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Executive Summary

In June 2005, USAID awarded the Justice Institutions Strengthening Project (JISP) for Timor-Leste to Management Sciences for Development (MSD). Historically, JISP has developed the institutional administrative and management capacity in Timorese justice sector institutions with training and technical support on general administration, financial management, human resources administration, primarily through its Financial Management Training and Support Project (FMTS). In addition, JISP supports the efforts to improve anti-corruption and good governance capacities of key justice-sector and government institutions. And finally, JISP provides technical support to the Office of the Prosecution and the Courts with the services of an Inspector Prosecutor and Inspector Judge.

The 1st Quarter of FY 2010 was one of transition, with the culmination of over four years of technical and provisional support to the Office of the Procurator for Human Rights and Justice (PDHJ). The Governance Integrity Skills Training Project (GIST) completed training of 22 PDHJ officers in November 2009. JISP also ended administrative support to the Office of the Public Defender in December. Since the middle of 2008, JISP has provided a specialist to assist the OPD strengthen its administrative capacities, financial management, and case tracking.

In late September 2009, JISP began supporting the Vice Prime Minister's Office efforts to construct a National Anti-Corruption Strategy and an Operational Plan for the Office of the Inspector General. The deployment of Roger Batty to provide this support has proven to be highly successful, with a draft of both documents already approved by the VPM and a plan to begin refining and implementing the plans beginning in February 2010.

The JISP has two critical projects on the horizon: 1) an Executive FMTS project that will provide management and leadership training to senior officers within justice-sector institutions and 2) the deployment of an Inspector and Secretary to the Superior Council of the Public Defender. The Director General of the Ministry of Justice has approved both projects and the Scopes of Work. JISP is working diligently to obtain the approval of the Minister of Justice and expects to proceed with both projects in the upcoming quarter.

Some of the highlights for this quarter include:

- Continued Inspection Services for judges and prosecutors to assess their performance and integrity
- Completed the Administrative Support Project to the Office of the Public Defender
- Culmination of 4 years of support to the Office of the Procurator with the completion of the Governance Integrity Strengthening Training Project
- Completion of training for 22 PDHJ officers
- Negotiated terms for the Executive FMTS program with the Director General of the Ministry of Justice
- Organized the Prosecutor General's mission to Cape Verde to encourage technical assistance from Cape Verde in the areas of public prosecution
- Supported the Superior Council of the Prosecution to evaluate credentials for the recruitment seven new administration staff, including a much-needed Director of Finance and Administration

- Completed training for administrative staff of the OPG on the internal Code of Conduct
- Deployed a senior advisor to the National Anti-Corruption Strategy Advisor to the Vice-Prime Minister
- Drafted a National Anti-Corruption Strategy on behalf of the Vice Prime Minister
- Drafted a Strategic and Operational Plan for the Office of the Inspector General

Activities planned for the next quarter

During the next quarter, January 1 – March 31, 2010, JISP plans to engage in the following activities:

- Continue Inspection Services to provide pedagogical inspections and to assess the performance and integrity of national prosecutors
- Support the Superior Council of the Prosecution
- Obtain approval from the Minister of Justice for the E-FMTS Project
- Finalize MOU with Minister of Justice and Recruit candidate to serve as Inspector Public Defender and Secretary to the Superior Council of the Public Defender
- Provide technical advice to the Vice Prime Minister and assist him in implementation of the National Anti-Corruption Strategy
- Assist in the implementation of the Development Plan for the Office of the Inspector General

Tasks One and Three: Strengthening Justice Institutions and Improving MOJ Capacity

Component 1: Financial Management Training and Support Project

During the first quarter of FY 2010, FMTS Assistant Trainer, Rafael de Hale Lima continued to provide one-on-one support to FMTS participants in Dili. In addition, he has continued to support the interim finance officer at the Office of the Prosecutor General.

With the extension of the JISP contract thru June 2011, JISP began discussions with the Ministry of Justice to develop the Executive version of the FMTS program for heads of agencies, directors, and supervisors. The Scope of Work has been reviewed and approved by the Director General of the Ministry, but he has yet to obtain the approval from the Minister.

Ideally, JISP would like to implement the E-FMTS course through the MoJ. There is strong indication that the Directors and managers of MoJ agency urgently need financial management and general leadership training. And with the support of the MoJ, the E-FMTS course would be held at the Judicial Training Center. JISP has been in constant contact with the Director General for the last several months, but the Minister has been unavailable. We are hopeful now that the holidays are behind us that the Minister will have time to review the E-FMTS SOW and give her approval.

