

Evidence-Based Mapping: A Strategic Tool for Enhancing Anti-Corruption Advocacy

Considerations, Approaches, and Tools

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List of Acronyms

ASEAN–PAC Association of Southeast Nations – Parties Against Corruption

AUCPCC African Union Convention on Preventing and Combating Corruption

CoE Council of Europe

CSO Civil Society Organization

ECAC Effective Combat Against Corruption

ECOWAS Economic Community of West African States

EMB Election Management Body

FATF Financial Action Task Force

GRECO The Group of States Against Corruption

IFES International Foundation for Electoral Systems

IMPACTS Implementing Anti-Corruption Treaties and Standards

INTOSAI The International Organization of Supreme Audit Organizations

MoU Memorandum of Understanding

OECD Organisation for Economic Co-operation and Development

SADC Southern African Development Community

UNCAC United Nations Convention Against Corruption

UNODC United Nations Office on Drugs and Crime

UNTOC United Nations Convention Against Transnational Organized Crime

Key Terms

Abuse of state resources: "[T]he undue advantages obtained by certain parties or candidates, through use of their official positions or connections to governmental institutions, to influence the outcome of elections." Abuse of state resources can occur outside the electoral cycle and can erode the efficacy of and trust in governance.²

Advancing anti-corruption commitments: Particularly around transparency and accountability, this is accomplished by "[I]dentify[ing], prioritiz[ing] and execut[ing] concrete actions to advance implementation of international and regional anti-corruption commitments, for instance on management and control of political finance; prevention and documentation of abuse of state resources; asset recovery; public procurement and spending; public sector ethics; and judicial independence and integrity."³

Judicial independence: The Bangalore Principles of Judicial Conduct explain that judicial independence exists in a context in which the judiciary "decide[s] matters before it impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any guarter or for any reason."⁴

Judicial integrity: As outlined in the Bangalore Principles, "[i]ntegrity is the attribute of rectitude and righteousness. The components of integrity are honesty and judicial morality. A judge should always, not only in the discharge of official duties, act honourably and in a manner befitting the judicial office; be free from fraud, deceit and falsehood; and be good and virtuous in behaviour and in character."⁵

Legal and regulatory reform: "[T]he development of clear, consistent and accessible legal frameworks for effective governance, while also encouraging effective application and enforcement of the law," including civil society monitoring and advocacy in these processes.

Political finance: Political finance involves the way that political parties finance their regular activities; parties, candidates, and non-contestants raise and spend money for election campaigns; and how this funding and spending is regulated and disclosed.⁸

¹ Handbook for the Observation of Campaign Finance. (2015). Organization for Security and Co-operation in Europe.

² <u>Abuse of State Resources Research and Assessment Framework</u>. (2018). | IFES – The International Foundation for Electoral Systems.

³ Transparency & Accountability. (2023, December 15). | IFES – The International Foundation for Electoral Systems.

⁴ Commentary on the Bangalore Principles of Judicial Conduct. (n.d.). United Nations Office on Drugs and Crime.

⁵ Ibid.

⁶ <u>Legal & Regulatory Reform</u>. (2022, November 23). | IFES – The International Foundation for Electoral Systems.

⁷ Ibid.

⁸ Political Finance. (n.d.). IFES –The International Foundation for Electoral Systems.

Introduction

About the Project and Inspiration for this Guide

The Effective Combat Against Corruption (ECAC) and Implementing Anti-Corruption Treaties and Standards (IMPACTS) projects worked with local partner organizations in countries undergoing transitions to improve state compliance with existing regional and international anti-corruption standards and commitments. These projects spanned 10 countries over three continents and were implemented jointly by IFES and the CEELI Institute. ECAC and IMPACTS were funded by the U.S. Department of State's International Narcotics and Law Enforcement Affairs Bureau (DoS/INL). In the initial phases of the projects, local partners undertook extensive research, assisted by IFES and the CEELI Institute, to map anti-corruption mechanisms and shortcomings in their implementation. Identifying gaps between the standards to which a State agreed and their practical application formed the basis for successful advocacy in later stages of the projects. Fine-tuning advocacy efforts to align with current standards enabled ECAC and IMPACTS partners to secure institutional buy-in for reform more efficiently.

This guide is based on the projects' successful approach to mapping international anti-corruption standards with high saliency for national governments, and leveraging these standards and related peer review mechanisms to develop strategies for advancing bottom-up advocacy and refrom. It describes a replicable methodology for civil society actors, anti-corruption practitioners, and others to aid in their advocacy and project development activities. Moreover, it provides practical considerations and guidance for those interested in fine-tuning their approach to conducting anti-corruption advocacy.

Components of this Guide

This guide presents a framework for the often-complex process of finding meaningful entry points to engage in or advocate for reform. Each section covers a step in the research and mapping process, as shown below.

- Stage 1: Gather knowledge
- 2 Stage 2: Select priority issue areas for reform
- 3 Stage 3: Develop power maps of allies and spoilers
- 4 Stage 4: Evaluate donors and projects
- 5 Stage 5: Develop action plans and mobilize resources

⁹ The ECAC project was implemented from 2018 to 2023 in Bosnia and Herzegovina, Bulgaria, Kosovo, Montenegro, and Romania. The IMPACTS project was implemented from 2020 to -2023 in Armenia, Ethiopia, The Gambia, Malaysia, and Morocco.

How to Use this Guide

Evaluating stakeholders and finding entry points for anti-corruption advocacy is not a simple brainstorming exercise to produce a shortlist of political actors with whom to engage in advocacy or discuss research. The process requires critical thinking, meaningful reflection, and extensive research. This guide seeks to break down such complexity and synthesize related information.

Stakeholder mapping and identifying entry points is an ongoing process. As circumstances around a problem or issue shift – as they will during advocacy and research activities – it is important to reassess stakeholders continuously. Understanding how the positions, mandates, and influence of different political and legal institutions and actors can shift is critical to ensuring that advocacy and research can adapt as well. This is the foundation of thinking and working politically, which "ensure[s] interventions and activities are tailored and respond to political context and power dynamics." ¹⁰

Stakeholder mapping and identifying entry points is an ongoing process.

