Shentov**
Director
Center for the Study of
Democracy
6. **Boris Basmadjiev**
President
Leff Information Service
7. **Konstantin Markhov &
Kiriell Marichkov**
Co-owners of Radio Tangra
(an independent station in Sofia)
8. **Hatcho Boyadzhiev**
Director General of Bulgarian
National Television
9. **Alexander Avojiev**
Producer & Host of Good
Morning Bulgaria,
Bulgarian National Television
10. **Viaka Ankova**
News Anchor
Bulgarian National Television
11. **Professor Eric Kramer**
University of Oklahoma on
Fulbright Fellowship at the
University of Sofia
12. **Kenneth Hill**
U.S. Ambassador
13. **Gerald Zarr**
A.I.D. Representative
14. **Various embassy staff including
Mark Dillen**
Counsellor for Press & Culture
15. **Brad Fujumto**
Projects Officer
A.I.D.

265
543

D. WASHINGTON

- | | | | |
|----|--|----|---|
| 1. | Marvin Stone, Chairman & President
IMF | 5. | Peter Antico
USIA |
| 2. | Aurelius Fernandez
Executive Director
IMF | 6. | William Kiehl
U.S.I.A. |
| 3. | Gene Mater, Vice-President
Broadcasting
IMF | 7. | Than Lwin, Chief of U.S.
Political, Economic and Social
Processes Division
U.S.I.A. |
| 4. | William Sheehan, Senior
Counsellor
IMF | 8. | Harry Hientzen, Director
Voice of America |
| | | 9. | Douglas Cassel, Director
International Human Rights
Institute
DePaul University College of La. |

545
266-