As a contingency to holding the course with the support of the MoJ, JISP may consider accepting participants from other justice-sector institutions, the Office of the Vice Prime Minister, and the Office of the Inspector General. Many have expressed interest in sending participants to the course. The JSIP proposes to set a deadline of March 1, to obtain the approval from the Minister of Justice. The JISP will initiate the contingency plan, if the Minister has not provided approval by March 1.

Finally, JISP will request approval to hire Martin Papay to serve as course director for the E-FMTS course. Mr. Papay served as course director for the FMTS course, demonstrated a strong aptitude in teaching, and gained the respect of his students and the Minister.

Task Two: Support efforts to improve services of courts, public defenders and prosecutors

Component 1: Judicial Services Inspection Project

The JSIP deployed Judge Margarida Veloso in June 2009 to serve as the Judge Inspector and Secretary to the Superior Council of the Magistrate (SCM). The Judge Inspector has the primary function to gather information and conduct evaluations regarding the performance, merits and professional integrity of judges and judicial officers including international staff. Equally important, the Judge Inspector has the specific function to conduct inspections, inquiries, investigations and to initiate disciplinary cases against judges and judicial officers under authority of the SCM. While the Judge Inspector's authority is limited to making recommendations, the findings and recommendations Judge Veloso presents to the SCM ensure the soundness and integrity of the decisions of the SCM.

In the course of implementing the Judicial Services Inspection Program, Judge Veloso continued to evaluate the performance and assess the merits and professional integrity of national and international Judges, as well as, judicial support staff. Such evaluations are crucial to the SCM's ability to qualitatively compare the performance of national judges, manage their deficiencies, and determine promotion eligibility.

Judge Veloso's deployment ended on December 31 and she will not represent JISP as Judge Inspector.

Component 2: Prosecution Services Inspection Project

The Inspector Prosecutor and Secretary to the Superior Council of the Prosecution has the primary function to gather information and conduct evaluations regarding the performance, merits and professional integrity of prosecutors and support officers. Equally important, the Inspector Prosecutor has the specific function to conduct inspections, inquiries, investigations and to initiate disciplinary cases against prosecutors and officers from the Office of the Prosecutor General (OPG) under authority of the Superior Council of the Prosecution.

The JISP deployed Dr. Arlindo Figueiredo in August 2008 by to support the OPG and the SCP as Inspector Prosecutor and Secretary to the SCP.

2.1 Secretariat Support to the Superior Council of the Prosecution

As reported last quarter, the Superior Council of the Public Prosecution Service is now fully operational. In his roles as Secretary to the Superior Council, Dr. Figueiredo assisted the council with two important matters during the reporting period: 1) Complete the recruitment of 8 new international staff members and 2) Organization of an official visit to the Inspector General and Superior Council of the Prosecution in Cape Verde.

1. The Superior Council endeavored to add eight international staff to the roster of the OPG during the quarter, four clerks and four prosecutors. These clerks and prosecutors are funded by UNDP and the OPG, but wholly administered by the OPG. The SCP requested Dr. Figueiredo to draft terms of references for each of these positions and coordinate the recruitment process. He was involved with reviewing CVs and application

materials, participating in phone interviews, and submitting his recommendations to the Council. And as Secretary of the Council, he organized materials for the council members and organized the debate and selection process.

In October, Dr. Figueiredo conducted induction trainings for the new international staff. The international clerks, in particular, will be of tremendous assistance to Dr. Figueiredo in his role as Inspector Prosecutor and with his efforts to establish clear administrative and forensic procedures in the Prosecutor's Office, especially in the district offices where adherence to standard protocols are more difficult to monitor.

2. The Prosecutor General participated in an official visit by the Prosecutor General to Cape Verde. The Prosecutor General's delegation included the Deputy Prosecutor General, a junior prosecutor from the district prosecution offices, the finance director, and the Dr. Figueiredo, representing the Superior Council and as an advisor to the Prosecutor General.

Cape Verde has a maturing justice system with strong cultural and legal links to Timor-Leste. The structures of the justice institutions in Cape Verde serve as models for development in Timor-Leste with a number of Cape Verdean legal professionals currently serving in line functions in the Office of the Prosecutor General of Timor-Leste.