As circumstances around a problem or issue shift – as they will during advocacy and research activities – it is important to reassess stakeholders continuously.

This guide emphasizes anti-corruption practices, behaviors, actors, and institutions. It is intended for audiences such as nongovernmental organizations or think thanks that work both directly and indirectly on the abuse of state resources, judicial independence, judicial integrity, political finance, advancing international and national anti-

Considerations for using this guide:

- While this guide presents a series of stages for how to undertake this research mapping
 process, it should by no means be viewed as a solely linear process. The contexts, power
 dynamics, and other aspects explored in this guide are continuously changing.
- While the action planning/resource mobilization processes are discussed separately from the knowledge gathering sections, it is often useful for CSOs to keep institutional feasibility in mind when conducting the knowledge gathering stage.
- Anti-corruption reform is extremely complex. While this guide attempts to provide a practical, replicable methodology for identifying entry points for anti-corruption advocacy, it is by no means exhaustive.

¹⁰ Brinkerhoff, Derrrick, and Marc Cassidy. (2023). <u>Reflections on Ten Years of USAID's Experience with Political Economy Analysis and Thinking and Working Politically</u>. Thinking and Working Community of Practice, p. 3.

corruption commitments, and legal and regulatory reform. It may also interest journalists, the international community (diplomats, development agencies, multilateral and bilateral agencies, international development organizations), justice providers, and communities affected by corruption.

Stage 1: Gather Knowledge

Overview of Stage

This section aims to provide multiple, practical suggestions for conducting research to better understand the landscape of stakeholders, commitments, and legal responsibilities that may be ultimately useful in developing anti-corruption advocacy plans. What types of information will vary widely based off of contexts, political priorities, and other factors.

As such, this stage aims to provide a wide range of potential sources for information to consider, as defined by three main categories:

- a. Legal and technical background research
- b. International and regional anti-corruption standards and commitments
- Domestic and local-level sources of information

At the end of this stage, a note on information collection and documentation is also provided to aid with the research considerations in this stage.

A. Legal and Technical Background Research

Overview

Technical and legal knowledge underpin successful anti-corruption advocacy mapping in several ways. First, meaningful assessment of a central problem or opportunity requires multilevel understanding. Second, evidence has significant effects on the credibility of a particular action or intervention, enabling sustained access to a broader group of allies that can overcome spoilers. Collected knowledge helps identify problems and opportunities for intervention – and potential solutions (e.g., legal reform, civic education, establishing monitoring processes, strategic litigation). This approach can be more effective than advocacy based only on principles (e.g., rallies that focus on reducing corruption because it erodes democracy). Efficacy hinges on identifying specific and relevant stakeholders at the international, regional, national, and subnational levels. Staying updated on anti-corruption instruments and practices can help identify less obvious stakeholders, whether allies and spoilers, that can affect anti-corruption work.

Knowledge should come from diverse and verified sources and can be derived from analysis and guiding questions. Because disinformation and misinformation are so common, it is critical to cross-check news and analysis with international, regional, and national experts and sources that subscribe to journalistic and academic ethics

standards.¹¹ These codes cover plagiarism and how to cite information. A common approach is to confirm that more than one source provides information on a law, legislative, or policy process. Sources can divert public attention from these processes, so it is important to read carefully and double-check information.

Sources to Consider when Conducting Legal and Technical Analysis

- International and national news sources: some examples of credible international news sources are: BBC, CNN International, and Al Jazeera. However, consider potential biases and the outlet's ownership.
- Academic sources: school and university libraries contain broad information and can provide access to electronic scholarship.
 Google Scholar offers options for full-text articles at no cost.
- United Nations and other instrument-specific websites: these
 are cited throughout this guide (e.g., <u>UNCAC</u>) and typically
 contain the full texts of instruments and their signatories. They can
 also offer context and history, summaries, and other relevant
 updates.
- Legal and policy analysis (international and national think tanks, law firms, and international organizations): these include Chatham House, Human Rights Watch, and the Council on Foreign Relations. International organizations can provide technical documents with standards based on global experience. For example, IFES provides publications and tools that can clarify concepts and share approaches. National think tanks and research institutes can provide critical survey data and context-appropriate analyses of law and policy. They can be significant sources of data and analysis for stakeholder mapping and action planning.
- Government websites: these sites may not be updated often, but they can provide information on laws, policy processes, legislative calendars, agency strategies, and stakeholder biographies.
- Civil society groups and other actors: many CSOs and other
 organizations develop studies and reports on anti-corruption issues. Additionally, civil society and research
 organizations and government bureaucrats and staff (including parliamentary staff) can help cross-check
 information; provide updates on legislative, legal, and policy processes; and inform analysis based on
 government and civil society positioning.

Practical Tips for Analyzing Unfamiliar or New Anti-Corruption Contexts:

- Create a checklist of the sources in the list to the left to consult in initial research if it is unclear where to begin.
- If the anti-corruption context is new or unfamiliar, pay particular attention to mapping out relevant national news sources before diving into research - and understand who owns them, and whether they are perceived to be politically biased in any way.
- Understanding what civil society groups are actively working on anti-corruption work in a particular context is also useful to help contextualize research findings. What topics do they cover; what types of publications do they release; are they aligned with any political parties?
- Researchers should ensure that they search for source material in local languages to avoid missing key resources.

¹¹ For ethics in journalism, see: International Federation of Journalists. (2019). <u>Global Charter of Ethics for Journalists</u>. For an example of an academic integrity code, see: <u>Academic "Honor Code"</u> | State University of New York, Potsdam. (n.d.).

B. International and Regional Instruments, Organizations, and Mechanisms

International and regional mechanisms can be useful in determining what kinds of anti-corruption reform or standards states have already committed to inform the evidence basis for anti-corruption advocacy. The sections below and the tables in Annex 1 provide guidance for gathering information about international, regional, national, and subnational policy instruments, laws, and institutions.

