STRENGTHENING RESILIENCE AND RESPONSE TO CRISES

OPERATIONAL REVIEW OF EXPOSURE TO CORRUPT PRACTICES IN HUMANITARIAN AID IMPLEMENTATION MECHANISMS IN THE DRC

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Final Report

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STRENGTHENING RESILIENCE AND RESPONSE TO CRISES

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LIST OF ABBREVIATIONS

AAP	Accountability to Affected People
CBMS	Cloud Based Management Systems
CBPF	Country-Based Pooled Fund
CHAT	Congo Humanitarian Analysis Team (Mercy Corps)
CNR	National Refugee Commission
CRIO	'Comité Provincial Inter-Organisations' (Inter-Organisational Provincial Committee)
CRM	Complaint Response Mechanism
CSO	Civil Society Organisation
DFID	Department for International Development
DIVAH	Division Provincial de l'Action Humanitaire
DHC	Deputy Humanitarian Coordinator
DRC	Democratic Republic of Congo
FEC	Fédérations des Entreprises au Congo / Association of Businesses
GPS	Geo-Positioning System
HF	Humanitarian (Pooled) Fund
IA	International Agency
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
INGO	International Non-Governmental Organisation
IOM	International Organisation of Migration
KCRI	Kivu Crisis Response for IDPs
KI	Key Informants
KYC	Know Your Customer
MDCS	Mobile Data Collection System
MONUSCO	United Nations Mission for the Stabilization of the Democratic Republic of Congo
MSA	Multi Sector Analysis
NFI	Non-Food Items
NNGO	National Non-Governmental Organisation
OCHA	Office of the Coordination of Humanitarian Affairs
ODK	Open Data Kit
PEP	Post Exposure Prophylaxis
PSEA	Protection against Sexual Exploitation and Abuse
PDM	Post Distribution Monitoring

REFLEX	'Réponse Flexible' (Flexible Response)
RRMP	Rapid Response to Movements of Population
RT	Review Team
SAFER	Strategic Assistance for Emergency Response (Rapid Response Consortium)
SGBV	Sexual and Gender-based Violence
ToR	Terms of Reference
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations Children's Fund
UNIRR	UNICEF Rapid Response
VAM	Vulnerability Analysis and Mapping (WFP)
WASH	Water, Sanitation and Hygiene
WFP	World Food Programme
WHO	World Health Organisation

GLOSSARY

Clarification of terms used and their meaning in this report is provided below:

Aid Organisation: This comprises of UN agencies, Red Cross and Red Crescent Movement, INGO, NNGO

Aid Recipient: Individuals or groups of people who have been identified to, or qualify to, receive humanitarian assistance. Alternatively used for the term beneficiary.

Community Participation: Involvement of affected people in decision making process and identification of solutions.

"Participation in humanitarian action is understood as the engagement of affected populations in one or more phases of the project cycle: assessment; design; implementation; monitoring; and evaluation. This engagement can take a variety of forms. Far more than a set of tools, participation is first and foremost a state of mind, according to which members of affected populations are at the heart of humanitarian action, as social actors, with insights on their situation, and with competencies, energy and ideas of their own."[1]

Collusion: A secret agreement between individuals or organisations/companies/parties, in the public and/or private sector, to conspire to commit actions aimed to deceive or commit fraud.

Corruption: The abuse of entrusted power for private gain. In this report, the term encompasses any practice that is considered a violation of an organisation's rules and regulations in order to gain an advantage or benefit, regardless if successful or not (for example but not limited to: abuse of office, cronyism, embezzlement, extortion, kick-backs).

Emergency Response: Response to an event, or series of events, that poses a serious threat to the health, safety or well-being of a community or group of people who cannot withstand the negative consequences by themselves.[2]

Humanitarian Aid is intended to save lives, alleviate suffering, and maintain human dignity during and after man-made crises and disasters caused by natural hazards, as well as to prevent and strengthen preparedness for when such situations occur. Humanitarian assistance should be governed by the key humanitarian principles of humanity, impartiality, neutrality and independence.

National Non-Governmental Organisation (NNGO): Any Congolese organisation that implements humanitarian activities in DRC, regardless if they operate nationally or within one province only or within one administrative territory only.

Rapid Response is a flexible mechanism that provides vital and rapid assistance to populations affected by a shock or a series of shocks in the initial phase of an emergency response.

Supplier: Anyone offering something requested by a humanitarian aid organisation and entering a commercial contractual relationship with an aid organisation. This includes suppliers selling goods (traders, vendors) and service providers (for example but not limited to financial services, warehousing, transport).

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[1] Groupe URD 2003 and 2009
[2] See Humanitarian Coalition 2020

EXECUTIVE SUMMARY

In 2019, the Humanitarian Country Team and Joint Anti-Fraud Taskforce commissioned an 'Operational Review of Exposure to Corrupt Practices in Humanitarian Aid Implementation Mechanisms in the DRC' (hereafter known as "the Operational Review"). The objectives of the Operational Review include an analysis of corruption and fraud risks throughout the project cycle and supply chains and an examination of the effectiveness of existing prevention and mitigation measures. An approach of qualitative appreciative inquiry was used including an analysis of the risks to aid integrity. This report presents these findings, their conclusions, and proposed solutions to reduce risks in a manner that is realistic, adapted to the needs, actionable and affordable. The report is based on field consultations with 402 stakeholders across the Democratic Republic of Congo (DRC), in the provinces of Kinshasa, North Kivu, South Kivu and Tanganyika.

Years of instability, violence, and state decay, in particular in certain areas, have resulted in a chronic humanitarian crisis with successive waves of peaks of humanitarian needs in the DRC, with particular presence in its eastern region. The operation of humanitarian aid has been further complicated by regional instability and long-standing dynamics of marginalisation and identity politics. The resulting undulations of chronic crisis have seen the delivery of aid rely increasingly on the use of cash and voucher assistance, the introduction of rapid response mechanisms, and daily management of operations in locations governed by shifting allegiances amongst armed forces and groups.

CORRUPT DYNAMICS AND LEGAL PRACTICES

The risks to integrity in aid delivery are exacerbated by the entrenchment of systems of predation that operate in every sector in the DRC, including humanitarian aid. Corruption in the DRC typically channels resources through predatory practices grounded in clientelist networks based on familial, communal, political, economic, ethnic or social ties. These networks operate within the aid sector, either within organisations, or between aid organisations, private sector suppliers, local authorities, and in some cases, senior representatives of aid recipients. With a socio-cultural history of deferring to authority and facing extreme poverty, the local population suffers routinely of, tolerates or is complicit in corrupt practices. Reporting corruption by members of the public is rare regardless which sector is concerned. The costs of reporting can be high in a context where personal relations and networks of solidarity are central, and collective action is generally met with severe economic or physical reprisals.

The weakness of the rule of law and the general opacity underlying the legal framework complicate but do not impede the prevention and response to corruption risks in the aid sector. Some legal issues have arisen, such as termination of contracts or due diligence with respect to suppliers and NNGOs. Many stated the need for a system to share information on suppliers or aid workers who have been implicated in corruption cases in order to exclude them from future contracts. Such an initiative could thus take the form of a "Do Not Call List".

CORRUPTION RISKS

Early warning, alerts and needs assessment are exposed to a medium to high level of corruption risks. The practice of providing false information can be facilitated through inadequate triangulation and validation of early warnings/alerts, absent or incomplete needs assessments and insufficient coordination amongst humanitarian actors. The urgency of the response can lead to less controls and verifications being performed. The Review finds high levels of risks that members of communities and/or authorities collude with staff of aid organisations; exploiting known weaknesses within individual organisations and the humanitarian system overall.

Strategic Planning can be adversely influenced by decision-makers pushing for certain responses through which they may profit from corruption. **Community participation**, across the entire project cycle appears

largely passive. Contributing to this is a mutual lack of trust between recipient communities and aid organisations. Related to this, pre-defined response mechanisms, short-funding cycles and time pressure leave insufficient room to adequately consult with communities and plan appropriate responses, increasing the opportunity for decisions to be misappropriated and for corruption to occur.

With respect to **resource mobilisation**, the Review identifies significant corruption risks arising out of:

  i) Selection and working with partner organisations;
  ii) Procurement; and,
  iii) Recruitment and human resource management.

All three aspects of resource mobilisation are exposed to high to very high level of risk. Kickback payments, diversion, favouritism and nepotism appear common, and individuals and especially NNGOs struggle to adapt and employ strategies to counter these issues. Collusion amongst insiders within organisations was reported. These groups coordinate kickbacks in different sectors and enforce collective reprisals against those who resist corruption practices. Within an organisation, corruption usually involves actors across departments, such as logistics, finance, monitoring, with each providing cover for each other along the project cycle. Transparency and information-sharing, and maintaining confidential internal reporting and complaint mechanisms represent needed risk mitigation measures.

The risk of misappropriation of aid during **implementation** is high to very high. The main risks conveyed involve distribution to non-eligible recipients and the withholding or reducing the size of the distribution whilst pocketing the difference. These practices are facilitated by inserting non-eligible or non-existing recipients during the registration process or through manipulation of ongoing distribution. Registered recipients may indeed not receive any aid at all, receive less or be forced to pay bribes. Pressure to add non-eligible persons may be exerted by local authorities, armed groups, host community members and/or staff of aid organisations. It is highly likely that several stakeholders collaborate to provide cover for these practices.

Monitoring activities are exposed to the failure of existing complaint mechanisms to detect corrupt practices and the manipulation of monitoring reports. Existing complaint mechanisms can play a valuable role in allowing aid recipients to communicate with organisations but they are not used to their fullest potential. Despite access to the complaint system, multiple reasons for not using them were cited including fear of reprisals, lack of knowledge who receives the complaint and experience of lack of follow-up. Social practices, low literacy rates and poor accessibility (mobile phones, transport, etc) disproportionately affect marginalised groups leaving many with few reporting options. Insufficient and poor quality on-going and post-distribution monitoring are often exploited by corrupt actors. The manipulation of monitoring reports might occur at field level by monitoring staff receiving or demanding bribes or at office level.

Evaluation frameworks are not designed to explicitly address the risks of corruption. While not a replacement for rigorous internal controls and monitoring and complaint mechanisms, external evaluations can contribute to raising red flags and provide independent assessments of how corrupt practices may impact the quality of the programme implementation as well as aid integrity.

Like strategic planning, systems and decisions of **information management and coordination** can serve as a catalyst for corruption. While improvements were noted since 2019, reluctance to share corruption incidents persists, with concrete information being shared scarcely, if at all, between aid organisations. Well-known challenges inherent to coordination systems within the humanitarian aid sector appear to further exacerbate the ability to respond collectively to corruption risks.

Very few cases of **sexual exploitation and abuse** involving actors in humanitarian aid are reported. A typical incident profile was described as involving survivors between 14 – 22 years of age; most often members of the most vulnerable of recipient populations, such as IDPs, orphans and those for whom it is difficult to access services, or for whom assistance is limited. Perpetrators are typically aid workers who are in direct contact with aid recipients, either during selection of recipients or during distribution, especially in emergency settings where women are particularly vulnerable. Difficulties in reporting stem from shame and a sense of responsibility by the survivor, especially having 'received something in return', and/or due to bribe payments

by the perpetrator to the family to buy their silence. Survivors do not trust typical reporting mechanisms such as hotlines or letter boxes; rather, NNGOs advised reliance on their community networks who routinely monitor and include local women who are trusted, reliable and experienced in reporting of cases.