Dr. Figueiredo and Dr. Passoa (third from left) and the OPG mission to Cape Verde meeting at the Office of Judicial Police

The mission was intended to advance the links between the two countries' institutions and to encourage technical assistance from Cape Verde in the areas of public prosecution, prosecution support services, management and financial administration, and the institutional capacity building of district operations.

Amongst others, the Timor delegation met with the Prosecutor General, President of the Supreme Court, Minister of Justice, President of the Court of Auditors (similar to our future High Administrative Tax and Audit Court), National Director of Judicial Police, National Director of the National Police, and various judges, public prosecutors, and police commanders. The delegation also visited the Judicial Court, National Bureau of Interpol, and the Office of Children and Adolescents (relating to Timor's pending juvenile criminal code), and a newly established forensics science laboratory.

Dr. Figueiredo facilitated communication with the Cape Verdean authorities, established relations with key government officials, defined the areas of future cooperation in

Superior Council services and established protocols for other future partnerships. He will present a report of the trip in the next meeting of the Superior Council of the Prosecution.

The Cape Verdean Prosecutor General accepted an invitation to visit Timor Leste in 2010, during which the two countries plan to sign a Memorandum of Understanding for Cooperation. The JSIP will assist the two countries draft the MOU.

2.2 Inspection Prosecutor

In his role as Inspector Prosecutor, Dr. Figueiredo continued to conduct inspections of prosecution staff assigned to work in Dili, Baucau, Oecusse and Suai. He conducted inspection reviews in all districts during the quarter. However, Dr. Figueiredo also spent a significant amount of time conducting disciplinary inquiries of three prosecution clerks. These inquiries resulted in recommendations to the Superior Council for disciplinary actions, all of which were approved by the Council.

2.3 Juridical Advice to the Prosecutor General's Office

As reported last quarter, the Inspector Prosecutor presented to the Prosecutor General a draft law establishing the Organic Statute of technical support and administrative services (Corporate Services), in accordance with the provisions of article 8, n. 2, 21 and 81 of Law No 14/2005. This Organic Statute prescribes the framework for the general administrative staff in the OPG and district offices. In other words, the statute contains an organizational chart of all administrative and professional staffing positions with the OPG. The Statute was introduced by the PG to the Superior Council in October and received full support.

Although the Statute has not been formally approved by Government, priority recruitment for seven administrative positions was conducted during the quarter. In fact, the newly appointed Director of Finance and Administration joined the delegation to Cape Verde. All of the new recruits will begin by January 2010.

2.4 Prosecution and Support Staff Training Activities

Partially in response to the outcomes of the three disciplinary inquiries mentioned in section 2.2, Dr. Figueiredo presented a one-day training in November for all administrative staff with leadership positions regarding the Code of Conduct, disciplinary measures against civil servants, and the conduct of disciplinary procedures.

Component 3: Public Defender Services Inspection Project

The Superior Council of the Public Defender (SCPD) is the highest policy-making and oversight body of the Office of the Public Defender of Timor-Leste. It exercises jurisdiction over all public defenders and support personnel, national and international, duly appointed under relevant Timor-Leste laws and regulations.

An integral component of the SCPD is inspection services. The Inspector Public Defender has the function to gather information and conduct evaluations regarding the performance, merits and professional integrity of public defenders and judicial officers including international staff.

Equally important, the Inspector Public Defender has the specific function to conduct inspections, inquiries, investigations and to initiate disciplinary cases against public defenders and support officers under authority of the SCPD.

The Inspector Public Defender reports to, and receives instructions from the SCPD. And while his or her authority is limited to making recommendations, the findings and recommendations he or she presents to the SCPD are crucial to ensure the soundness and integrity of the decisions of the SCPD as a collegial and deliberative body.

As reported last quarter, The Chief Public Defender has requested USAID Timor-Leste and its implementing partner MSD/JISP to sustain funding support for the position of an Inspector Public Defender and Secretary of the Superior Council of the Public Defender for a period of 18 months, beginning in January 2010.

On September 29th, JISP Chief of Party (COP) Brian Francisco and Chief Public Defender reached agreement on the principle tasks and deployment schedule of an Inspector Public Defender. The SOW for the deployment has been approved by USAID, yet JISP is awaiting final approval from the Minister of Justice. JISP representatives and the Chief Public Defender have repeatedly requested approval from the Minister. According to the Chief Public Defender, the Minister is reluctant to deploy an Inspector Public Defender *before* the Superior Council of the Public Defender is fully seated. JISP will continue to lobby for the Minister's approval and may request USAID's assistance if necessary.