Learning whether and how these instruments apply in the country or countries of analysis is a first step toward understanding the broader global context and identifying entry points for collaboration with government bodies and international actors. For example, such work can help to identify entry points through which CSOs support the monitoring of state progress toward UNCAC commitments. Knowing which agencies, if any, oversee implementation, and identifying and developing partnerships with stakeholders within

Annex 1 has additional information on these instruments, including guiding questions and key information.

them, can be a critical step forward on anti-corruption. International instruments like the Bangalore Principles can also help create shared understanding of the core concepts of judicial conduct that are rooted in practice across jurisdictions. Even if they are not binding, global and regional standards can be the basis for reform because they can be used as standards by which to approach political stakeholders. In addition to these international instruments, regional instruments may play a role in shaping anti-corruption standards and commitments for the country or countries of analysis.

Figures 1 and 2 list the international and regional anti-corruption instruments discussed in Annex 1. The tables in the Annex include detailed information about the instruments, whether they are binding, any enforcement mechanisms they may have, and guiding questions to aid with analysis.

Figure 1: Lists of International Anti-corruption Instruments

International Anti-Corruption Instruments The Bangalore Principles of Judicial Conduct 12 Financial Action Task Force (FATF) 13 The International Organization of Supreme Audit Organizations (INTOSAI) Framework of Professional Pronouncements 14 Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention 15 UNCAC Civil Society Coalition 16 United Nations Convention Against Corruption (UNCAC) United Nations Convention Against Transnational Organized Crime (UNTOC) 17

¹² See: <u>JIG - The Bangalore Principles</u>. (n.d.). Www.judicialintegritygroup.org.

¹³ See: *The FATF*. (n.d.). www.fatf-Gafi.org.

¹⁴ See: *IFPP*. (n.d.).

¹⁵ See: OECD. (2022). OECD Anti-Bribery Convention. Oecd.org.

¹⁶ See: About the Coalition. (n.d.). UNCAC Coalition.

¹⁷ See: United Nations. (2000). *United Nations Convention against Transnational Organized Crime*. Unodc.org.

Figure 2: Lists of Regional Anti-corruption Instruments

	Regional Anti-Corruption Instruments		
	African Union Convention on Preventing and Combating Corruption (AUCPCC) ¹⁸		
Africa	Economic Community of West African States (ECOWAS) Protocol on the Fight against Corruption 19		
	Southern African Development Community (SADC) Protocol Against Corruption 20		
Americas	Inter-American Convention Against Corruption ²¹		
Asia-Pacific	ASEAN Political – Security Blueprint 2025 ²²		
Asia-Pacific	Association of Southeast Nations – Parties Against Corruption (ASEAN–PAC) ²³		
Commonwealth of			
Independent	Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States 24		
States	and manner dates of the common states of the common		
	Council of Europe Criminal Law Convention on Corruption and Civil Law Convention on Corruption		
Europe and	Council of Europe Resolution on the Twenty Guiding Principles for the Fight Against Corruption ²⁵		
Eurasia	Recommendation on Codes of Conduct for Public Officials ²⁶		
	Recommendation on Common Rules Against Corruption in the Funding of Political Parties and Electoral Campaigns ²⁷		
Middle East and Northern Africa	Arab Convention to Fight Corruption ²⁸		

To be as effective as possible, these instruments and recommendations require monitoring and continuous engagement by CSOs and research organizations that work on anti-corruption in their countries. Ensuring integrity and effectiveness in implementation, including by domesticating provisions into laws, gives life to these conventions, treaties, commitments, and recommendations. This is accomplished in part by asking key questions and identifying problems and the stakeholders best suited to address them. Investing in international and regional civil society coalitions that focus on analyzing, advocating for, and monitoring the implementation of these instruments and recommendations may be a useful option, as is looking at the best practices of other regions that implement similar processes.

¹⁸ See: African Union Convention on Preventing and Combating Corruption | African Union. (n.d.). Au.int.

¹⁹ See: Economic Community of West African States Protocol on the Fight against Corruption Preamble. (n.d.).

²⁰ See: Protocol Against Corruption 2001 | SADC. (n.d.). Www.sadc.int.

²¹ See: OEA, & OAS. (2009, August 1). <u>OAS – Organization of American States: Democracy for peace, security, and development</u>. Www.oas.org.

²² See: ASEAN Political-Security Community Blueprint 2025 One Vision, One Identity, One Community. (n.d.).

²³ See: MoU | ASEAN-PAC. (n.d.).

²⁴ See: European Commission for Democracy Through Law (Venice Commission) Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States. (2007).

²⁵ See: Council of Europe Committee of Ministers. (1997). On the Twenty Guiding Principles for the Fight Against Corruption.

²⁶ See: Council of Europe. (2000, May 11). Recommendation No. R (2000) 10 of the Committee of Ministers to Member states on codes of conduct for public officials

²⁷ See: Council of Europe Committee of Ministers. (n.d.).

²⁸ See: League of Arab States General Secretariat Arab Anti-Corruption Convention. (n.d.).

UNCAC is the global standard as of the drafting of this Guide. In considering how domestic legal and policy reform can move beyond international principles and standards into adjudicative and consequential measures, it is useful to observe how different civil society and implementation oversight actors engage on its implementation.

Finally, it is difficult to enforce international law on corruption without other imposing economic and political pressures on member States. For example, the CoE's <u>Group of States Against Corruption</u> (GRECO) platform emphasizes peer pressure as an incentive for regional cooperation on the implementation of anti-corruption measures such as reporting on audits of public procurement. Similarly, the FATF black and grey lists provide the basis for assessing investment and loan risks for international financial institutions and multinational corporations. Assessments of stakeholders and power dynamics should consider how to apply peer pressure to other circumstances, such as regional trade and economic activity that should be contingent on transparent reporting of procurement data. This broadens stakeholders' involvement.

C. Domestic Formal and Informal Instruments and Institutions

Additional information on guiding questions and other considerations can be found in Annex 1.