The **organisational policies** and trainings extend to risks of corruption and sexual exploitation in a general manner but many do not appear sufficiently adapted to the context. The Review notes that staff may possess unrealistic expectations of audits especially as the complexity of corrupt practices in DRC make their detection and management difficult. Dedicated, context-driven investments in anti-fraud and risk management and mechanisms by certain organisations have improved detection and response. **Humanitarian policies** and donor funding modalities can serve to both positively and negatively influence aid organisations' ability to effectively implement programmes and manage corruption risks.

CONCLUSIONS

The multiple ways in which fraudulent systems have embedded themselves across the project cycle demonstrate that corruption practices are well-established and thus require sustained and creative measures to decrease their occurrence. The Review finds a clear correlation between the risks of corruption and the time taken to deliver humanitarian assistance, specifically in the case of emergency aid. In particular, corruption risks increase when the time available to carry out both the necessary due diligence and implement anti-fraud mechanisms on the ground is reduced.

Beyond local dynamics, corrupt practices are also linked to conditions underpinning the system of humanitarian aid that have developed over two decades of varying modes of crisis in the country. Pre-designed responses, short funding cycles and a focus on speed have weakened the quality of delivery and enabled corruption schemes through the collusion of multiple actors working along the value chain of aid. Unfortunately, an over-arching consequence of these dynamics is the lack of trust that persists between aid organisations, communities and authorities, as well as amongst certain aid organisations. Moreover, how appropriate and relevant a programme is, has a direct effect on exposure to risk of corruption and sexual exploitation and abuse. In other words, if a programme is not seen as relevant by the host community, there will be greater motivation to establish corrupt practices.

The humanitarian sector already offers manuals and guidelines addressing issues affecting aid integrity, these are applicable to DRC. Aid organisations possess an array of controls to manage risks occurring along the value chain of aid. However, the case of the fraud within the rapid response mechanism and revealed by an INGO in 2019 and the findings of this Operational Review show that a number of gaps persists in terms of the consistent use and control of these tools and measures, despite efforts made. Prevention and mitigation measures must not necessarily be increased but be better adapted to local corruption drivers, such as: the operation of illicit inter- and intra-organisation networks based on familial, ethnic or community ties; social and situational obstacles to resisting, or reporting, corruption practices; as well as common acceptance and complicity in corruption practices.

RECOMMENDATIONS

Individual organisations have an important role to play in managing the risks of corruption and integrity violations in humanitarian aid. Their openness and cooperation during the discussions conducted by the Operational Review team shows that they are aware of these issues. However, strategic changes and collective action are needed to respond to this issue and bring about systemic change. During the Operational Review, a number of areas were identified to help reduce the risk of corruption in humanitarian aid in the DRC.

Interviewees highlighted the multiple improvements that are needed at each stage of the project cycle. Due to their complex and variable nature, it is essential to regularly review and adapt control measures to ensure the prevention and mitigation of corruption risks. Effectiveness can be further enhanced by routine information-sharing, but also by analysing and comparing the information generated by these control measures amongst

aid organisations. Finally, the importance of having adequate resources to be able to put in place such control methods and tools was also raised.

The Review's recommendations are the product of discussions identifying strategic and operation modifications to aid interventions in light of the complexity underpinning conflict and humanitarian dynamics in the DRC. These challenges relate particularly to the adaptation of humanitarian responses to the chronic and/or urgent nature of emerging needs in order to limit the risks of corruption as much as possible.

The recommendations proposed by the Operational Review are intended for consideration by the entire humanitarian community operating in the DRC. They focus on the establishment and management of solid systems that allow humanitarian actors to better resist existing corruption dynamics. To this end, the *operational recommendations* are grouped around prevention, detection, punishment, sharing and learning. The three *strategic recommendations* focus on rapid emergency response, aid integrity and donor policies.

Operational Recommendation – Decreasing Exposure to Corruption in DRC

	Prevent	Detect	Sanction	Share & Learn
Recommendation	1. Systematic assessment of corruption risks at project level including acceptance of these risks by senior management at country and headquarter level 2. Improve systems and practices during needs assessment and implementation with corruption risks in mind 3. Improve transparency and oversight in fund allocation, procurement, and recruitment processes 4. Reconsider sensitisation messages and trainings to ensure that definitions of corrupt practices are contextualised, and consequences of such behaviour are clearly communicated	5. Increase spot-checks on standard controls and decision-making processes. Align policies and procedures with corruption risks in mind for all areas of the project cycle 6. Ensure complaint mechanisms are appropriate and inclusive (communities and staff) and accessible as well as available for partner organisations, suppliers and other service providers 7. Broaden and improve the means of detecting cases of corruption	8. Review and improve the use of sanctions for individuals, organisations and suppliers, including perpetrators of sexual exploitation and abuse 9. Suspend any activities in areas where aid delivery is blocked motivated by corrupt practices until negotiations are successful or concluded 10. Develop regulatory directives to strengthen the legal basis for pursuing corruption cases and advocate for their adoption	11. Improve humanitarian action through increased senior staff presence in the field and active community participation throughout project cycle 12. Create and/or enhance a culture of confidence and encouragement where reporting is encouraged and met with protection and support 13. Continue to decrease the taboo on occurring corruption within an organisation and at inter-agency coordination. Increase the dialogue and learning from corruption experiences 14. Explore the options to pilot a 'do not call' list as a means to share information about corrupt individuals and suppliers in a systematic way within and across organisations
Key Actions	• Ensure that risk and compliance officers are sufficiently trained to assess corruption risks; employ a risk and compliance officer • Continuous humanitarian context analysis • Improve systems of alert verification and classification, quality needs assessments • Use data collection tools that minimize possibilities of manipulation of data • Active community participation • Extend due diligence to include ownership and conflict of interest declarations • Explore collaboration with donor-funded organisations working in the private business sector (market research, pricing guidelines, etc.) • Committee based decision making where possible • Task segregation • Full disclosure of project plans and funding for stakeholders	• Independent spot checks on processes in addition to audit cycles (Fund Allocation, Procurement, Recruitment) • External quality control of fund allocation processes • Community participation • Increase appropriateness, effectiveness and efficiency of complaint mechanism • Analyse data obtained from current complaint mechanism to identify red flags for further investigation • Ensure reporting on sexual exploitation and abuse is possible • Sytematic PDM • Encourage internal audit with surprise elements and beyond the 'paper trail' • Improve investigations and their speed • Include questions on the impact of corruption routinely in programme evaluations	• Establish a better understanding of the legal background • Improve utilisation of the judiciary system • Enforce reimbursements • Rigorous non-payment for access or information and reporting thereof • Suspension of activities if coerced into payment	• Increase the presence and oversight by senior (national and/or international) personnel • Active community participation in all areas of the project cycle • Training of staff on dealing with pressure and threats and sanctions • Clear communication what protection of whistleblowers entails • Make corruption a regular topic across your organisation and in all coordination mechanisms (Red Flag Newsletter, standing agenda item) • Share information on attempted and confirmed corruption, map the events • Create an Investigations WG • Explore establishing databases of corrupt staff, partner-organisations and suppliers

Strategic Recommendations – Decreasing Exposure to Corruption in DRC

	Rapid Responses	Aid Integrity	Pressure on aid organisations
Who?	Humanitarian Community	Humanitarian Community	Donors
Recommendation	3. Diversify the approach to address the peaks of humanitarian needs caused by conflict or other shocks	2. Improve aid integrity, credibility, and confidence	3. Lift the pressure on aid organisations to increase quality management and the promotion of aid integrity
Key Actions	• Improve organisations ability to respond in areas they already work by increasing the use of crisis modifiers or other rapid release mechanisms. • Maintain the rapid response mechanism to respond to unusual or unexpected shocks and in areas without presence • Consider creating or expending portfolios of transitional programmes supporting communities after the initial rapid or emergency response.	• Open channels with the relevant government ministries to design measures that can clarify areas under the legal framework • Consider a joint legal taskforce • Share and combine political economy analysis and intelligence-gathering across organisations and coordination platforms to strengthen due diligence and minimise opportunities for corruption • Consider the creation of an Ombud's Office • Decrease inefficiency and improve participation of all actors in coordination mechanism	• Enable and promote decision-making based on needs, protection and risk assessments inclusive of corruption risks. • Allow flexibility with regards to the type of response that is required and spending cycles • Funding to emergency and humanitarian programmes should allow inclusion of continuous senior staff presence in the field, independent monitoring and context analysis as well as risk management units. • Allow summative reporting on corruption from implementing organisation to donor with identification which type of cases require immediate reporting • Review the requirement to use green lines

OUTLINE OF THE REPORT

The report is divided into 5 main sections.

Section 1 introduces the Operational Review and presents its methodology. **Section 2** elaborates on the humanitarian context in DRC in relation to aid integrity. This chapter includes a separate section on the Ebola response.

Section 3 presents the findings of the Review, starting with an overview of corrupt practices and legal dynamics. This is followed by the presentation of the corruption risks, their enabling factors and main prevention and mitigation measures per stage of the project cycle. This is followed by a specific section on Protection against Sexual Exploitation and Abuse and organisational and humanitarian policies.

Section 4 concludes the report and is followed by **Section 5** which outlines the operational and strategic recommendations.

A detailed risk matrix in table form is provided in **Annex 1**. The matrix groups the risks described in this review together with their enabling factors, risk indicators and potential actors. It also provides a range of suggested procedures in relation to the described risks and practices, often in more detail than described in the report.

A table with detailed proposed actions that would support the achievement of the proposed recommendations is added in **Annex 2.** Lastly **Annexes 3 and 4** provide an overview respectively of the Operational Review questions and framework of analysis and of the fieldwork undertaken.

1. INTRODUCTION

1.1 OBJECTIVE, EVALUATION FRAMEWORK, SCOPE AND INTENDED AUDIENCE

In early 2019, a humanitarian organisation active in eastern Democratic Republic of Congo (DRC) reported the existence of a year-long fraud case involving humanitarian cash-based assistance to donors and the humanitarian community. It was realised that a joint effort was required on the part of the humanitarian community to better identify and respond to corrupt practices in humanitarian aid. A Joint Anti-Fraud Task Force was created in Kinshasa and Goma and an 'Operational Review of Exposure to Corrupt Practices in Humanitarian Aid Implementation Mechanisms in the DRC' was commissioned (the Operational Review).

The main **objectives** of the Operational Review were to:

a) Produce an analysis of the risks related to corruption and fraud along all stages of the project cycle as well as supply chains common to the humanitarian sector in the DRC that is also gender-sensitive and protection oriented.

b) Examine which existing prevention and mitigation measures are effective and indispensable to curb the risks of corruption. Further identify potential solutions to decrease corruption risks within specific programme modalities and emergency response systems. These will be actionable and affordable operational and strategic recommendations for the humanitarian community in DRC.

This review followed the approach of qualitative appreciative inquiry and analysed the risks for aid integrity at the following levels:

- Dynamics of corruption and corrupt practices and encroachment on aid integrity in the DRC.

- Identification of common risks within the project cycle with a focus on, but not exclusive to, humanitarian distribution programmes, including all modalities of distribution (cash, voucher, in-kind).

- Organisational systems in place to prevent and mitigate corruption risks.

The research questions were organised around several areas of inquiry:

- Are existing policies effective in the prevention and mitigation of bribery, fraud and corruption, and sexual exploitation and abuse? What are the opportunities and obstacles to their successful implementation?

- Which areas of the project cycle are most vulnerable to corruption and why?

- Are some programme modalities more exposed than others and why?