Component 4: Public Defense Administration Support Project

The JSIP provided Administrative Specialist, Ina Petutschnig, to provide technical support to the administration staff and senior management of the Office of the Public Defender. She has focused her efforts over the last year on strengthening the capacity of the OPD administrative staff to organize and manage case files, properly plan and execute the OPD budget, and establish internal procedures, which aid in the efficiency and effectiveness of the office.

The JSIP ended administrative support to the OPD on December 31, 2009.

4.1 Case Management System

Through the JSIP, Ms. Petutschnig continued to reinforce the integrity of the Public Defender case management system. She worked one-on-one with administrative staff members to ensure each has a comprehensive understanding of the system. In the previous quarter, JISP

supported the implementation of an electronic case registry and tracking system. The JISP and Ms. Petutschnig have worked to further integrate the electronic systems in parallel with the existing manual system.

4.2 Budget Planning and Execution

The JISP provided support to the finance administrators and chief public defender for budget planning and execution. During the quarter, Ms. Petutschnig has reported a 95% budget implementation rate for non-capital expenditures.

4.3 Human Resource Management

The Office of the Public Defender, with the assistance of JISP, now has individual human resource files for each staff member. This simple achievement has provided urgently needed organization to the human resource management system. The current staffing level of the OPD is 39 administrative staff and 15 public defenders. In 2010, that number will increase by another 30 staff members, including 4 new public defenders. The burden of managing these staff, especially as they disperse into the districts, will require strong administrative systems and organization, which JISP and Ms. Petutschnig have worked diligently to establish.



*Ina Petutschnig (second from left)
and the Administrative Staff
of the Office of the Public Defender*

Task four: Support efforts to improve anti-corruption and good governance

Component 1: Provedor Governance Integrity Skills Training Project

The JISP Senior Good Governance Training Adviser, Nick Raicevic, completed the Governance Integrity Skills Training Project (GIST) at the Office of the Provedor in mid-November 2009.

1.1 Implement GIST Training Program

Mr. Raicevic completed the Governance Integrity Skills Training Project (GIST) with presentations of certificates to the course participants. In total, 22 PDHJ officers from all 3 Divisions participated in the workshop/training sessions in five areas; Public Administration, Time and Self Management, Communication and Coordination, Writing Documents and File Management.

In the photograph to the right, Mr. Raicevic presents a certificate to Nilza Berteni, a staff member of the good anti-corruption division and former JISP intern. Ms. Berteni now works as an investigator in the division.



Nick Raicevic

Presenting Certificates for the Governance Integrity

GIST utilized the training facilities and experienced trainers of the National Institution for Public Administration (INAP) to facilitate an Administrative Skills Course. The INAP portion of GIST training was completed in the previous quarter, however Mr. Raicevic and JISP training assistant Deodato Fernandes implemented follow-up activities for each of the five areas in order to reinforce the INAP lessons and to encourage participants to apply skills to their real-world work environment.

Although the JSIP intended these activities occur for the entire group, due to various time conflicts, and district travel only 11 staff members participated in the follow-up activities. Overall results were in line with expectations, but a few individuals demonstrated strong competencies, in the subject areas (Please see Table of Final Results and Averages). The staff will require additional training, practice, and hands-on supervision and management are required to strengthen the capacity of staff in these areas.



Deodato Fernandes and Nick Raicevic with Silverio Baptista (Dep Prov Human Rights)

Follow-up Activity to GIST Project

TABLE OF FINAL RESULTS AND AVERAGES

No.	Name	Div.	PA	TSM	CC	WD	FM	Mod.	Average
1	Alarico Araújo Ferreira S.	AC	90	70	90	90	80	5	84
2	Bartolomeu Gonçalves	AC	70	70	90		40	4	68
3	José dos Santos	AC	60	90	30			5	60
4	Jose Manuel Ferreira	AC	70	80	90	100		4	85
5	Laurentino da Costa	AC	85	70	30	55		4	60
6	Nilza M. C. S. Berteni	AC	70	70	20	55	60	5	55
7	Casimiro Ferreira Magno	GG	85	90	95	50	80	5	80
8	Ambrosio Graciano Soares	GG	80	90	95		70	5	84
9	Elsa Viegas da Costa	GG	80	85	40	100	90	5	79
10	Silvinho Saldanha P.	HR	40	75	30			3	48
11	Terencia da Costa Nunes Maia	HR	65	70	55	50	60	5	60
	No. submitted		11	11	11	7	7		
	Average of topic		72	78	60	71	69		