Domestic laws, legislative processes, oversight and adjudicative bodies, and policies are significant mechanisms and sources for power mapping of anticorruption stakeholders. As with international and regional instruments, using guiding questions to the domestic instruments can help identify critical stakeholders

and processes to inform identification of problems, stakeholder mapping, and action planning.

National Instruments and Institutions

- National Constitutions: Constitutions are important because they set out foundational principles for a country's governance. ²⁹ Passing Constitutional amendments and reforms is generally difficult by design to ensure the stability of the State and anchor power structures. Still, reform opportunities exist. Understanding how constitutions shape power and authority, grant rights and freedoms, and serve as the foundation for litigation can ultimately lead to legal, policy, and institutional reform. These are critical for anti-corruption efforts in research, advocacy, and even strategic litigation. For example, if corruption limits minority representation that is guaranteed in the constitution, this area may be ripe for litigation, policy, and legislative reform.
- <u>Domestic Laws, Codes, Regulations, and Procedures:</u> Many types of laws address corruption either directly or indirectly. Many broad-reaching anti-corruption laws focus on bribery of public officials and within corporations.
 Some central questions in assessing potential areas of corruption include:
 - Who has access to public money, and is there transparency around the way it is received and spent? Do reporting requirements have exceptions – for example, once emergencies are declared?
 - Do political finance regulations benefit one party or group of candidates over others? Do any limitations and reporting requirements assess influence?

²⁹ Bharara, Preet (2019). *Doing Justice: A Prosecutor's Thoughts on Crime, Punishment, and the Rule of Law.* Alfred A. Knopf. Introduction.

- Who has oversight, and what are their relationships to the public authorities they evaluate? What codes guide behavior? Are there consequences for their actions?
- What entities, laws, and codes govern judicial conduct? Do they guarantee either independence or integrity (or both)?
- How is civil society tracking and monitoring enabled or blocked? Is the media able to function independently?

Considerations for evaluating the legislative process:

The information below is a suggested framework for understanding legislative processes and identifying relevant stakeholders and depicts milestones in the legislative process. These processes will vary by the context and are based on constitutions, laws, and specific practices. At each stage, it is necessary to assess allies to support stakeholder mapping and action planning.

1. Who drafts the legislation? Is it drafted by an individual or by a committee?

The initial drafters, whether they are from the legislature or executive, may seek consultation on components of the law. This is an early opportunity to involve civil society and research groups. Engagement with the opposition may also be useful, depending on the law and its purpose.

2. What happens after the legislation is drafted? Who are the key actors at this stage?

This step refers to a committee or a commission appointed by the legislature or other relevant authority. Power mapping key leadership and decision-makers on the committee or commission could increase the scope of engagement relatively early in the legislative process.

3. Is the draft edited or amended in a consultative or committee setting? Are there other opportunities for public comment? Are legislators accountable for integrative public comments?

If the amendment process involves the committee, it is important to map its members' interests and allyship, inter alia. As the legislation undergoes further revisions, alliances begin to form among parties and individual legislators.

- 4. Where does the draft go next? Who votes on it?
- 5. How are alliances made to gain or reduce support? How does this process work?
- 6. Is there a second stage of editing or amendment? Who participates in an approves this process? How are deals an alliances made during this phase?
- 7. Does the full body vote? How are alliances made and broken at this stage?
- 8. If passed, does the law go to the executive or to a council attached to the executive? If not, does the law go through an amendment process?

If the legislation is reviewed by an executive committee (such as a council of presidential advisers), its members become part of the power mapping process.

9. Who gives final approval for passage? What are that person or body's sources of influence?

Local and Community Instruments and Institutions

The presence of corruption in state, provincial, and community settings may differ from how it manifests at the national level. In federal states, specific laws and regulations developed at the subnational level may either mirror or contravene federal laws on state resources or political finance. Unitary states might have the same laws, regulations, and codes at all levels, but practice could vary between regions. Moreover, acceptance of small-scale corruption can increase citizens' acceptance of large-scale breaches. Regardless of the scale, any corruption substantially erodes democratic governance. There is always a cost. Patronage networks may flourish at the local level due to tribal, family, religious, ethnic, or similar connections. ³⁰ Such networks start in communities and groups of communities and increase in scope and access. Most civil society monitoring and advocacy focuses on national processes. Resources, including media, are also generally more diverse in larger cities and capitals to track and monitor policy, legal, and legislative development and implementation processes.

The vulnerabilities caused through patronage can be reduced or compounded by informal justice systems. Those systems, which are not connected to courts or state laws "tend to be cheaper, more accessible, and better trusted than formal systems; they emphasize restorative justice, flexible rules and procedures, and negotiated solutions that are culturally resonant. However, they may operate in ways that are inconsistent with international human rights standards and reflect unequal power dynamics and conservative social norms, with adverse effects on women and other excluded groups." ³¹

Mapping and operating at the local level can require strong relationships with subnational governing actors and communities. Critical stakeholders who manage informal justice processes could include local public officials, leaders of patronage networks, and community and religious leaders. Working with communities and developing activist stakeholders among women, youth, and other marginalized groups may dilute at least limit the generational reach of corruptive opportunity.

³⁰ Chêne, Marie. (2010). "Sub-National Corruption Measurement Tools."

³¹ Customary and Informal Justice. (2023). IDLO - International Development Law Organization.

Organizing Research and Documenting Knowledge:

Gathering knowledge is not necessarily time- and labor-intensive. It can involve answering questions that clarify how to analyze and address problem problems and understand what is feasible and who can help or hurt these efforts. Documentation need not take the form of long research papers. Charts or short briefs, with links and citations, can be useful for reference during advocacy and research. It is important to keep them updated to avoid missteps in identifying stakeholders.

Some tips to make this process more streamlined are outlined below:

Content

- Ensure the information documented is brief, specific, and relevant. Consider reviewing your notes
 after compiling them, and strike out superfluous information to keep the files short and to the point.
- Gather knowledge to help identify problems and assess the feasibility of an intervention (for example, renegotiating international instruments is not a reasonable first step).
- Research should identify potential allies and spoilers. These can be individual and networked actors
 or institutions, agencies, and organizations

Format

- Keep the format as simple as possible, including charts or bullet points under relevant headings.
- Include full citations with links (if available) to support follow-up and further research.
- Name files by thematic area for ease of use; keep them in folders with stakeholder maps, action and resource mobilization plans, and other relevant items.