- Are some intervention modalities more exposed than others?

- How does the timing and speed/urgency of a particular response affect the risks and levels of exposure to corruption?

- Is the length of humanitarian interventions a relevant factor in the degree to which corruption is prevalent?

- What mechanisms exist between members of the communities and agencies that enable or disable corrupt practices throughout the project cycle?

- What other mechanisms/practices should be developed and implemented?

A set of detailed research questions and the evaluation framework of analysis are available in Annex 3.

Specific attention was paid to overarching factors enabling and disabling corruption, such as access constraints, availability of staff, context, gender roles, internal controls, response systems, rules and procedures, and security.

The review did not undertake any investigations into individual suspicions or cases of fraud. Suspicions voiced during interviews and discussions were dealt with at the discretion of the interviewer and referred to the appropriate reporting and complaint mechanisms.

While the Review has formulated each of these recommendations to make them as operational as possible, it is evident that they will be adapted to each of the organizations concerned, according to their means, objectives, and areas of work.

The **audience** of this report are the review's Steering Committee, DFID and the wider Humanitarian Country Team and humanitarian community in the DRC.

1.2   METHODOLOGY

Three international consultants and two Congolese researchers conducted this Review from January to April 2020.

The methodological approach combined the collection and analysis of primary data with a review of secondary data. Primary data was collected almost exclusively during field research through semi-structured interviews, focus group discussions, a problem-description and solution-identification workshop and observation. Initially, a purposive sampling method was used, from which the Review Team (RT) completed the list of Key Informants (KI) during their field research through snow-ball sampling and identification of other insider sources (personal contacts). A total of 402[3] stakeholders (female 151: male 251) were consulted during the Review.

Field work was carried out in Kinshasa, North Kivu (Goma, Kitchanga/Mweso, Kiwanja/Ruthsuru), South Kivu (Bukavu, Kalehe, Uvira and Baraka) and Tanganyika (Kalemie, Mwaka, Kikumbe). One of the national researchers also conducted interviews with Kasaian IDPs and aid organisations in Kikwit. The locations were chosen following the density of humanitarian interventions and needs as identified in the Humanitarian Needs Overview and confirmed during preliminary interviews. 185 semi-structured interviews were performed across different stakeholder groups. INGOs accounted for just over a quarter of respondents (26%); UN agencies and national NGOs comprised each a fifth (21%); donors made up 8% of the sample and a further 6% were from the Red Cross and Red Crescent Movement. Informants came from a mix of senior- to middle-ranking staff from across organisation types with most having been active in humanitarian aid for a minimum of 5 years. The remaining 18% of the KIs originated from suppliers (6%); administration (6%), Government Agencies (3%) and the recipient community (3%).

A total of 17 focus group discussions (FGD) were conducted with 167 participants throughout the field work locations. 60% of participants were recently displaced and/or had returned; other participants came from the commercial sector (17%), from NNGO (10%) and other members of civil society (13%). One problem description and one solution finding workshop were held in Kinshasa with a total of 42 participants across both workshops. As part of the confidentiality agreement of this review, the names of participating key stakeholders will not be divulged.

Secondary data was reviewed against the research questions. This included internal audits, evaluation reports and any other additional relevant reports.

See a detailed overview of the field work and primary data collection in Annex 4.

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[3] 235 semi-structured interviews and 167 participants in Focus Group Discussions

1.3   DATA ANALYSIS AND QUALITY ASSURANCE

Data collected was analysed as follows:

Inception Phase: Preliminary interviews in Kinshasa and remotely and review of secondary data prior to establishing the Review's design, methodology and processes. A detailed workplan was developed.

Implementation Phase – field work: Primary data was collected in various locations from 26 February to 20 March. Continuous analysis of secondary data. Emerging findings were discussed on an evolving basis between all review team members throughout the field work. A data analysis workshop occurred towards the end of the field work. A short debriefing session was held with the Steering Committee (phone) at the end of the field work phase.

Implementation Phase – reporting phase: A four-pronged triangulation approach has been used:

Source triangulation: Comparison of data from different sources (different stakeholder groups, documentation and observation).

Methods triangulation: Comparison of data collected through different methods (interviews, FGD, document review).

Geographical triangulation: Comparison of data by location.

Researcher triangulation: Comparison of data collected by different researchers.

Closure Phase: In order to ensure optimal ownership and actionable recommendations, two validation workshops were planned but are currently on hold due to the Covid-19 Pandemic. The method, scope and timing of these workshops will be decided jointly by the Steering Committee and the Review Team in early May 2020.

1.4   LIMITATIONS

Field work in Nyunzu/Tanganyika was cancelled due to the security situation, and field work in Fizi/South Kivu was cancelled due to a mixture of logistical and security constraints. The fieldwork in accessible locations was increased and a local researcher based in Kwilu Province was mobilized to conduct interviews with Kasain IDPs, NNGOs and authorities in Kikwit. Field work in Bunia/Ituri was not carried out due to the emerging global travel restrictions imposed due to the Covid-19 Pandemic. (These developments will invariably affect the delivery of the validation workshops, with many stakeholders out of country and large in-person gatherings being out of the question.)

Evidence: With limited exceptions, data from investigative reports and non-public internal audits has been inaccessible due to organisations' data management restrictions. Obtaining data from informed insider sources and current aid staff served as a valuable proxy.

Data: The lack of comprehensive secondary data on the management of alerts, decision making processes on alerts, needs assessments and interventions, and choice of partner organisations was available only to a limited extent to the review team. This has limited the presentation on these topics to the experiences collected during interviews and publicly available evaluations and audits.

The **sample size** of 402 stakeholders represents a diverse group of actors involved in humanitarian crises in the DRC but is not exhaustive, and the primary data collected may not be entirely representative of the humanitarian, official and recipient communities.

2. HUMANITARIAN CONTEXT AND AID INTEGRITY

The history of contemporary humanitarian aid in the DRC has its roots in the response to population movements during the Kasaï crisis in 1992, closely followed by the emergence of a wave of crises in the east of the country then called Zaire. Complex long-standing conflict dynamics were followed by the massive influx of hundreds of thousands of refugees from Rwanda in 1994, leading to the establishment of refugee camps and a catastrophic epidemic of cholera and shigellosis. In 1996, military operations in the camps caused some Rwandan refugees to return home, and others to flee to Kisangani and further southwest. In the wake of these military operations, the First Congo War took place, Mobutu was ousted, and Laurent Kabila became President. Zaire was renamed the Democratic Republic of Congo in 1997. The east of the country remained extremely unstable and experienced the Second Congo War, characterized by conflict between political factions and armed groups, interference by neighbouring states and massive violations of human rights and humanitarian law.[4] The UN Security Council, by resolution 1279 of 30 November 1999, established the United Nations Organization Mission in the Congo (MONUSCO).[5]

Moving from an approach centred on providing aid in the refugee camps, humanitarian aid turned to responding to the needs created by many different crises resulting from the changing context: temporary or permanent displaced persons, old and new refugees, populations that were not mobile but terrified by the massacres that continued to multiply in an atmosphere of near impunity. Over a period of more than 25 years, humanitarian aid has become an established resource for populations, local powers, and businesspersons, creating a humanitarian business model that became part of the overall war economy. In this light, even if there are steps towards peace, the context of the DRC remains fragile.

DRC has had consecutive, annual funding appeals for more than a decade with an average of US$580m of total funding per year. During the last 2 years and due to the Ebola outbreak, funding was just over US$1bn[6].

The severity of needs changes with complex situations of population displacements on the basis of already precarious living conditions and extreme poverty, chronic malnutrition and food insecurity. Lastly, complex epidemiological dynamics linked to the endemicity of cholera, measles and Ebola create further sets of needs. Based on the increasingly chronic aspect of the humanitarian needs, the aid system and organisations had to adapt to complex situations and evolved around several axes:

The increasing introduction of cash and voucher assistance in various forms. This ranges from financial transfers via banks and telephone networks to the use of electronic or paper-based vouchers, or, in some cases, direct cash distribution to recipients. Cash-for-Work is rarely used. Cash-based assistance is high on the donor's agenda. Cash aid is a priority for donors with particular attention to the analysis of needs, risks and alternative options so that the best option is chosen.

The introduction of rapid response mechanisms: These have evolved and multiplied over the past 10 years, with different structures in charge (UNICEF, INGO led consortiums), varying donor involvement, and alert and response mechanisms seeking to adapt.

The day-to-day management of the coexistence with armed forces of widely varying natures and capabilities, ranging from the MONUSCO military component, FARDC and armed non-state groups. This normally implies complex systems of humanitarian diplomacy where access and presence often must be negotiated with interlocutors able to threaten organisations and individuals. This is an area where aid integrity is often at stake, with financial demands or requests to receive parts of the assistance.

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[4] OHCHR 2010
[5] For reference, see https://monusco.unmissions.org/en/background.
[6] Average 2006 to 2017 of total funding (appeal and other) reported (minimum US$448.6m and maximum US$742.6m).
From: https://fts.unocha.org/countries/52/summary/

2.1 EBOLA IN DRC AND THE CHALLENGES OF AID INTEGRITY

This Review has concentrated on programmes of distribution following displacement of populations but nevertheless, the perceived corruption during the Ebola response in North Kivu has been discussed by various stakeholders. Practices implemented during the Ebola response will inevitably have a direct impact on the ability of aid organisations to control corruption within their programmes and are the reason why it is discussed here. It is important to consider two points:

    i)   The Ebola response took place in a conflict zone.

    ii)   The response was managed primarily by public health actors.

In a Transparency International study on aid integrity in the Gulf of Guinea, several 'critical risks' to the integrity of Ebola aid were identified. These were with fleet and logistical equipment management and recruitment, at the heart of resource management challenges. Vehicles and staff are needed immediately and fast in order to respond speedily and with agility. Payment of high rental fees to car owners, and of allowances and other incentives to staff, made involvement with the Ebola response exceptionally attractive, fostering the abuse of power. Populations described these practices as being part of the 'Ebola Business' and started to criticise the response. [7] The same patterns have been described for the Ebola response in North Kivu, but they are exacerbated by the presence of illicit networks and armed groups. The death of Dr Richard Valery Mouzoko Kiboung[8] ,an epidemiologist who was killed on 19 April in a militia attack in Butembo while chairing a meeting with members of the Ebola response team, occurred within this complicated context. According to various sources consulted during this review, this assassination targeted the Ebola response and those that represented a possibility to the reduction of circulating resources.

Numerous interviews in North Kivu stated that these same problems existed within the Ebola response in DRC and had in fact created the same perception of an 'Ebola Business'[9]. Mobility is essential for the response to and management of such a crisis. However, the rental of vehicles belonging to staff of the Ebola Response teams has, according to many sources, led to exceptionally high levels of expenditure. This appears to be the result of 'captive markets' in which price negotiation has been virtually absent with the excuse of the need for fast operationality. In addition, the Ebola response in the DRC is operating in conflict zones with high insecurity and escorts from both the DRC Armed Forces (FARDC) and armed movements were established. These are reported to have also been procured at very high costs. Significant tensions about who can benefit from the resources available to the Ebola response have developed between some actors in the response and parties to the conflict and have driven the development of illicit economies. Attempts by some whistle-blowers to denounce certain practices have at best been stifled or led to threats for some staff to remain silent.

Another very worrying practice is the payment of community leaders in exchange for information on the epidemic. This significantly distorts the integrity of the epidemiological information system. Sexual exploitation, especially sex for work, has been reported by interviewees[10].

