

A Rapid Results Anti-Corruption Tool – that Builds Citizen Trust and has Lasting Impact... and Now, with Worldwide Reach

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Over the past 20 years, MSI has pilot tested many innovative approaches to fight corruption in many countries. Some have failed, some have been successful but short-lived, and a few have been successful and sustained by the host government or civil society. In this Technical Note, we highlight one of these sustained successes – *Citizen Advocate Offices (CAO)*.

When we first piloted the CAO in Ukraine in 1998, it was essentially a local solution generated to address an upturn in citizen complaints about corrupt interactions with government authorities. It was implemented by a local NGO with a small amount of USAID funding and MSI's technical support. Its rapid successes in exposing corruption that ordinary citizens had to endure every day – and then getting the authorities to take ownership of the situation and stop the abuses over the long term – gave the local NGO incredible confidence. With extensive publicity, more citizens appealed for help from the CAO and it continued to produce quick and very visible successes.

With these experiences under our belts, MSI scaled up the CAO model to other countries, where we had very similar results. This case highlights our strong and tested capability to view problems in a new light, pursue local solutions, monitor rapid results from pilot tests that can be scaled up, build self-reliance, and reach across sectors to address critical issues that affect the lives of everyday citizens and build their trust in their government.



Stop Corruption: Do not bargain with your rights! Get help from the CAO, 24 hours!

WHY? Citizens and businesses transact daily with government agencies to obtain public services (health care, education), fulfill public obligations (taxes, registration, licensing), and seek justice in resolving disputes. However, public trust in government is often destroyed when these transactions are mired by corruption and when citizens are extorted by officials who do not anticipate any negative consequences for their self-serving actions.

How can ordinary citizens or businesspeople protect themselves? The legal system ought to be accessible to assist corruption victims. But ironically, in many countries, the courts and law enforcement are viewed as the most corrupted government bodies. Moreover, the public often fears retribution if they register their grievances with the government.



WHAT? When first presented with this conundrum in 1998, while implementing a USAID anti-corruption program in Ukraine, MSI researched and brainstormed the problem with local partners and helped a local NGO to design and establish an innovative legal mechanism – the Citizen Advocate Office – that proved to be exceedingly effective, not only in Ukraine, but in several other countries where we subsequently rolled it out. They are independent anti-corruption legal offices – typically operated by CSOs under USAID grants – that offer legal support to citizen victims of corruption. To be effective, these CAOs need to be run by seasoned lawyers. They have three basic functions: provide legal services (consultation, representation with governmental agencies, administrative resolution, and representation in court), public legal education, and advocacy for change.

Their most innovative feature is that they address bureaucratic corruption rapidly by applying “administrative resolution” of complaints, rather than resorting to long court trials. Using administrative resolution, CAO lawyers meet with the offending agencies’ managers about the complaints. They indicate how laws and regulations are being violated and strongly assert that if the problems are not rectified quickly, formal cases will be brought to court and the officials may be fired or imprisoned. With the law on their side, our CAOs have seen a high percentage of complaints resolved very quickly after just one meeting: the

abusive transactions are eliminated and the way the services are provided is reformed for the long term. This approach is so powerful because there are fundamental behavioral incentives at work: corrupt officials realize that the CAO is watching them, has the capacity to “out” them, and they don’t want to be embarrassed publicly.

To date, MSI has implemented more than 30 CAOs in Ukraine, Russia, Albania, Indonesia, Mali and Afghanistan.

IMPACT? By seeking administrative solutions, the CAOs achieve rapid results. During its first four months, for example, the pilot CAO in Ukraine provided assistance to over 700 citizens. In Albania, the CAO handled 580 cases in its first 10 months. In the short-run, we’ve seen more than a 60% success rate for corruption cases handled by CAOs – mostly through administrative resolution and sometimes in court. All of the CAOs have had visible and quick results. They typically coordinate their activities with Ombudsmen offices, law enforcement agencies, prosecutors and other governmental agencies. CAO activities have resulted in the restoration of citizen rights, financial restitution, administrative and procedural changes in the delivery of public services, and disciplinary measures and criminal charges brought against corrupt officials.

Using the administrative resolution approach, the majority of cases are resolved without going to court. Sometimes, disciplinary actions are taken against civil servants, and in other cases, abusive bureaucratic procedures are changed to conform with the law. CAO lawyers make government managers aware of the corruption complaints and their

liabilities if the problems are not rectified quickly. Some examples of CAO administrative resolutions include the following:

- **PRIVATIZATION** – A regional government was planning to sell a factory to a questionable buyer for an unreasonably cheap price without an auction. The CAO intervened and stopped the sale. The factory was sold through auction.
- **TRAFFIC POLICE BRIBERY** – A traffic policeman returned money he had extorted from a pensioner after a call from the CAO to the police department chief.
- **TAX INSPECTION** – A tax inspector demanding that businesses pay inspection bribes through his wife’s firm was fired upon CAO reports to the prosecutor’s office and tax agency.
- **PUBLIC SERVICES** – Employees of the government passport agency were administratively reprimanded for delaying passport issuance as an act of “suggestive extortion.”
- **PUBLIC PROCUREMENT** – A fraudulent procurement was canceled and a revised one issued as a result of a CAO intervention after complaints by one of the bidders.



By keeping statistics on complaints registered with them, CAOs often find that certain government offices are cited repeatedly with excessive bureaucracy or corruption. When such systemic corruption is identified, CAO lawyers can mobilize even greater evidence and pressure to resolve grievances administratively. Using their outreach efforts, CAOs provide legal education to the public at large, businesspeople, and governmental institutions and law schools. One of the most popular features is the “CAO bus,” a mobile legal office that periodically visits neighborhoods and towns,

making it easier for victims to register their corruption complaints and get assistance.

NOW WORLDWIDE. After participating in an MSI networking conference of CAOs in 2002, Transparency International established very similar Advocacy and Legal Advice Centres (ALAC), now operating in over 100 countries. These CAOs and ALACs are popular and sustainable because they provide visible, quick and lasting successes for citizens and businesses, yielding greater public trust in government and citizen confidence in standing up for their rights.

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