Management

- Update documents in relevant thematic areas when change occurs and resources allow. Set
 calendars update based on relevant cycles (e.g., electoral cycles, legislative calendars, litigation
 activities, or other relevant timelines) to help manage this process.
- If possible, assign staff to only a few thematic areas at a time to ensure timely updates.
- Plan to connect knowledge to stakeholder mapping and action plan updates whenever possible.

Stage 2: Select Priority Issue Areas for Reform

Following a review of relevant international, regional, and domestic standards for anti-corruption and related gaps or challenges in content, the next step is to prioritize which problems to address. Because priorities may shift, it is important to be both adaptable and prepared. Figure 3 depicts the steps for prioritizing issue areas.

Figure 3: Steps for Identifying Priority Issue Areas for Reform



These steps are intended to provide a framework for undertaking Stage 2 but should not be viewed as prescriptive. Guiding questions for each step will clarify the purpose and feasibility at this stage. These questions are provided to elucidate the full scope of considerations necessary for each of these steps.

Worksheets to aid with these steps can be found in Annex 2.

Identify problems and proposed responses

At this early stage, brainstorming solutions in consultation with staff or trusted partner organizations or experts is important. Equally critical is to hold at least a few consultations with people with whom the organization disagrees or who might be potential spoilers. Doing so can help clarify their positions and potential resistance to reforms, building understanding of which problems and responses will face uphill battles. Moreover, extensive consultation may be needed to assess political will and a problem's impact on different constituencies and groups.

Guiding Questions:

- 1. Based on knowledge gathering exercises, which areas of anti-corruption are most pressing? Why? Who is harmed by the status quo?
- 2. Which areas are most feasible to target for reform? For example, if the government has not announced a constitutional law reform process, it might be difficult to begin with large-scale reforms.
- 3. What legal frameworks enable civil society to engage with these issues? Do any severe restrictions prevent civil society from responding directly or through other stakeholders?
- 4. Which international and regional anti-corruption instruments does the government seem to prioritize, and why? For example, is higher priority given to meeting standards that are prerequisites for development assistance, or for signing trade deals?
- 5. What evidence shows that the pressing issues identified have significant impacts on citizens? Who or what is most affected by these issues?

Assess political will for action for each problem response set, and develop strategies to increase it

Based on knowledge gathering, further research and evidence, and a consultation process, further evaluation of feasibility depends on political will. At this stage, political will can be assessed only in general terms. Later it can be better assessed through detailed power mapping. However, an early, rapid assessment of general willingness to engage with a problem/response set can further inform stakeholder mapping and activity design. The components below can provide a start.³²

Guiding Questions:

- 1. Who benefits from status quo patterns of corruption? What are their incentives for continued corruption related to the priority issue areas you are exploring (how do checks and balances, their relationships, reputations, and other factors facilitate the continuation of these behaviors)?
- 2. How could the costs of continued patterns of corruption be increased (such as through international pressure that leverages concerns about reputation, or financial sanctions)?
- 3. Who or where are anti-corruption reform initiatives coming from? If from political actors, for example, there may be more scope for engagement.

³² These components and parts of the explanations and questions are taken from Brinkerhoff, D. (1999). and Nicholas Kulibaba (1999). *Working Papers Identifying and Assessing Political Will for Anticorruption Efforts*. United States Agency for International Development (USAID) Implementing Policy Change Project.

4. Is it an organic policy position of these political actors or coercion by external groups? Do checks and balances, reputations, relationships, potential financial costs, or social norms keep corrupt behaviors in check? How can you tell? Are these forms of pressure sustainable?

Additional Considerations:

- Mobilization of constituencies of stakeholders to support anti-corruption reforms. Conducting
 consultations now and during stakeholder power mapping will increase understanding of these groups.
 Engaging stakeholders through consultation and joint initiatives is critical to increasing influence and political
 will. This is especially true for building constituencies outside the capital.
- Application of credible sanctions in support of anti-corruption reform objectives. This tactic applies to
 actors in power who can enforce sanctions and facilitate behavior change. CSOs can advocate to and inform
 political stakeholders on ensuring effective sanctions that will garner more support.
- Continuity of effort in pursuing reform efforts. One-off programs enjoy only limited success. Reform is a lengthy, often iterative process. Continuity requires commitment, which will increase the scope of influence. It also enables organizations to build knowledge and expertise on relevant problems. For example, if trade and diplomacy increase through compliance and reform, political will should increase as well.

Assess resource needs

Each problem/response set should include specific activities with budgets, structured like a proposal. USAID <u>budget</u> <u>templates</u> can be adapted and scaled as needed.

Guiding Questions:

- 1. Does the budget include staff and volunteers, along with training to increase technical knowledge and operational feasibility?
- 2. What equipment, financial resources, and technical capacity are needed?

Evaluate organizational, technical, and operational capacity to respond

Before they commit to action, organizations must consider whether they have the capacity and resources to address problems they have identified internally – and whether they can overcome any identified capacity and resource gaps. Resources may be financial, physical (equipment and office), or human (technical and other staff who plan and implement activities around the priorities). Include these in the budget developed in Step 3. Human resources should also include volunteers and interns who can provide invaluable short-term assistance with, for example database development and document organization.

Guiding Question:

1. Based on the assessment of resource needs, is the organization in a position to start developing a program around the identified priorities?

Prioritize the problem/response sets

Based on these criteria, balance the highest political will against the most feasible assessed needs to identify three top priorities for further activity development and power mapping. Document priorities, using a single page to explain the problem/solution set and sample activities, followed by a condensed budget that lists required financial, physical, and human resources. Use additional pages to assess organizational resources.