These practices occur throughout implementation and some of them without any discussion with the humanitarian coordination mechanism and humanitarian actors who are continuously present in North Kivu. They represent serious risks to the integrity not only for the Ebola response but for all humanitarian responses in North Kivu.

Interviewees during this Review have already pointed out that they are being pressured by armed movements to use paid escorts and that refusal can lead to security incidents. Furthermore, the new reality of community members asking for payment to provide information about humanitarian needs in their community, and new staff candidates expecting sky-high salaries is already affecting aid organisations in North Kivu.

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[7] Grünewald and Burlat 2017

[8] Radio France 2019; Le Figaro 2019

[9] See also Liberation 2020; Bujakera 2020

[10] See also Kapur 2020

3. FINDINGS

3.1 CORRUPTION AND LEGAL DYNAMICS

The nature of and extent to which corruption is practised present considerable challenges for the humanitarian aid sector and risk impeding aid effectiveness in the DRC. Years of kleptocratic rule, political violence and armed conflict have institutionalised a culture of corruption.[11] Ongoing conflict dynamics and continued struggles for economic, political and social power, that characterise state fragility in the DRC, continue to drive the "corruption complex".[12] This section presents key dynamics that underpin how corruption operates in the DRC as well as related issues that arise out of the legal framework and application thereof.

3.1.1 Corruption dynamics

Corruption in DRC is endemic[13] and no sector is immune from the diversity of modes with which corruption is practised, including humanitarian aid. Corruption encompasses a system of illicit practices that are propagated by weak state institutions that conceal extensive patron-client and communal networks. Across sectors, corruption flourishes by channelling resources through predatory practices up institutional hierarchies, which are typically based on these clientelist networks.[14] These networks can be embedded amongst actors within and between aid organisations as well as with private sector suppliers, local authorities and in some cases, senior representatives of aid recipients. Without deeper study, it remains difficult to ascertain the precise level of "predatory capture" of aid. Despite the secrecy and taboo of publicly talking and formally examining corruption in humanitarian aid in DRC, all stakeholders of the Operational Review confirmed the existence of corruption.

As well as routine bribery, corruption practices in the DRC extend to nepotism, abuses of budgets, embezzlement and other forms of misappropriation, influence-peddling and abuses of power such as the sale of appropriated assets for private gain[15]. Typically an exercise in negotiation, women can experience corruption more severely and in different forms than men, resulting from their weaker socio-economic status and related vulnerabilities. A specific risk faced by women is the wielding of sexual exploitation and abuse by individuals in positions of power where survivors face poverty and limited access to resources and recourse to justice.

In DRC, several social norms and practices foster corrupt practices. Specifically, in a context where personal relations and networks of solidarity play a central role, the price of accusing an individual of corruption can be high. Indeed, some political elites at power during various periods have used anti-corruption rhetoric to cement control of state institutions and eliminate political rivals and opponents[16]. With a socio-cultural history of deferring to authority and a battle for survival against a background of extreme poverty, the local population is routinely subjected to, tolerates or is complicit in corrupt practices, often with collective resignation. Civil society actors represent a constituency that actively speaks out against abuses, but with few resources and under constant threat from local authorities. Further dissuading a culture of reporting corruption is a history where collective action in response to abuses of power have been met with arrests. Together, these dynamics present additional challenges to systems designed to detect corruption practices.

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[11] Lemarchand 2009
[12] For an overview of the "corruption complex" see Olivier de Sardan 1990
[13] The DRC ranks in the bottom 5th percentile under the World Bank's Worldwide Governance "control of corruption" indicator, well below the global average. See World Bank 2018
[14] Clientelist and neo-patrimonial networks dominate the public, private and for-profit sectors. Clientelism generally refers to a personalized and reciprocal relationship, which may be characterized by institutional loyalties along regional or ethnic lines, alliances and allegiances on a personal level. For a detailed description of the relationship between clientelism and neo-patrimonialism, refer to annex C of the inception report of the operational review.
[15] A diverse array of corruption practices and nomenclature has evolved, which are outlined in detail under Annex C of the Inception Report to the Operational Review.
[16] Le Monde Afrique 2020

3.1.2 Legal Issues

Corruption is commonly understood as the abuse of entrusted power for private gain.[17] Fraud can constitute an act through which corruption may be perpetuated; however, depending on the applicable legal framework, they can constitute separate criminal acts with different typologies.[18] The Congolese Penal Code underwent revisions in 2005 that prescribe a suite of infractions considered as corruption.[19] For this reason and due to related weaknesses in the rule of law, little jurisprudence exists on corruption cases.

During the Operational Review, interviewees raised certain issues arising out of the legal framework governing corruption risks in the DRC. First, aid organisations expressed challenges in resolving legal matters through the Congolese justice system. Corruption in the justice system includes predatory practices by judicial actors and litigants who instrumentalise the justice system for their own ends, resulting in the misapplication of laws.[20] These institutional weaknesses put a premium on having respected and knowledgeable legal counsel who are able to navigate the legal system for humanitarian organisations.

During the operational review, a number of legal issues were identified as priorities for managing corruption risks.

> Pilot a "Do Not Call" list

One of these issues was the lack of a functional system for sharing information on persons or entities suspected or convicted of acts of corruption. While multilateral organizations manage such lists, their effectiveness remains mixed.[21] Currently, there is no systematic " Do Not Call" list of employees dismissed for their involvement in corrupt practices. Some humanitarian organizations share this information with their peers on the basis of personal relationships. Most respondents felt that they were legally prohibited from creating such a "Do Not Call" list. Others seem to think that an internal list shared between organizations would be allowed. Discussions with Congolese lawyers indicated that they were not aware of any legislative or regulatory provision explicitly prohibiting the use of such lists.[22]

The piloting of a mechanism such as a "Do Not Call" list can be considered to potentially cover both aid workers and suppliers who engage in corrupt practices. The legal basis as well as the operation of such a list raises a multitude of questions. Indeed, further examination is required of its potential nature and scope, the criteria for inclusion, the means of verification and type of evidence base, the composition and rotation system of a possible management committee and a monitoring committee, potential legal obstacles (data protection and/or privacy laws) and, finally, the degree of compatibility of such a list with pre-existing procedures within

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[17] The UN Convention Against Corruption notably does not include a formal definition of corruption but outlines potential criminal offences that may constitute corruption.

[18] Under the Anti-Fraud and Anti-Corruption Framework of the UN Secretariat, "Fraud encompasses any act or omission whereby an individual or entity knowingly misrepresents or conceals a material fact in order to obtain an undue benefit or advantage for himself, herself, itself or a third party, or to cause another to act to his or her detriment. Corruption encompasses any act or omission that misuses official authority or seeks to influence the misuse of official authority in order to obtain an undue benefit for oneself or a third party." Whilst this definition makes explicit reference to "official authority", corruption offences are not strictly limited to acts involving public authority, but as explained earlier, that which is "entrusted". ST/IC/2016/25.

[19] This includes passive and active corruption, fraud and illicit enrichment. For a detailed explanation of these offences and their constitutive elements, see *L'infraction de corruption et les infractions assimilées en droit pénal congolais : Guide pratique pour le personnel judiciaire*, Conseil Supérieur de la Magistrature, supported by the Essor programme and funded by DFID. The Congolese Guide on jurisprudence is limited in this area.

[20] Other practices include fee-for-service, bribes for sought-after outcomes, graft by judicial actors, abuse of power such as misapplication of the law to exert influence over civil parties, as well as, political interference in individual cases and the operation of patronage networks throughout the system.

[21] See the European Union list of economic operators excluded or subject to financial sanctions, or r the World Bank List of debarred firms (https://ec.europa.eu/info/strategy/eu-budget/how-it-works/annual-lifecycle/implementation/anti-fraud-measures/edes/database_en; https://projects.worldbank.org/en/projects-operations/procurement/debarred-firms) See also: Transparency International (2014),

[22] These questions extend to the application of article 70 of the Congolese Labour Code.

humanitarian organisations themselves. Questions relating to the status of such a list (public tool versus internal tool), as well as inclusion criteria and means of verification inevitably pose additional difficulties in the case of allegations rather than proven corruption cases. Considering whether (and if so how) to include in this list individuals and entities that are only under suspicion but not convicted is unavoidable as organizations have reported that staff often leave the organisation before a full investigation can be undertaken.

Other legal considerations

A related difficulty mentioned by respondents is the ease with which companies can simply re-register under another name. Although recent improvements to the law on business registration in the DRC include the maintenance of a public register of companies, accessing the register to check links with former corrupt entities is proving to be a complicated undertaking (which is why some legal advisers have proposed the use of standards for public procurement that suppliers can comply with voluntarily).

Moreover, another question arose in relation to the difficulties associated with the termination of the contract and the use of "*force majeure*" clauses. These issues could be gathered, and legal guidance notes could be shared to clarify the applicable law.

A final note should be taken of the importance of conducting comprehensive due diligence on NNGOs. This is specifically due to the ease with which NNGOs can be registered, the legal basis for which was established in 2002 to facilitate a flourishing civil society as part of the country's democratisation efforts.

3.2 CORRUPTION THROUGHOUT THE PROJECT CYCLE

3.2.1 Early warnings, alerts and need assessments

The process of early warnings, alerts and needs assessments has been identified as one of the high-risk areas of the project cycle, especially for rapid distributions. Risks can be either internal to implementing organisations and the humanitarian system (inadequate context monitoring, verification of early warnings/alerts and coordination) or external with false or exaggerated early warnings, alerts and needs, communicated by communities and/or authorities, armed forces or militia. While individuals might act alone, it is more likely that members of communities and/or authorities collude with staff of aid organisations, who may initiate or be pressured to comply with such behaviour. Based on the provision of false information, it is possible to direct aid to specific geographical areas. Known weaknesses and routines within the organisations and the humanitarian system are likely to be exploited. This may lead to the allocation of aid in areas where it is either not needed, or less needed. Consequently, vulnerable populations remain excluded and under-assisted[23] and potential benefit is lost.

Most interviewees, especially from INGOs, deem the existing system of verifying early warnings and alerts insufficient. Though centralised, humanitarian alerts are given or collected by humanitarian actors from a range of sources from the communities. There is no systematic or harmonised system in place, resulting in non- or insufficiently verified alerts being registered and considered for multisector analysis (MSA). It has been pointed out that the main criteria of validation (alert raised by three different sources) is inadequate because it neglects to assess the credibility and diversity of the sources. Further, due to different practices by aid organisations, it remains unclear how specific alerts were verified. Following the efforts of the AFTF, certain measures[24] aimed to improve the verification of alerts have already been implemented.

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[23] The identification of aid recipients is discussed below in section 3.2.4 Implementation
[24] These measures focus on the credibility and diversity of sources used for alerts as well as during needs assessments. They are described in detail in the relevant sections, in the recommendations and in annex 1 and 2.

During this review, interviewees expressed that an improvement of the existing system, especially the verification of early warnings and alerts is highly likely to decrease the risks to the integrity of aid. "*We can work relatively easily on this. But it needs to be accepted that the current system is in parts dysfunctional. It needs an overhaul and more resources".*[25] Likewise, concerns exist over the quality of needs assessment. Problems often mentioned in this regard are insufficient consultation with communities and potential beneficiaries of aid, lack of diversity of sources consulted and insufficient geographical coverage in needs assessments. Time pressure and lack of sufficiently qualified and senior staff was identified by most interviewees as a key reason for inadequate information being collected. Active community participation is impossible if the assessment team is compelled to rush and often focuses on gathering information from the same or similar sources. These poor practices create a lack of control which increases the existing risks for corruption. Indeed, the risk appears to be higher in areas with no presence of humanitarian actors, and during short term ('hit-and-run') interventions.