1.2 Standardized Forms and Templates



The JSIP learned during follow-up activities that standardized forms and templates were not being uniformly employed by each division or even within any of the three divisions. The JSIP, in coordination with UNDP, developed a CD of 28 standardized documents, loaded the documents as templates on every computer in the PDHJ and the district offices, and widely distributed the CD for future use.

1.3 Future work with the PDHJ

The Provedor has expressed his personal disenfranchisement, frustration, and disappointment with the Government and Parliament. The Provedor's sentiments have trickled down to his Deputy and the division staff. The Provedor, and by extension his deputies, were due to be replaced or reappointed on June 30th and Parliament has not made a decision on replacements or reappointments.



*Sebastiao Dias Ximenes
Provedor for Human Rights and Justice*

While the PDHJ's Good Governance Division has experienced significant problems in leadership over the last year, we should not disregard the potential of the institution and the vital function which PDHJ is intended to provide to the people of Timor. The new Anti-Corruption Commission may draw capacity strengthening projects away from the PDHJ, but the mandates of these two institutions are quite unique and the PDHJ merits our continued attention.

Despite difficulties working with the PDHJ at this time the JISP will continue working with the PDHJ to ensure a smooth transition with any future leadership.

Component 2: Senior National Anti-Corruption Strategy (NACS) Advisor to the Vice Prime Minister (VPM)

The Office of the Vice Prime Minister, Dr. Mario Carrascalao, requested the JSIP to deploy a Senior National Anti-Corruption Strategy Adviser, to assist in the development of a blueprint for the government's national anti-corruption strategy over the short- and medium-term (5-10 years). The Adviser will provide technical advice to the Vice Prime Minister on anti-corruption policy and will assist in establishing broad support for the government strategy to combat corruption.

An important component of any anti-corruption strategy is an institutional foundation. In this regard, part of the Adviser's role is to provide support and assistance to the Inspector General of Timor-Leste, a senior ministerial-level official, in developing a strategic vision and a short and medium range plan for his office. The Office of the Inspector General will play a crucial role in ensuring government integrity, transparency, and accountability.

2.1 Deployment of the Senior NACS Advisor

The JSIP deploy Mr. Roger Batty for a 65-day consultancy as the Senior NACS Advisor to the VPM on September 15th. In that short time, Mr. Batty has completed two significant objectives: 1) a framework for a National Anti-Corruption Strategy and 2) a strategic plan for the Office of the Inspector General.

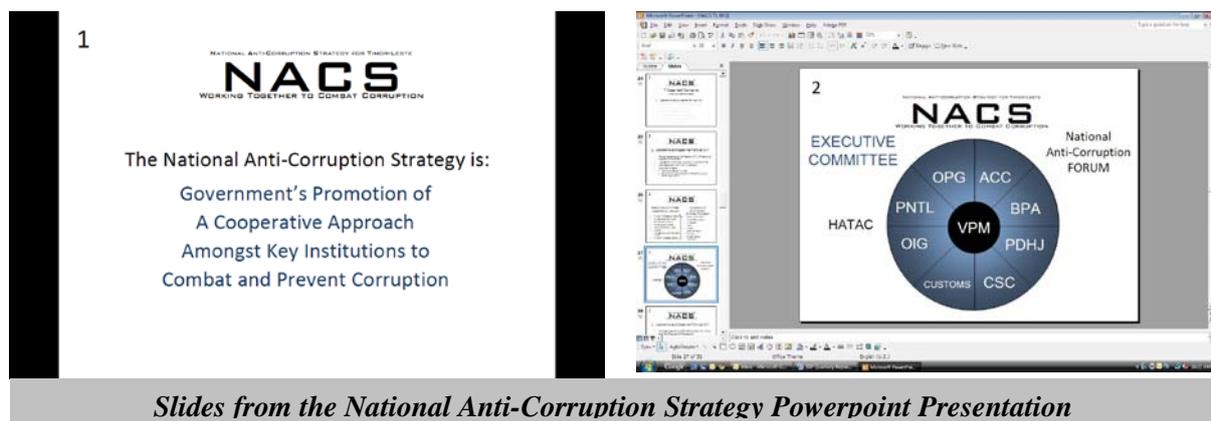


*Mr. Roger Batty (right)
With Vice Prime Minister Mario
Carrascalao, Senior Advisor Milena
Pires, and secretary*