A Note on Political Will:

The broadly used term *political will* can refer to the motives, intentions, or values of individuals, groups, or institutions.¹ While it is defined and understood in different ways by stakeholders operating in the democracy, governance, and rule of law space, IFES conceives of political will as a complex set of considerations that drive individuals' conscious or unconscious behaviors (which may change over time). The concept offers a valuable, if imperfect, framework for understanding the costs and benefits that motivate political decision-making and identifying factors in their environments that can be leveraged to create room for change. Aspects of political will shape the potential costs and benefits that inform decision-making. They may include Institutional checks and balances, relationships, reputational factors, financial considerations, and social norms.¹

For example, strong codes of ethics within the civil service, supported by mechanisms for reporting violations and the application of administrative sanctions or disciplinary measures for breaches, could greatly increase the potential cost of petty corruption in this context. In this example, so-called institutional checks and balances could influence an individual's decision-making. If administrative sanctions include fines, then financial considerations could also shape behavior. However, in a context where reporting mechanisms for breaches in the code of ethics are ineffective, or disciplinary measures are never enacted or carried out, petty corruption might come at little cost.

The concept of *social norms* merits attention, too. Practitioners also define this term in multiple ways. IFES adopts the definition of norms set out by the Corruption, Justice and Legitimacy Project. They are "mutual expectations about the right way to behave" that are based on "1. what we see or believe others do *and* 2. what we think others expect us to do." Building on the example of petty crime in the civil service, social norms might support corrupt behavior if individuals believe their colleagues accept bribes or fear that refusing them could lead to censure by colleagues. Or social norms might deter bribery if a person believes colleagues tend to refuse bribes, and the community of public servants frown upon the practice.

Political will in itself is neither a positive nor a negative phenomenon. Rather, observation of political will enables us to understand how environmental incentives and disincentives for behavior shape decisions. The conceptualization of political will in this way is applied in sections of this guide about selecting issue areas for reform and power-mapping allies and spoilers to help identify potential entry points for anti-corruption initiatives.

Stage 3: Power Map Allies and Spoilers

What is Power Mapping?

Anti-corruption interventions often involve democratic and governing processes, institutions, and actors that are enabled or undermined by laws and legal institutions. Therefore, assessing sources of power is central to assessing stakeholders. This does not mean that stakeholders are only political actors. Rather, the understanding of power and influence goes beyond obvious and often inaccessible actors such as chief executives, high court judges, members of a national parliament, and similar roles. These critical actors are often not accessible or receptive to measures that undermine their authority.

Power mapping is an approach that allows for a more detailed understanding of position and influence. It assumes that power depends as much on relationships ³³ as on financial and physical resources. Relationships can provide entry points for policy or legal reform. Mapping who has what power, their alliances, and the dynamics of those relationships is a more useful approach than static mapping that charts only an actor's role or political affiliation. Power mapping will also enable CSOs and research organizations to map constituencies at multiple levels – international, regional, national, state/provincial, local, and community. This is critically important because corruption is not always centralized; it is enabled by institutions and actors that operate at all these levels. For example, abuse of state resources may occur at the local rather than at the national level, where coffers may be monitored less frequently or closely. Moreover, large-scale administrative corruption is not the only issue. Smaller-scale corruption also erodes democratic governance, undermining access to services and power and creating a culture of patronage that makes large-scale corruption more feasible. Finally, power mapping also measures access to power and reveals

A blank version of the power mapping worksheet can be found in Annex 2.

who seeks influence. For example, a member of Parliament may not be receptive to a CSO's reform agenda, but an opposition party member seeking office may see political benefit in adding corruption reform to their agenda. Figure 4a, 4b, and 4c provide a worksheet to help conceptualize power mapping and examples of completed worksheets.

Figure 4a: Components of Power Mapping

-			
Power Mapping Components			
Role in reform	Why is this particular actor central to reform or otherwise important to analyze?		
	Describes whether the actor represents a legally mandated public body or is a		
Source of Authority	member of the media or academia to ensure clarity around the purpose of		
	engagement.		
Current interest and	Considers speeches, statements, and actions to understand what the actor seeks		
power	by engaging in a particular reform process.		
Projected interest and	Is the actor jockeying for a higher office or a different position? Could they be voted		
power; sources of change	out of office or removed in some other way?		

³³ Power Mapping: What It Is & How to Use It. (2022, July 7). Business Insights Blog.

Strength of allyship or	Based on public statements and actions, what is the extent of the actor's allyship or		
opposition	opposition? Could this position shift?		
Current and projected	What relationships does the actor have that could be support or impede advocacy?		
relationships	withat relationships does the actor have that could be support of impede advocacy		
Access points/outreach	Are there immediate access points to engage this actor? How can the organization		
strategy	bridge the divide?		
Risk of engagement or	What are the risks of engagement to the reform, organization, and staff? For non-		
non-engagement	engagement?		

Next Steps?

Use the bottom row of the table to list potential meeting topics and goals for engaging with the actor; and note their priorities, aligning with any action plans.

Although it will likely be refined through a consultative process, the information in Figure 4 serves as an important starting point for stakeholder mapping. It can also help to clarify the strength of an allyship or opposition, and how power and alliances may shift. Regardless of whether stakeholders are allies, they affect particular areas of law, policy, or administration identified in the prioritization process. Likewise, not all stakeholders are spoilers. Interestingly, allies may become spoilers and spoilers may become allies as political will shifts based on frameworks of effectiveness, constituency mobilization, and the influence of the allies and spoilers.

Once prioritization is at least tentative, detailed power mapping can help advance reform objectives. This section describes the components of power mapping and presents examples of an ally and a spoiler, drawn from the knowledge gathering discussion under Step 1. Knowledge gathering precedes power mapping, because it allows for depth in assessing stakeholders.

Figure 4b: Components of Power Mapping, Example 134

Example 1: Ally (Priority Area: Increase public access to political party public funding filings)			
Role in reform and source of authority Constitutionally mandated documents and party financial reports are filed with the election commission and the Ministry of Finance's party oversight office.			
Current interest and power	Accountable for credible electoral processes; has significant oversight for the entire process.		
Projected interest and power; sources of change	Has been attending meetings in the provinces, suggesting that she may run for public office soon.		
Strength of allyship or opposition	She has made strong statements about credible elections and political finance as an indicator. However, her intense allyship would weaken if she were to win a seat in Parliament.		