Risk increasing factors are the in-depth and long-standing knowledge among communities and authorities of early warning and response mechanisms. Furthermore, the experience of an intervention occurring with near-100% certainty after a needs assessment [26] and the lack of tangible follow-up and presence in the area after the intervention create entry points for corruption. An over reliance on digital technology over senior eyes on the ground can give a false sense of security, especially in a context where the population knows very well what response needs to be given to the typical questionnaires of needs assessments. Lastly, the often-insufficient knowledge of the context, socio-economic factors and local power dynamics further exacerbate the risks of corrupt practices.

The presence of armed groups and general insecurity further increases pressures and risks for aid integrity. Specifically, intermediaries appear to be more likely to exert their authority illicitly and extort a portion of aid. As a result, community members receive less than that intended by the project and, being in vulnerable positions, are unable and/or unlikely to report against powerful people in communities such as local authorities or members of armed forces and armed groups.

3.2.2 Strategic Planning

The strategic planning phase is one of the phases less exposed to risks of corruption. Despite this, planning can be influenced if decision-makers push for certain type of responses in order to profit from corrupt practices. Though the existence of such behaviour was mentioned by several interviewees, it remains difficult to prove generally and the Operational Review had neither mandate nor means of investigating the examples shared. More precise planning tools, allowing for more rigorous practices, must be put in place to regulate this phase of the project cycle.

Strategic planning influences a range of important factors that can enable or deter the risk of corrupt practices. A focus on speed comes at the detriment of the quality of the decisions made.[27] Programmes with too strictly pre-designed and standardised responses allow for less flexibility and fine-tuning, especially with regards to selection criteria, type and content of response and their implementation timelines.

Go/No-Go decision (feasibility of intervening/risk assessment)

Not recognising this as a distinct moment in the project cycle or fast-tracking this decision[28] increases risks for corruption, especially if staff of aid organisations are part of established collusion schemes. It is difficult to untangle the reasons for decisions made here; they can be based on manipulated needs assessments that leave

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[25] Key informant interviews with INGOs.

[26] "*If you are used to automatic assistance after a needs assessment, all you have to do is to make sure that MSA is happening in your area. Previously, a response rate after MSA was almost 100%".*

[27] Multiple KIs of INGO, NNGO, donors; DARA 2010; DARA 2013; DARA 2018; European Commission 2018

[28] A practice of combining the needs assessment with registration and vulnerability assessment

no choice but to respond, or an insufficient strategic decision-making process based on lack of ability and capacity; or corrupt intentions. A combination of the three is plausible. Responses are reported to occur where easier and more feasible rather than where most needed, a challenge that has been previously identified for the rapid response to movements of population (RRMP).[29]

Choice of intervention modality and intervention method

Appropriate choices need to be based on the needs of the community, the multi-sectorial needs assessment, market assessment, and security assessments but interviewees have described that pre-defined intervention methodologies, short-term funding and pressure on short response times leave insufficient flexibility to adapt to the actual needs and fully consider the 'Do-No-Harm Principle'.

The rapid response mechanisms focus on multi-purpose cash assistance, vouchers and in-kind distributions. From a systemic and organisational point of view, the risks of corruption and sexual exploitation and abuse are near-identical for cash and voucher programmes, but interviewees across stakeholder groups stated that cash interventions are riskier because they attract more attention. On the other hand, "*Tout le monde aime le cash"* - more people want cash. Specifically, it possesses ease of use and has highest perceived value, even if items obtained using vouchers have a higher financial value.

Intervention methods appear to be largely pre-defined and are based on the type of funding provided as well as the preference and structure of the implementing organisation. The questions of access and security define generally 'the when' rather than 'the how' of the intervention. Some interviewees point out that such decisions can be taken with insufficient knowledge of the field reality. However, a limited number of examples of responses through community mechanisms in cases of severe access restrictions were given. In such cases, an overseeing organisation might or might not adapt its monitoring systems. Some interviewees are familiar with standards of enhanced monitoring in remote programming, but these are reported to generally not be considered for interventions in the DRC. This is partly due to the fact that the various conflicts in DRC do not particularly target foreigners and the need to work without field presence is not as obvious as in contexts such as Somalia, Afghanistan or Syria, where 'Westerners' are clear targets.

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[29] Many KI; see also p.45 in DARA 2018

Participation (Community, Government Organisations, Authorities)

Interviewees from INGOs who shared the examples of participation set out in the text box below confirmed that the active participation was important not only for an appropriate and relevant response, but also to decrease exposure to corrupt practices. It also contributes to a genuinely better relationship between aid organisations and community.

During the Review, most interviewees and participants of FGD reported community participation to be passive at best and rarely part of the decision-making process or the identification of solutions. Community members are informed and provide information when consulted about practicalities and logistics at various stages of the

> **Active community involvement:**
> 'We informed a community of recently displaced people about an up-coming NFI in-kind distribution. We were ready to distribute within a few days, but the community asked us to postpone because of armed actors in the area. Some displaced were sleeping out in the open and they needed the items badly, but they preferred to wait. They were afraid of being looted after the distribution. We distributed almost 4 weeks later, once the community signalled it would now be safe to do so.'
> 'We have piloted active community engagement and discussed the vulnerability criteria with the community: Rather than targeting the most vulnerable as we usually do, we distributed cash to everyone. More people benefited though the amount was less. But it was the community's preference and it worked out well'

project cycle - *"People come to us and ask information. After that, we don't see them again, or we don't hear about them for long period; How can we trust them?" "We are sometimes informed but we never participate"*[30].

A mutual lack of trust between aid organisations, communities, government organisations and local authorities was described by many KI. Communities' lack of trust towards aid organisations is fuelled by experiences of corrupt practices, poor performance and inappropriate responses.[31] Compounded by little physical presence of decision makers at field level and the extensive use of electronic data collection tools, the lack of active participation furthers this mistrust. Similarly, authorities and government organisations expressed that they are at best informed and at worst contacted for support in case of persisting problems with communities. They report not being able to effectively participate in decision-making processes though they partake in regional and local coordination mechanisms.[32] This has been expressed from the village level over 'Aires de Santé' all the way to the Governor's level. However, during interviews in Goma with Provincial Authorities, a willingness to reengage with the humanitarian sector to jointly address some of these common problems has been displayed.

Cooperation and coordination with national, local and community actors varies greatly from place to place, organization to organization and sector to sector. Aid organisations likewise share multiple experiences of this. Exaggerated, or false demands by communities, the lack of cooperation of local authorities and their attempts to direct aid towards their own rather than the most vulnerable results in risks for the integrity of aid. This is not uncommon and many interviewees from UN, INGO and NNGOs alike were confronted with local authorities or community leaders openly asking what their share of the project budget would be, clarifying that they are *"the first beneficiaries".* This has created a mutual lack of trust. Therefore, both community and traditional leaders as well as authorities and government agencies are often considered *"part of the problem"*. This contributes to the limiting or exclusion of interactions between these stakeholders which increases mistrust and the risks for corrupt practices. At the same time, the refusal of aid personnel to give in to the demands can create security risks.

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[30] See also Quattrochi et al 2020 p. 34 - 36
[31] See also Barbelet 2019, p.10
[32] See also Brabant J. 2014

It remains important for all to realise that while most actors are driven by a genuine humanitarian spirit and bearers of true ethics as well as most authorities and community members have; none of the groups involved in the aid chain are free from corrupt or predatory practices. It is important to have systems in place to work with all groups and to be able to identify predatory practices by individuals and by several individuals jointly within groups to eventually improve and restore mutual trust.

3.2.3 Resource mobilization

This section discusses corruption risks arising out of: i) Selection and working with partner organisations; ii) Procurement; and, iii) Recruitment and human resource management. All three aspects of resource mobilisation are exposed to high to very high level of risk. Kickback payments, diversion, favouritism and nepotism appear common, against which individuals and especially NNGOs struggle to employ strategies to adapt.

Selection and working with partner organisations

A number of corruption risks and practices were described in the selection of NNGOs involving corrupt behaviour by insiders within aid organisations, either in complicity with or imposed on NNGOs.

Collusion and kickbacks

The most common described practice by members of NNGOs are the demands for kickbacks, colloquially referred to as "*operation retour*"; "*rétro commission*" or "*un pourcentage*".[33] As local actors explained, "*In over 20 years of experience, it is frequent that a percentage is required to be paid to receive a contract as a local NGO"*; and "*Ça se fait partout*". The amount most cited was 10-12% of the full contract amount, which is expected to be returned out of the initial disbursement. Local NGOs explained that they most often take the amount out of their operations budget, including salaries, "*frais de gestion*", and/or taxes. This is not to say that local NGOs themselves do not participate in corruption, as discussed below.

Staff working in UN agencies were most often cited for engaging in these practices, though some also cited INGOs. Some actors of NNGOs have explained how, in some cases, a few members of a funding mechanism (at the local level) may have colluded in the selection of funding recipients, including by supporting identified NNGOs, from which they subsequently demanded kickbacks. In each instance, NGO members explained, "*We did not feel like we had a choice (but to accept)*". Members of several NNGOs reported not having issues with kickbacks.[34] Interviewees across regions in the DRC cited kickback practices.

A second prominent form of corruption described in interviews is awarding projects to local organisations that are not legitimate.[35] For example, they may be organisations with whom a contracting insider has a direct conflict of interest, particularly a family (wife, brother) or community member who sets-up the NNGO with the explicit intention of directing funds to this NNGO as part of a kickback scheme. They may also be NGOs with little experience in the thematic or geographic area and not known to the community. Finally, some legitimate NNGOs may nonetheless collude with an aid insider to influence decision-making in their favour in return for a commission, even where the insider has no direct beneficial interest in the NNGO.

Impact and reorientation of local partnerships

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[33] As an actor in Kalemie explained, « *Le système opération retour entre les structures national et celles internationale, c'est connu qu'ici beaucoup d'ONG locale travaille avec 60% du fonds alloué.* »

[34] When asked why they suppose this is the case, one NGO actor explained that the Congolese staff involved in the funding mechanisms value their positions, which they do not want to risk losing.

[35] A related corruption risk cited is contracting to dubious NNGOs with links to local political actors.

Corruption practices in local partnerships have serious consequences for the aid sector. NNGOs described how it limits their ability to meet community needs, which disproportionally falls on the most vulnerable and marginalized and women. Some described that insiders must manipulate internal controls within aid organisations to hide their corruption practices, which takes more time to process disbursements and eventually results in major delays to overall implementation of project activities – even though they are still expected to deliver results. Another remarked, "this is why as NNGOs … we are constantly struggling with meeting our projects' (objectives) and our own operations".[36]

A common debate is the nature of partnerships with NNGOs. NNGO actors expressed considerable frustration at being sub-contracted to implement much work with a correspondingly small proportion of resources allocated to project funding, particularly with UN agencies whose operating costs are known to be high. Many asked why not fund Congolese NGOs directly and ensure more funding goes to local communities, questioning the need for an intermediary. On the other hand, donors recognize that direct funding requires considerable oversight and resources (time, personnel). Of note, one INGO described providing local partners with direct funding to carry out project activities (rather than jointly) and saw an improvement in both the quality of results and value for money. The mitigation measures outlined in the Risk Matrix provide some alternatives in this regard.