2.2 National Anti-Corruption Strategy Framework

After extensive meetings with the Vice Prime Minister and his senior advisor, Milena Pires, Mr. Batty drafted two anti-corruption documents. The first was a working document of indicative activities which may be incorporated into a national anti-corruption strategy. As the document was already based to a large degree on input from the Vice Prime Minister, it has received his endorsement and will likely serve as the basis for a full national anti-corruption strategy document.

Mr. Batty has worked in Timor in the past and has written strategic documents and operation plans for other institutions here. One of the lessons learned from those experiences is that oftentimes lengthy, jargon-ridden documents are overwhelming, or simply not read. In an effort to reach his counterparts more directly, Mr. Batty has developed a Powerpoint presentation to help the VPM and leaders of “key institutions” understand the process for developing a comprehensive strategy.



The presentation outlines what needs to be done, the responsibilities of government and other state institutions, and a sequential strategy for accomplishing these objectives.

Mr. Batty has delivered the presentation to the VPM and to his national and international advisors with unanimous support. The next step, to be completed upon Mr. Batty's return in February 2010, will be to begin building a coalition of support for the strategy, meeting individually with principle stakeholders of the “Executive Committee”

Furthermore, Mr. Batty has provided the VPM with advice regarding how his staff should handle the complaints of corruption that come to his office, the development of international anti-corruption networks, and the design of Ministerial Minimum Anti-Corruption Capabilities (MMAC) to help each government ministry address corruption.

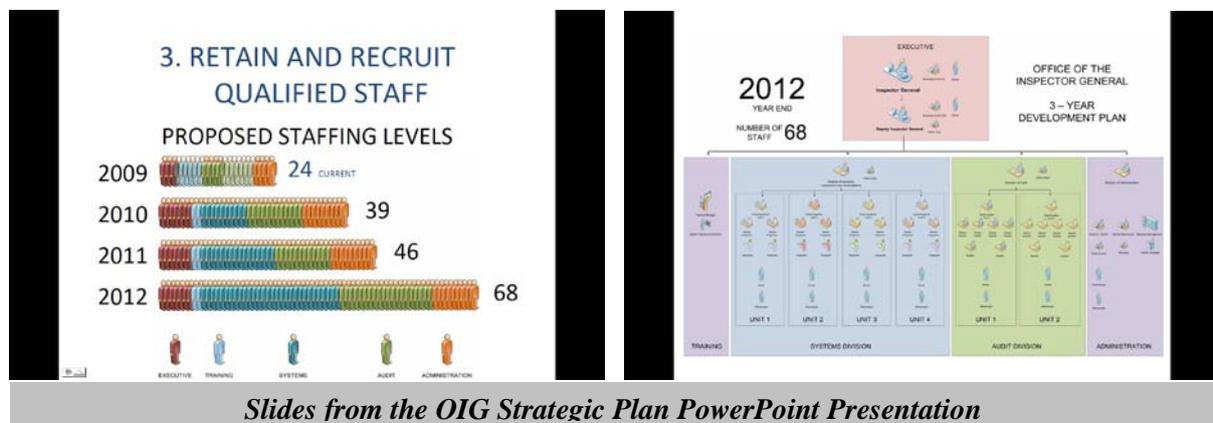
2.3 Strategic Plan for the Office of the Inspector General

Mr. Batty has the additional responsibility of assisting the Vice Prime Minister in his efforts to restructure and strengthen the Office of the Inspector General (OIG). During the quarter, Mr. Batty conducted a review of the current OIG operations and a skills audit of each staff member, including the acting Inspector General. His recommendations to the VPM regarding

the reorganization of the office begin with the permanent assignation of an Inspector General. The current acting Inspector General has had temporary status for three years. Mr. Batty would recommend that either the acting IG be given permanent status or, preferably, a new candidate is identified and appointed to the position. Mr. Batty advised the VPM on the qualifications and attributes that an ideal candidate would have for the position.