³⁴ Note that this example describes a fictional scenario and individual and should be used only for illustrative purposes.

Current and projected relationships	Maintains excellent relationships with large and small parties. If she wins a seat in Parliament, she would be a junior member with limited access to financial oversight committees in the short term.
Access points/outreach	Program Director John Baptiste worked at the election commission and can make
strategy	introductions and engage directly.
Risk of engagement or	Engagement: Because she may leave, the reform process could be interrupted and subject to the decisions of the incoming officer.
non-engagement	Non-engagement: The only way to get access to filings is through the Ministry of Finance, which responds slowly to requests for public information because of inefficiencies.

Next Steps?

- Coordinate with John Baptiste to schedule an introductory meeting.
- Prepare a one-pager on the team's political finance monitoring initiatives and policy recommendations.

Figure 4b: Components of Power Mapping, Example 2³⁵

rigure 45. Components of Fowe	
(Priority Area	Example 2: Spoiler a: Increase public access to political party public funding filings)
Role in reform and source of authority	Mr. Solis is the chair of ABC, a leader in a coalition of parties. He was elected by party members. He and his party are not interested in increasing reporting and audit requirements for parties, which might occur with increased public scrutiny.
Current interest and power	Mr. Solis is being challenged for party leadership. His authority to fight challengers may not last forever.
Projected interest and power; sources of change	If he is unseated, party leadership may transfer to a younger member of Parliament with an interest in campaign finance reform.
Strength of allyship or opposition	Strong opposition.
Current and projected relationships	Mr. Solis's connection to the coalition of parties is significant. Even if he loses the leadership battle, those relationships would continue.
Access points/outreach strategy	Cold-call his staff to schedule a meeting to understand his concerns. Ideally, a shared party and civil society platform would increase the effectiveness of the advocacy
Risk of engagement or non- engagement	Engagement: He sees no space for reform, and once his opinion is known publicly, it will be difficult to get other parties on board. Non-engagement: The reform will not advance because it needs legislative approval.
Next Steps?	

Monitor public statements (any references to political finance?) Assess whether other parties can be approached in the near term for advocacy.

³⁵ Note that this example describes a fictional scenario and individual and should be used only for illustrative purposes.

A Note on Tracking Stakeholder Interaction and the Safe Storage of Information:

It is useful to track interactions with potential stakeholders in a single document. For each call, meeting, or email, briefly summarize key discussion points and action plans. This form of recordkeeping enables each team member to access information readily. Tag, name, and store information and documents consistently and logically. Using a different folder for each priority area and keeping power maps with the prioritization analysis may support process management as advocacy progresses.

Aggregating and maintaining such information requires appropriate steps to limit access to authorized people and maintain integrity (ensuring the information is not altered in or adulterated) and availability.

Organizations may store the information in various ways. Good cybersecurity entails, at a minimum:

- 1) controlling and managing who has access to the information
- 2) using encryption to secure the information during storage and transmission
- 3) backing up the information regularly to maintain redundancy and recover it in the event of a cybersecurity incident or technology failure.

Maintaining confidential information on a computer carries risk. For example, a computer may be stolen or an office may be raided by the authorities. In addition, take care in using free database platforms, which may not keep information secure. Instead, it may make sense to use a commercial cloud storage service, with password protection, to store information, despite the expense. When this service is not free of government or other interference, the information should be stored locally with encrypted copies at separate locations (for example, at different offices).

An article in the Stanford Social Innovation Review on <u>digital security for civil society organizations</u> can help CSOs understand how to address cybersecurity needs. The article links to <u>resources maintained by the Electronic Frontier Foundation</u> that describe how to understand and manage security risks to electronic information.

Stage 4: Evaluate Donors and Projects

After conducting prioritization and mapping processes, determine what resources are still needed. Document the donor and project landscape to identify opportunities for mutual benefit. These strategic actors will include domestic and international donors as well as organizations that implement projects. Donor websites provide project information, and international bilateral agencies also detail these endeavors. Many organizations that implement projects funded by international bilateral agencies seek national partners to fund advocacy, provide technical knowledge and oversight, and engage in other ways. Anti-corruption measures are conditions of assistance and loans; international financial institutions including the World Bank and International Monetary Fund may also provide some support to government agencies.

The websites listed below, among others, provide information on development assistance by country, including implementing partner information.

- USAID country websites, such as the one for <u>Libya</u> for example;
- Global Affairs Canada;
- Deutsche Gesellschaft für Internationale Zusammenarbeit;
- Australian Department of Foreign Affairs and Trade; and
- The Foreign Commonwealth and Development Office, United Kingdom.

Private foundations, including <u>Open Society Foundations</u> and international nongovernmental organizations, such as the United Nations or European Union, are other sources of financial and technical support.

International organizations may receive funding from bilateral and multilateral organizations to provide grants to civil society organizations and networks. These may be smaller than direct projects, although the National Endowment for Democracy offers mid-sized grants to CSOs globally, including for accountability and transparency.

Stage 5: Develop Action Plans and Mobilize Resources

Following Stages 1-4, it can be helpful to consider how to mobilize resources, manage risk, and mobilize resources. This section provides practical guidance for undertaking this type of activities.

Risk Management

A worksheet to aid in risk management evaluation can be found in Annex 2.

After identifying knowledge and problem/solution sets and conducting power mapping the next phase is to prepare an action or program plan that builds on entry points for improved law and practice. A critical part of planning and implementation is risk management. This iterative process has three main components that should be revisited throughout the

implementation of action plans: risk identification, assessment, and mitigation.

Figure 5: Overview of the Risk Management Process

Identification

Identifying identification requires an understanding of an organization's internal constraints and competencies, as well the wider context in which it operates.

Assessment

Building on the internal and external risks identified through the questionnaire, contextualize these risks to one another.