Identification and contracting of suppliers (vendors, traders, and service providers)

Procurement represents a major area of corruption activity worldwide[37] for which the aid sector in the DRC is no exception. Humanitarian actors interviewed are familiar with the risks that exist for common corruption practices in the area of procurement and possess varied internal procurement policies and procedures. Interviews during the Operational Review identified multiple entry points for corruption across procurement processes. Kickbacks was the most cited practice, with particular reference to the transport, non-food items (NFI) and seed sectors presumably given the volumes inherent to them.

The Risk Matrix accompanying this report includes a detailed list of common corruption risks and practices across the following areas: warehouse management (leakages); suppliers and inside staff (solicited and unsolicited kickbacks from suppliers, falsification of invoices & receipts, price inflation, poor quality at high pricing); due diligence on suppliers (conflicts of interest, insufficient due diligence on beneficial ownership).

The modalities through which these practices are facilitated can be considered through the following:

Corruption risks internal to the agency/organisation	
"complicité entre les staffs" within a department	"*cas de mission de service*": A senior staff member directs a more junior staff to provide kickbacks on 'frais de mission', (in some cases inflating number of days or activities to accommodate the kickback).
	"*cas d'un contrôle de se*rvice": A senior staff member proposes a bribe to a junior to "correct" (i.e. falsify) data on receipts and related supporting documents.
"complicité entre deux services" (departments)	"*cas d'un contrôle des auditeurs*": Collusion amongst internal departments in case of internal audit mechanisms, including falsification of documentation.
Corruption practices involving actors external to the agency/organisation	
External suppliers	Purchasing & distribution: In complicity with suppliers, logistics and/or project staff may assess and manipulate offers for goods or services

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[36] While another added, "We see others (local staff for agencies) building houses and buying cars in Kinshasa – the fruits of corruption. Where is all of their talk about fighting poverty and improving the status of women?"
[37] Corruption in public procurement is common. The OECD Foreign Bribery Report of 2014 lists these sectors as particularly vulnerable: extractives, construction, transportation and storage, and information and communication.

	(cleaning, local rentals, hotels). Prices and/or quality may be set to accommodate kickbacks. Corruption risk increases when procuring goods or services that are not easily accessed, or when negotiations are with a sole supplier. Political interference may arise where local authorities push for use of certain suppliers with whom they have a conflict of interest. Malfeasant distributors may fail to deliver the agreed-upon amount of aid, keeping a portion for resale on the private market. Malfeasant suppliers may fail to respect contract terms (relying on legal opacity).
Customs & exonerations	Lack of transparency in application of exonerations for humanitarian aid organisations; manipulation of duties and taxes by agents.

Kickbacks, tender processes and market conditions

Interviews highlighted specific factors that facilitate the risk for corruption, which include the nature and scope of tender processes, collusion and difficulties in reporting kickback demands, and, overall market conditions. Kickbacks may be solicited *or* unsolicited by the purchaser; indeed, interviewees explained that suppliers expect to have to remit a commission or kickback as part of purchases or contracting even if not formally arranged. (One procurement officer described receiving unsolicited envelopes of money when collecting goods; when he refused the payment, the supplier explained that someone had to take the money to avoid problems with future purchases; while the money went to a colleague, he noted if you refuse, "people will look at you suspiciously."). The scale of kickbacks for procurement contracts referred to by interviewees ranged between 10 – 30% of the contract value, with 10% being most often cited. In some cases, such as with service providers, a bribe may be demanded up front as a "facilitation" payment.

Tendering processes were also described as creating entry points for corruption. Examples were given confirming instances where suppliers are coached by inside actors to secure winning bids. Both suppliers and personnel working in the aid sector also explained that terms of reference for call for tenders often do not reflect market realities in the DRC (e.g. in terms of timing, quantity, quality). To be able to comply, suppliers may cut deals with insiders in the organisations to buy them time, gain flexibility on quality, etc. Indeed, logistics units admitted that suppliers very rarely deliver what they promise in their bids. As a result, offers are not respected and collusion with insider actors follows. For example,

   i) Supplier has appropriate quality of goods but insufficient stock - Will ask to take first delivery and then delay so they can order more and will give bribe to gain flexibility; or,

   ii) Supplier has no actual stock at all - Will give bribe to gain greater delays once contract secured, so can take time to then purchase the goods.

In the transport sector, interviewees described being confronted with pricing that is perceived to be considerably higher than actual costs, in particular for heavy-duty trucks, suggesting cartel behaviour and price-setting amongst suppliers.[38] Others explained that price-gouging can be attributed to suppliers building-in the kickback amount. Specifically, kickbacks were cited as high as 30%, which is the sum of a set of smaller "*rétro commissions*" that are split amongst a number of agents and can cumulatively increase prices considerably. An independent actor who works with the transport sector explained that suppliers acquiesce out of fear of losing market share.

Price gouging and kickbacks were also described in the seed sector, explained by some to cover cost of kickbacks. Kickbacks can include a percentage of the order or taking a cut off of the tonnage procured to sell it privately. Relatedly, insiders may replace sample seeds targeted for distribution with lesser quality alternatives

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[38] Of note, mention was also made of collusion between inland waterway operators and some aid organisations.

(known as "*tout venant*"). Those responsible were described as mostly working in UN agencies (in addition to a couple of INGOs), and principally actors that have worked within the sector for many years, through well-established networks. In cases where a portion of tonnage is skimmed, implicated implementers will distribute enough to pass the evaluation process (or manipulate project monitoring via other means). An additional risk involves the control of distribution of seeds through which government actors[39] act as middlemen to provide cover to the "*operation retours*".[40] That said, according to farmers interviewed in several programmes, their main concern with seed programmes is largely about delivery times (the late arrival of seeds is often cited) and the adaptation of these seeds to agro-ecosystems. As one farmer told us, "if you have to grease a few legs to get the right seeds at the right time, it will be the lesser evil".

Legal issues: contracting, ease of business registration

Shortcomings arising out of the existing legal framework governing aspects of procurement facilitate corruption risks. A key obstacle to due diligence is the difficulty of tracing beneficial ownership of local businesses, identifying conflicts of interests and assessing all interested parties to potential supplier relationships. While efforts may be made with regards to terrorism-financing and sanctions regimes, identifying conflict of interests remains subject primarily to self-declaration.[41]

Recruitment and resource management

Many interviewees cited recruitment of national staff as an entry point for corruption, though a few reported not having issues of this nature. Similar to kickbacks in procurement, there is a strong perception amongst interviewees that corruption in recruitment in the aid sector is the norm or at the very least expected.[42] Corruption practices may be initiated from within the organisation or by the jobseeker. Corruption practices described by interviewees included: actors internal to the organisation will coach external candidates on how to orient their CVs in accordance with the terms of reference; insiders provide questions and answers prepared for job tests to their preferred candidates.[43] This facilitation is rewarded with kickbacks by successful candidates. The practice of procuring sex in recruitment was acknowledged as widely practiced in the DRC.[44]

The contracting and use of external consultants represent another corruption entry point. Corruption risks can include kickbacks to receive contracts, nepotism, as well as collusion and bribes to external evaluators to overlook existing corruption practices. Congolese external consultants described that a portion of their remuneration is often expected to be retained as a kickback to insider(s) within the contracting organisation.[45] Failing to do so, "*you expect to face trouble*", including issues with getting paid, getting your deliverables approved, delays and possibly being blocked from future work.

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[39] Officially, the OCC is responsible for seed im- and exportation. Indeed multiple governance issues were cited within the OCC, such as lack of transparency in operations, absence of coherence in jurisdiction between central and provincial bodies; delays; corruption, etc. Addressing these issues will require dedicated governance and private sector development programming.

[40] One actor explained that corruption practices are "crushing the local seed market".

[41] IOM described efforts to ensure that local suppliers in Ituri region are not linked to illegal logging operations.

[42] As one explained, "Generally, recruitment based on local ties occurs throughout the DRC, even in the private sector." Of note, this perception is particularly strong with respect to UN agencies, where many believe it is difficult to get a post unless you have a contact inside the organisation.

[43] In one instance, an interviewee described an insider copying certain elements of another strong-looking candidate.

[44] See also Ebola Gender Report, Kapur 2020

[45] In one case, a local consultant described conducting the work and being remunerated less than the contracted amount with no avenue for recourse.

Strategic considerations: staff profiles and geography

Central to discussions on mitigating corruption risks in recruitment is ascertaining the degree of diversity required amongst national staff, including whether to deploy staff who originate *from* or *outside* the geographic area of project implementation.[46] In some cases, interviewees advocate the importance of recruiting or deploying staff from *different* parts of the region where the activities are rolled-out to better shield staff from local pressures. However, it was recognised that outside staff also invariably experience harassment locally.[47] A majority of organisations interviewed described recruitment practices that deliberately aim at recruiting national staff originating from the area of activity. Some of the reasons given include security, as well as improved results from implementation, as local staff are more accepted by recipient populations.[48] Perceptions around recruitment can negatively affect confidence in aid work.[49] With respect to delivery in Tanganyika and the Kasais, locals lamented the failure to recruit local staff, even for lower level positions such as drivers. Determining the right balance of staff diversity will depend on an assessment of the context and consideration of risk factors, with a balance of staff across levels of seniority in terms of geographic, communal and ethnic origin.

The figure below summarises the processes around the common practice of kickbacks across resource mobilisation.

Figure 1 Overview of kickback practices
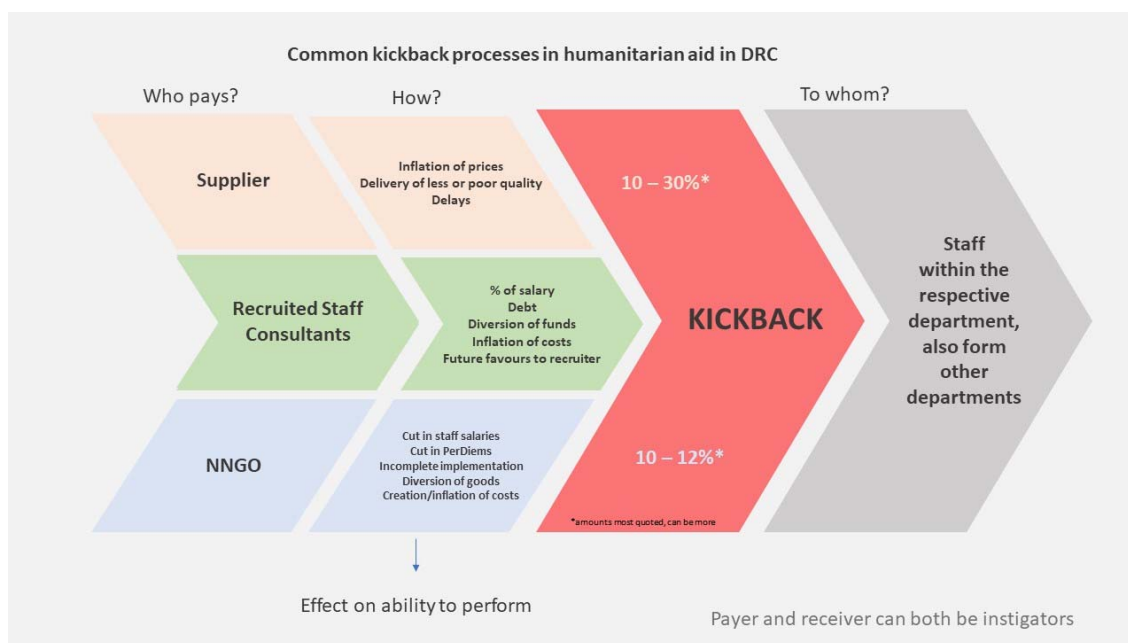
Source: Authors

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[46] A perception persists that INGOs are dominated by actors from eastern DRC, especially North and South Kivu.