On a related issue, over half of the staff of the OIG are temporary government employees, meaning that they are on six-month, renewable contracts and do not enjoy equal standing to their colleagues. Both of these issues have lead to provisional operation of the OIG, with no sense of professionalism and very little near or long-range thinking.

Mr. Batty has recommended, and the VPM has agreed, that the first priority for the office is to resolve the staffing issues, especially regarding filling the position of Inspector General. And although it would be ideal to have the Inspector General participate in the forward planning for the Office, the VPM has asked Mr. Batty to draft a preliminary development plan for the OIG covering structure, operations, and staff development. He has therefore drafted a preliminary 3-year development plan and prepared a Powerpoint presentation for the VPM and the acting IG.



Slides from the OIG Strategic Plan PowerPoint Presentation

The plan has received the VPM’s approval, but there are some significant obstacles to its implementation, including the staffing issues described above, budgetary constraints, and physical space limitations. Perhaps most significant, however, is the low skill levels of existing staff and management capacity with the Office. Mr. Batty has recommended that the OIG staff a training coordination unit and adopt an operational plan which commits the Office to a long-range staff develop. It should be noted here that any adoption of a Strategic or Operational Plan will await a permanent Inspector General to take the lead.

2.4 Next Phase

The JSIP has scheduled Mr. Batty to return in February to continue his work with the Vice Prime Minister, providing technical advice regarding the National Anti-Corruption Strategy and the development of the Office of the Inspector General. See the Scope of Work for this engagement in the Annex section for further details.

Justice Institutions Strengthening Project

Senior National Anti-Corruption Strategy Adviser to the Vice Prime Minister

Extension of Technical Assistance

Scope of Work

Project Background

Corruption has been identified as one of the most compelling and difficult governance challenges the developing world has faced in recent decades. Empirical evidence has shown that corruption adversely affects the economic development, financial stability and long-term viability of a country. Corruption weakens the capacity of governments to deliver basic public services, diverts investments away from social services, reduces respect for the rule of law and governance institutions, restricts opportunities for people, and increases the cost of doing business. These factors in turn contribute to increased levels of poverty and impose an undue burden on vulnerable sectors of society that can least afford it.

Transitional and post-conflict countries such as Timor-Leste are particularly vulnerable to the deleterious effects of corruption. Emerging public institutions coupled with relatively weak law enforcement capabilities in Timor-Leste contribute to an environment where corruption can easily emerge leaving the country's young institutions vulnerable.

Recognizing the urgent need to confront this threat and other serious governance challenges, Prime Minister Kay Rala Xanana Gusmao designated 2008 as the year of administrative reforms. In a formal conference held in May 2008, Prime Minister Gusmao unveiled proposals to establish three accountability and oversight institutions, the Office of the Auditor General, the Civil Service Commission and an Anti-Corruption Commission. These institutions will form the core of an administrative reform agenda in order to establish a foundation for transparency and accountability, improve the quality of governance, and reduce corruption in Timor-Leste.

It is widely believed that corruption flourishes in an environment where rewards for corrupt activities are high while the probability of detection, investigation and prosecution are disproportionately low. It is imperative therefore that any serious anti-corruption effort should ensure that the rewards derived from corruption are reduced while risks of detection and punishment for the corrupt, and their conspirators, are raised to levels sufficient to deter the behavior. In this regard, the Prime Minister has recognized the importance of developing an over-arching strategy that will guide all anti-corruption initiatives of the government to ensure that rewards from corruption are reduced while risks and the probabilities of punishment for corruption are increased. The Prime Minister has duly appointed a Vice Prime Minister for Transparency and Accountability responsible for developing this strategy.

Position Description

The engagement of a **Senior National Anti-Corruption Strategy Adviser** was proposed in 2009 to assist the Vice Prime Minister in developing a blueprint for the government's national anti-corruption strategy over the short- and medium-term (3-5 years). The recruitment panel selected Roger Batty as the preferred candidate for the position and his appointment was approved by the Vice Prime Minister. In mid-September, Mr. Batty began a 65-day LOE engagement to provide technical advice to the Vice Prime Minister on anti-corruption policy and to assist in establishing broad support for the government strategy to combat corruption.