Mitigation

After prioritizing risk events, think about how to reduce their occurrence or impact. This involves training, communications planning, data encryption, limited access to confidential information, and other strategies. It is good practice to develop scenarios for particularly high-risk programs, forecasting the probability of risk and planning potential solutions. It is based on the problem analysis and political and stakeholder mapping. Figure 6 presents an example of scenario planning.

Figure 6: Scenario Planning for Risk Mitigation

What is the program activity?

What types of risks could occur?

What are the impacts of this potential risk?

How would the organization respond if this risk happened?

Action Planning

After identifying, assessing, and developing mitigation strategies, plan advocacy activities drawing on the maps, prioritization, resource assessment, and other resources developed.

Action planning should draw on review, understanding, and analysis of international and domestic legal frameworks; power mapping; and risk assessment and mitigation. The key questions below outline steps toward a concrete action plan, referring to the actions and documents created throughout these activities.

Key Questions to Consider:

What do you want to achieve?

- Gather initial knowledge.
- Develop a problem/solutions matrix based on detailed knowledge gathering and guiding questions for implementing laws, policies, codes, and decisions; governing agency mandates; legal and regulatory processes; access to and monitoring of governing processes; ability to take legal action; etc.
- Plan further research.
- Generate an evidence basis.
- Choose advocacy priorities and solutions through a prioritization process that includes developing scenarios.

Who can make it happen?

- Map stakeholders' interests, influence, and importance at different phases of policy, legal, and legislative, and regulatory processes.
- Map stakeholders' relative power.
- Map targets (who, when, and why).
- Map factors for and against (drivers and blockages) and their strength and timing.

What do they need to hear? Do you have the legal, social, or scientific evidence to support the message?

- What types of evidence are needed?
- Develop targeted evidence-based messages based on knowledge gathering and power mapping.
- Map factors for and against (drivers and blockages) and their strength and timing.

Who should deliver the message?

- Base strategic selection of messengers on stakeholder power mapping.
- Assess access points and risk based on stakeholder power mapping.

How can you make sure the audiences hear the message?

- Choose the best channels to deliver your message, based on knowledge gathering (guiding questions) and stakeholder power mapping.
- Identify and plan opportunities to communicate with stakeholders.
- Develop policy proposals, alternate or amended legislation provisions, legal briefs, sample codes, public statements, and other substantial responses and proposals for solutions.
- Lobbying.
- Negotiate with stakeholders.
- Develop or engage with other stakeholder networks.
- Conduct events and traditional and social media outreach.

What resources are available?

- Develop internal resource maps, including: human resources (staff and volunteers), material resources (such as financial resources and physical assets), and how they are managed.
- Develop external resource maps, including: human resources (stakeholders), material resources (financial resources and other physical assets), and how they are managed.

What resources are still needed?

- Consider additional internal resource needs, including: what additional trainings, education, or human resources are necessary (and how they can be obtained), how material resources will be managed, etc.
- Evaluate external resource needs, such as additional human resources and material resources and how they will be managed.

What is the action?

- Plan advocacy (consolidate responses to the questions above and assign a management structure, human resources, and risk management strategies to each).
- Detail the budget and other resources.

How can you mainstream gender, pluralism, and inclusion?

- Human resources: Is the organization engaging marginalized groups as staff, volunteers, and stakeholders? Does it consult existing or develop new constituents based on stakeholder mapping?
- Programs: Does the advocacy serve marginalized groups and engage their members as constituents?
 How many women are substantially engaged in leading and planning? Are they consulted at each
 stage of the process? Are different minority and indigenous groups leading and otherwise represented
 in this process? How are these groups consulted, and how often?

How can effectiveness be monitored?

- What are the indicators to measure advocacy?
- Is staff available to measure the responses to those indicators?
- How will learning from the power maps, monitoring, prioritization, and re-prioritization be integrated into advocacy planning?
- What additional knowledge is needed?

How will we manage risk?

- What issues have been identified?
- Has their probability and impact been assessed?
- How will those risks be mitigated?
- How will the risks be monitored?
- What resources are necessary?

Template for Action Planning

Using the considerations and questions outlined in the previous section above, develop an action plan. A short example is provided below for reference.

A blank version of this worksheet can be found in Annex 2.

Figure 7: Action Planning Template Example 36

rigule 1. Action F	lanning Template Ex	ampie				
	lman.		ON PLAN:	al Fundina		
International, regional, or national standards or priorities	Improve Transparency in Political Funding Country A's National Anti-Corruption Strategy 2019, Section 7a: "political party financing should be publicly accessible via a national database". Country A's 2010 Electoral Act, Section 12b: "Country A's Permanent Electoral Authority (PEA) is responsible for the maintenance of records on political party expenditures".					
Overarching objective	Improve transparen	cy in political pa	rty funding in	Country A		
Specific Goals		Amend Country A's 2010 Electoral Act to require reporting of party income and expenditures through a publicly-available online portal.				
High-Level Indicators	 Number of CSOs engaged with the issue of transparency in political party funding via workshops or one-on-one meetings Number of MPs or other legislative officials engaged as part of the advocacy process If an amendment is introduced by an MP to establish this requirement for an online portal. 					
	l	C	Goal 1			
Action	Sub-actions	Primary target(s)	Potential Partner(s)	Measurable indicators	Timeline	Resources needed (technical input & funding)
Pass a legal amendment to the 2010 Electoral Act to mandate the establishment of an online portal, with appropriate sanctions for violations.	Conduct comparative research Support legislative drafting (in consultation with policymakers) Advocate for passage of amendment (roundtables or direct meetings with MPs; publish media stories; etc.)	Electoral Affairs Committee within Parliament	Civil society groups, such as Citizens of Country A for Fair Elections	Did the amendment get drafted? Was the amendment passed?	Drafted within 4 months Consultation within 6 months Passed within 1 year	Support in setting up meetings for comparative research on good practices in neighboring countries Funds for drafting & public consultations

³⁶ Note that this example is fictional and should only be used for demonstration purposes.