[47] One Congolese interviewee explained this is a dynamic that Congolese invariably must manage across sectors of employment: "*On doit le régler nous-même*".

[48] As explained by one aid actor, community members may be resentful if staff are not directly recruited from the community, accusing outside national staff of "having come to take our jobs".

[49] Consider this perspective of an aid worker: « *Les opportunités de travail qui existe ne profitent pas aux autochtones; en cas de sensibilisation bénévole (ils) ont recours aux comités locaux; mais s'il y a un travail rémunéré, l'humanitaire se présente dans la communauté avec une main d'œuvre étrangère.* ».

Reprisals and failures to report across resource mobilisation

Reporting of corrupt practices by NNGOs and suppliers is perceived to result in reprisals to their organisation or business. As one aid actor explained, the overall climate in the DRC generally dissuades people from reporting corruption: "*Ici, on n'a pas la force de dénoncer*. We have seen others face threats for different reasons – in cases of human rights (abuses) or for political reasons."

NNGO actors provided examples of how reporting or refusing corrupt behaviour can result in reprisals to their organisation and ultimately hinder their ability to serve their communities. The most common form of reprisal described was being blocked from funding opportunities not only from the target aid organisation but other agencies. Suppliers described similar experiences, which primarily involve failing to be considered for future contracts. Based on their experience, both NNGOs and suppliers described suspecting collusion amongst individuals within a group of agencies (most often citing UN agencies), who together will exclude NNGOs or suppliers who refuse, report or otherwise "disturb the system". Indeed, NNGOs described being put in a situation of having to choose between serving aid recipients or risk not getting funds at all. Many echoed: "it is very difficult to penetrate the networks that organise these practices"; they operate on communal/tribal lines and people protect each other.

The lack of knowledge of who receives and treats complaints and how protection and confidentiality are guaranteed present additional obstacles to reporting by NNGOs and suppliers. Staff of NNGOs could call the hotlines but these appear to be perceived for communities of aid recipients. Likewise, suppliers have only direct counterparts in the procurement departments and are unlikely to engage with an organisation's internal reporting mechanisms that are designed for staff members.

3.2.4 Implementation

Identification of Aid Recipients and vulnerability assessments

The main risk in this area of the project cycle is the inclusion of persons who are not eligible to receive aid according to the set criteria. This might be in addition to eligible recipients or instead of them. In both cases, aid is misappropriated, and less aid reaches those who most need it. This risk applies particularly to distributions. Within distributions, rapid and one-off instances along with those occurring in areas without regular presence of aid actors are particularly at risk.

Pressure to add non-eligible persons can be exerted by local authorities (for example village chief, IDP President), armed groups and host/resident community members. Equally, staff members of aid organisations might add non-eligible persons. This is not necessarily limited to staff members who are part of the identification process. Staff undertaking the registration might be coerced into adding names provided by other staff members. The addition to the list might be purchased with cash[50] or sexual favours[51].

Vulnerability criteria further support the identification of recipients and they vary between different organisations even in the same region. Differences between recipients who are included and those who are not are often perceived as minimal. Community members interviewed often expressed that they do not understand the criteria and why someone is included or not included in the final list, despite sensitisation by organisations. The lack of feedback to communities after lists are established, as well as insufficient systems to add eligible aid recipients in case of errors or justified complaints, contribute to these dynamics.

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[50] See also quotes from IPDs p. 34 – 36 in Quattrochi et al 2020.
[51] Reporting of sextortion is extremely low to none.

Within the Operational Review, no KI expressed knowledge of an additional scheme similar to the one exposed in Goma in January 2019[52]. This review is not in a position to elaborate if more of such schemes have existed in the past or if they persist today.

Electronic data collection is the norm in Eastern DRC and the majority of organisations use open data collection systems; few use a paper-based system. Electronic systems make the analysis of vast amounts of data easier and faster, but they are no guarantee for quality data being collected.

Open data collection systems are favoured over closed (cloud-based systems) because of faster up-load speeds. However, with ODK or Kobo, the data collected can be extracted, manipulated and reinserted into devices before being uploaded. This sort of manipulation is not possible with cloud-based data collection and management systems. At least one agency consulted uses closed, cloud-based data collection systems successfully. Generally, new technical systems that have been piloted elsewhere in humanitarian aid settings are rarely used in DRC and a lack of drive to engage with new systems has been observed *("this won't be possible in DRC, too complicated"; "but you don't know Eastern Congo, this won't work here")*. [53] Bio-metric registration (like SCOPE used by WFP) serves theoretically to eliminate those beneficiaries that register multiple times under the same name and ID. Like all tools, there are advantages and disadvantages that need to be carefully considered.

Most commonly, distribution lists are established by a team within the aid organisation responsible for the distribution. Some organisations have a distinct unit (for example the Vulnerability Analysis and Mapping (VAM) at the World Food Programme (WFP)), for others this involves the monitoring team or the programme team.

Systems to rectify errors during the registration process seem limited during a rapid response. Final lists are published within the community, but the community or individuals are not always able to give feedback on the lists or have reported no change despite feedback on inconsistencies in the lists. Community interviewees have expressed that the non-publication of recipient lists is identified as a lack of transparency and raises strong suspicions on corrupt practices. INGOs fear increased entry points for corruption if lists are published, namely through pressure on individuals on the lists.

Practices on the use of already established lists are not harmonised. Some organisations use them with or without spot checks, others never use them. Reasons cited for using them are the lack of resources or time to establish their own. Reasons for not using them are the different practices when establishing them as well as a sizeable level of mistrust between organisations about the integrity of their practices.

Complicating factors are the lack of identification (*carte d'électeur*) or the refusal by potential aid recipients to use them with the hope of being able to register again or elsewhere. The latter has been described particularly for North Kivu and Ituri. A lack of understanding of local dynamics by the organisation and a real or perceived minimal difference between those eligible and those not, puts the identification of recipients further at risk.

Implementation of planned activities (including access negotiations)

Incomplete or poorly executed programme implementation is primarily linked to the ability of the implementing organisations but can also be linked to corruption. This might have been planned at earlier stages in the project cycle (kickback payments for funding allocation; non-eligible recipients), occur now (modification of size of distribution; exclusion of registered recipients; use of materials for non-project purpose; demanding additional cash or sexual favours) or be enforced by authorities and armed militia (forceful diversion of materials). Any of these behaviours might occur as a one-off behaviour, as a planned behaviour to obtain cash to be able to pay kickbacks or as part of a larger, systematic scheme to divert funds. Staff of aid organisations

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[52] Combination of false or exaggerated alerts with systematic introduction on non-eligible aid recipients during RRMP distribution activities. RRMP activities have ceased in August 2019.
[53] See section on ongoing monitoring

can be acting alone, in collusion with authorities as well as being coerced into aid diversion by staff of funding organisations and/or authorities and militia.

This applies to rapid interventions as much as other activities.

While the risks are similar across all types of distribution, some KI stated that cash attracts more people and an increased interest in diversion than in-kind. Interest comes from staff, authorities, armed forces and militia, and community members. At the same time, it is more difficult to divert from a fixed amount/recipient where it is impossible to break off a portion and therefore new methods have developed to divert the cash. For example, efforts to divert funds focus on the creation and presentation of non-eligible recipients during registration processes.

Additional pressures might be exerted by authorities on staff of aid organisations. While most access negotiations take place during needs assessments, renewed demands might be made towards organisations during the implementation. This usually amounts to the request of a share of the funds available to the implementing organisations, possibly combined with threats of blocking access when requests are not granted.

Confirmed by the majority of KIs, especially from INGOs, these risks are more prominent with lack of sufficiently senior (international) staff in the field. KI of aid organisations with a tendency to have decentralised field offices report not only better oversight but also understanding of local power dynamics and socio-economic factors and therefore decreasing constant payment demands. Nevertheless, these risks to aid integrity, confirmed by the majority of key agencies, in particular INGOs, are all the more significant as (international) field staff are not sufficiently experienced. This lack of experienced staff is explained by the often-cited general difficulty in attracting staff to work in remote and insecure areas. Furthermore, INGOs also regret a reduction in funding for these positions.[54] Finally, aid organizations have different approaches to the ratio of national to international staff and the locations in the country where international staff will be based.

Role of community

The role of the community during registration of recipients and vulnerability assessments vary and most describe passive community participation[55] only. (See section on role of community in strategic planning, 3.2.2.)

Corruption as experienced by Kasaï IDPs in Kwilu

Fleeing violence and brutality, IDPs from the Kasai provinces now situated in camps in the Kwilu region described many of the predatory corruption practices described in other regions covered by the Operational Review[56]. Those most commonly described include: i) bribe payments to get placed on an aid recipient list; ii) falsification of aid recipient lists (illegitimate names); and, failure to provide full amounts of cash transfers ("*jamais le montant total n'est donné aux bénéficiaires*"). As one IDP explained : "*Toutes les listes des vraies bénéficiaires ont été falsifies si pas par les partenaires d'appuis, par les responsables des sites, malgré nos jetons d'identification, la corruption est visible à l'œil nue. Nous trouvons ça normale car ils nous viennent en aide nous n'avons pas le temps de savoir ce que les bailleurs ont prévus pour nous.* " Falsified lists were described to include the names of local residents as well as the children of local authorities in charge of the area. Actors cited as responsible for this practice come from UN, INGO and NNGO as well as local state authorities and organisations including heads of administrative entities (departments, territories), and other community leaders (such as IDP camp representatives).
NNGOs described kickbacks to aid organisations ranging from 10 – 30%, "*sans tenir compte des lignes budgétaires et de la situation réelle du terrain*". Relatedly, insiders within aid organisations were described to favour NNGOs

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54 In order to establish if this reduction is real or perceived, a comparative analysis should be carried out including the number of international staff in relation to project size and the length available posts remain vacant.
55 Answering questionnaires, providing information or helping/working at distribution sites
56 A Congolese researcher for the Operational Review undertook discussions with IDPs (3), Authorities (4) and NNGO actors (3) who work with IDPs that are currently in Kikwit, Kwilu province.

with whom they have an arrangement through which they influence the selection process in their favour in return for a commission. Senior project personnel were described as being able to exploit this. Other forms of corruption include falsification of invoices, receipts and participation lists for activities during project implementation.

The lack of transparency on aid delivery with NNGOs and aid recipients was cited as a common driver of corruption, such as: "*manque de transparence lors du briefing des activités ; manque de plan de décaissement ; lors de la clôture des activités on n'annonce même pas la fin du projet aux communautés"),* as well as a lack of ownership over activities by aid recipients. It appears that corrupt individuals take advantage of this opacity. These actors also explained that corruption is facilitated by false activity reporting and weak monitoring activities: "*le suivi n'est pas régulier et surtout pas à tous les niveaux, plusieurs personnes arrivent sur terrain même sans faire des missions de suivies, appellent quelques bénéficiaires discutent avec eux à l'hôtel sans avoir une idée générale des activités réalisées.* " Whilst discussing potential mitigation measures, one NNGO actor explained, " *D'une manière générale, on constate qu'il y a une nécessité de multiplier les efforts pour que les communautés s'approprient les activités et trouvent des solutions locales à des problèmes locaux en vue d'aboutir au changement des comportements souhaités.* "

3.2.5 Monitoring

The main risks identified during the monitoring stage are the manipulation of monitoring reports and the failure to detect corrupt practices through existing complaint mechanisms. Monitoring reports were reported as being manipulated by paying bribes to monitoring officers as part of efforts to hide corruption and/or poor project implementation, with aid staff who receive and review monitoring reports being implicated.