An important component of any anti-corruption strategy is an institutional foundation. In this regard, part of the Adviser's role is to provide support and assistance to the Inspector General of Timor-Leste, a senior ministerial-level official, in developing a strategic vision and a short and medium range plan for his office. The Office of the Inspector General (OIG) plays a crucial role in ensuring government integrity, transparency, and accountability. During his initial engagement, Mr. Batty developed a 3-year development plan for the OIG which has received strong support by the Interim Inspector General and the Vice Prime Minister.

After several working meetings with the Vice Prime Minister, Mr. Batty drafted a National Anti-Corruption Strategy concept paper. This concept paper was then deconstructed into a power point presentation and delivered to the VPM and his advisors. Essentially, the NACS presentation describes a plan for the VPM to coordinate cooperation amongst members of an "Executive Committee" comprised of leaders of the following institutions:

- OIG Office of the Prosecutor General
- PNTL National Police
- PDHJ Provedor for Human Rights and Justice
- OIG Office of the Inspector General
- Customs National Directorate for Customs
- BPA Bank Payment Authority
- CSC Civil Service Commission
- ACC Anti-Corruption Commission (once operational)
- HATAC High Administrative Tax and Audit Court (once established by law)

The NACS stresses the inter-dependence of these institutions to combat corruption systematically. In addition, the Executive Committee will form the core of a National Anti-Corruption Forum which will consist of a broad representation from all sectors of the State and society. These policy proposals and related implementation plans are all a product of Mr. Batty.

As Mr. Batty's initial engagement will end in mid-December, the Vice Prime Minister has requested that he return to continue providing technical assistance in 2010. Accordingly, this scope of work is developed in direct response to the Vice Prime Minister's request for continued assistance. There is significant work remaining. The proposed continuation of Mr. Batty in 2010 will focus on the implementation of the OIG's 3-year development plan and the operationalization of the NACS agenda. Further details are provided in the Scope of Work section below.

The Adviser will continue to work under the direct supervision of the Vice Prime Minister. MSD COP Brian Francisco shall have responsibility to monitor the Adviser's performance and ensure that all outputs are delivered in accordance with this scope of work.

Scope of Work

The proposed adviser will travel to Dili, Timor-Leste and assume the position of Senior National Anti-Corruption Strategy Adviser to the Vice Prime Minister and will render field service for approximately eighty (80) working days from February 2010 to June 2010, to perform the following tasks –

1. Provide advice and technical assistance to the Vice Prime Minister of Timor-Leste on anti-corruption and public accountability policy initiatives. This includes preparation of policy proposals and finalizing the national anti-corruption strategy and action plan.
2. Negotiate and draft cooperation agreements amongst members of the Executive Committee as described above.
3. Under direct supervision of the Vice Prime Minister, support the institutional development of the Office of the Inspector General. This support includes assisting the Inspector General to implement his institutional development plan and training agenda.
4. Provide specific technical assistance as requested to support the Vice Prime Minister in his special areas of engagement which includes inter-ministerial coordination, infrastructure monitoring, management and monitoring of decentralization and implementation and monitoring of special investment projects in the context of strengthening accountability and transparency.
5. Liaison and collaborate with relevant stakeholders, other international advisors, and donor representatives working in the sector
6. Provide inputs to promote transparency and accountability across the government
7. Draft legislation related to Timor-Leste's compliance with the UN Convention Against Corruption and other international obligations
8. Perform other relevant functions as directed by the Vice Prime Minister

Outputs and Deliverables

The following outputs and deliverables are expected to be generated by the Senior Anti-Corruption Training Adviser:

- a) Contract work-plan
- b) Technical assistance to the Vice Prime Minister
- c) Policy proposals to promote transparency and accountability in Government. Specific policy proposals may include "Minimum Anti-Corruption Competencies" (MACC), which provides policy guidelines for all Ministers to help reduce opportunities for corruption within their Ministries

- d) Finalized National Anti-Corruption Strategy and Creation of a National Anti-Corruption Forum
- e) Finalized Operational Development Plan for the Office of the Inspector General
- f) Draft Cooperation Agreements amongst Anti-Corruption (executive committee) institutions

Timing, Level of Effort (LOE) and Reporting Relationship

The Senior Anti-Corruption Strategy Adviser's assignment will take place in Dili, Timor-Leste for approximately eighty (80) working days from February 2010 to June 2010. The Adviser will continue to work under the direct supervision of the Vice Prime Minister. MSD COP Brian Francisco shall have responsibility to monitor the Adviser's performance and ensure that all outputs are delivered in accordance with this scope of work.