On-going Monitoring

Issues related to effectively discovering corrupt practices during monitoring activities arose throughout discussions on project implementation, resource management and local partnerships during this review. A common concern is ensuring the discovery of corruption whilst it is underway and taking corrective action, rather than long after the end of a project. Many monitoring activities do not appear to be leveraged to their full potential in supporting the discovery of red flags and/or corrupt practices, especially during needs assessment and programme implementation. Discussions emphasised the importance of regular, randomised and multi-actor monitoring activities with corruption risks in mind to ensure that fraud is detected throughout the project cycle and minimise the possibility of monitoring units being instrumentalised by corrupt actors.

While not without challenges, implementers were of the view that it is possible to build effective monitoring systems with the "right people", that is mixed teams of senior national and/or international staff. Some described seeing an increased reporting of fraud in aid delivery through internal and external reporting mechanisms of fraud cases once having reinforced follow-up and feedback systems with multiple entry points through which reporting may occur. Hence, the inclusion of anti-fraud considerations within project monitoring activities is imperative.

The use of technology was cited as opportunity of injecting greater transparency through monitoring systems, especially when programme activities are implemented remotely or with insufficient access. This can include the use of digital photography, videos, geo-tying location devices, including GPS on vehicles, and the installation of cameras in warehouses as part of remote-access oversight measures. While electronic data collection and geo-tying collected data is widespread for distribution activities, the use of other technologies is not widespread and questioned in terms of feasibility in a context such as DRC. But technology-driven solutions remain a strong potential tool to support monitoring. For example, one INGO experienced fraud levels drop considerably in warehouses where cameras were installed compared to programme areas where such measures were not yet in place. Additional measures extend to remote stock system management and distribution, such as tracking systems that are run from country office via a distribution data base and are subject to regular, randomized follow-up. The use of geo-, date- and time-tied digital photos during project implementation,

frequently used in access constrained environments for monitoring programme implementation, is rarely used in DRC. Interviewees stated that remoteness and urgency increase the risk of ineffective or insufficient monitoring measures, in part due to the fast "set- and scale-up" inherent to the activities.

Post-distribution monitoring (PDM) has been cited as a useful and required method to monitor distributions and detect poor performance and within that, corrupt practices. However, interviewees report that it is not used sufficiently nor systematically. Moreover, the process itself is exposed to risks: staff conducting field monitoring might request or receive offers of bribes to report favourable results instead of reality. Some interviewees reported that even if irregularities are reported in monitoring or PDM reports, this information can get redacted at office level by staff receiving the reports. The same risk applies to staff conducting regular monitoring visits or overseeing other parts of the project cycle like resource management.

Community Feedback and Complaint Mechanism

Generally, two separate reporting systems support project monitoring: i) internal reporting accessible to staff; and, ii) complaint and feedback mechanisms accessible to communities and aid recipients. Throughout the Operational Review, donors, INGOs, NGOs and aid recipients stressed the importance of strong community feedback mechanisms through which corruption practices can be identified, sanctioned and deterred, including, awareness-raising on how they operate.[57]

Many implementing organisations use a three-pronged community feedback and complaint mechanism:

i) Hotlines: free-of-charge; available to reach during office hours; managed by a Call Centre or the organisation directly

ii) Letter or suggestion box: They are widely available across distribution sites. Emptying and treating the letters deposited is handled differently by different actors

iii) Complaint table during ongoing activity: These are staffed with someone from the community, someone from the INGO and NNGO and complaints are responded to immediately.

Despite expectations from implementers, it appears that these complaint mechanisms, especially the hotlines, produce little information that might be related to the suspicion of fraudulent activities[58]. They appear to produce no information with regards to occurring cases of sexual exploitation and abuse.

For example, reliance on **hotlines** has soared over the past years, with some organisations reporting that certain lines receive thousands of calls per month. It was reported that many callers seek information on or clarification about programme activities, whilst only a small percentage relate to cases of corruption. These cases are classified as highly sensitive and are passed on by the call centre to the respective organization immediately.

Much effort is made to display the phone numbers through cars, T-shirts, and vests of staff. Despite these efforts, interviewees reported that in some areas, these numbers are not easily accessible. For example, communities and aid recipients cited certain hotlines as having long waiting times or as failing to operate when rung.[59] Furthermore, some cited that they would not bother trying to call because they do not expect a change in behaviour or practices anyway. (Indeed, none of the interviewees from communities in this review reported having used an aid hotline.) Phone and network coverage are limited in certain areas; women and girls have neither access to phone nor the privacy to use their husbands' or family phone. Interviewees from NNGOs and

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[57] Indeed, one local actor noted that aid recipients may be reluctant to report cases of fraud where they nonetheless received some level of assistance, which is hard to overlook when living in such poverty.

[58] No secondary data has been provided. KIs report that most calls to hotlines are motivated by requests for general information, giving positive feedback and questions about programme implementation. Only a small percentage of calls are made to report suspicions of corrupt practices

[59] For example, *« Toutes les lignes vertes ne fonctionnent pas ceci avec comme conséquence beaucoup des plaintes ne sont pas traité : il faut mettre ne place un autre système de communication qui corresponds au contexte du milieu. »*

suppliers generally identified the hotlines as serving communities and aid recipients, and thus do not see them as an avenue for them to voice complaints or give feedback.

Analysing and responding to the vast amount of data generated especially by hotlines requires resources dedicated to this task. Proactive steps to analyse and triangulate (where possible) information obtained from feedback mechanisms are already taken by some organisations. This includes implementing and following-up with changes and/or sanctions for individuals responsible for actual cases of fraud. More broadly speaking, some interviewees expressed scepticism with the use of hotlines, particularly given the costs, resources and effort required to follow-up with each and every call. Efficiency was also questioned as multiple organisations are using different hotlines, which may be not only be confusing for aid recipients but also difficult to put everyone under a single initiative. Many NNGO and community members expressed reservations using the lines citing principally the cultural gap in expecting an aid recipient to speak to a stranger about a potential fraud case, and/or related sensitive topics.

Despite **letter or suggestion boxes** being distributed across offices and distribution sites, they also appear to be used to a limited extent. This especially pertains to socially marginalised groups, which are unable to access them as easily and may require more specialised outreach. Relatedly, the use of a **complaint table** or a listening point/corner during distributions is common and serves to treat immediate concerns of aid recipients, often related to clarifying inclusion criteria and the size of distributions. Given the rapidity with which distributions are undertaken, the Operational Review found that many aid organisations neither record the number and type of complaints made during the distributions nor document if any complaints were referred to the organisation's internal complaint management system. Hence, the usefulness of the complaint table for voicing concerns cannot be assessed.

Community actors expressed preferences for measures such as informing or speaking to a trusted person directly, either within the community or from the aid organization[60]. In fact, a few interviewees from INGOs or UN agencies stated that their senior managers receive calls directly from aid recipients and community members who voice concerns or questions.

Failures to follow-up with complaints perpetuate low levels of confidence in the aid sector, and little faith in the value of these mechanisms. Multiple interviewees expressed frustration with the absence of follow-up or sanctions once suspicions of fraud are reported. Some perceive aid organisations to be too concerned with protecting staff and/or the reputation of the organisation, while others stated that these mechanisms are ineffective because they operate through the very same actors involved in corruption.[61] Interviewees across provinces described a rich array of community-based feedback mechanisms and regular information on activities. Whilst the Operational Review was unable to assess their effectiveness, these measures are reproduced in the Risk Matrix.

To mitigate some of these short-comings, interviewees noted that current monitoring mechanisms require regular reinforcement, and if possible, the donor community "*doit multiplier des missions de terrain pour s'assurer de la mise en œuvre et écouter les bénéficiaires"*. Improving the trust in feedback and reporting systems from communities can be achieved with swift action and the use of sanctions in the face of reported cases. This would greatly improve the trust between recipients, communities and aid organisations.

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[60] See Ruppet et al 2016 and Prize R 2018

[61] Consider the following feedback from Tanganyika *: « Et malgré la sensibilisation, les mécanismes de dénonciation ne sont pas très développés ; et la gestion des plaintes n'est pas caractérisé : les bénéficiaires n'ont aucun moyen de s'assurer que leurs plaintes auront une suite ; même le numéro vert que PAM avait mis en place ne marche pas bien; il faut donc améliorer les mécanismes de gestion des plaintes. »*

3.2.6 Evaluation

An array of issues in relation to the conduct of programme evaluations was raised during the Review. Generally speaking, external evaluations are viewed as an important tool to generate learning, transparency and accountability[62]. However, it was noted that many evaluations do not necessarily examine corruption risks or corrupt practices. Given the high-risk environment such as the DRC, evaluations can include within their terms of reference or applicable frameworks indicators to assess practices on anti-fraud and anti-corruption (AFAC) or include evaluation questions that support the detection of red flags. Rather than including a wholesale review of compliance systems, evaluations should consider how they are applied in conjunction with achieving quality in aid delivery.

In this regard, it was suggested that evaluations also assess the oversight and accountability role of aid agencies through whom delivery is sub-contracted to other organisations. Specifically, evaluations should probe more deeply the quality control and compliance measures used by contracting agencies, particularly for managing risk of potential down-stream corruption. Hyper-vigilance of accountability at all levels of the project was expressed as necessary in a high-risk context like the DRC.

As already discussed in other areas of the project cycle, time pressures and lack of presence of senior national and/or international staff can work to decrease the capacity of investigations and evaluations to perform their tasks to the highest standard. Relatedly, in addition to external evaluations, multiple NNGO members expressed a desire for increased field presence by donors as well.[63] Where the field presence of some donors is limited, donor coordination and information-sharing can be important (see also section 2.7, Information sharing).[64] Such coordination is also useful in an environment where many donors rely on the same group of aid agencies to oversee large portfolios.

Third party monitoring (TPM) and remote-control methods

The Operational Review found that third party monitoring (TPM) is not widely practiced in the DRC though more and more aid organisations and donors are considering it. Currently, there is little knowledge of the existing capacity for TPM in the DRC, with an estimate that there are few or no actors with sufficient experience in bringing monitoring to the field, especially in insecure and remote areas. In the contexts of Somalia or Syria, this capacity has developed rapidly with the demands of donors and INGOs. UNICEF's new rapid response will use TPM for its post-distribution monitoring. TPM can certainly ease some of the challenges of monitoring and evaluating programme implementation, but it is not a magic solution to decreasing corruption. TPM comes with its own set of challenges and its use has been evaluated in countries such as Afghanistan, Somalia and Syria. Key recommendations include that robust implementation systems are of equal importance including communication with and involvement of communities, ongoing monitoring by agency staff, the use of technology and better analysis and use of produced data. TPM is vulnerable to the same risks of corruption as the responses it is meant to monitor and is recommended as a last resort only.[65] Finally, investment in TPM should not lead to a reduction in resources for each organization's monitoring and evaluation teams. As this report shows, it is essential that organizations have sufficient resources for monitoring at their disposal.

In DRC, TPM is most considered for conducting post-distribution monitoring. Robust due diligence including beneficial ownership and potential conflict of interests would need to be conducted for individuals or companies being contracted for such tasks. It should be remembered that these systems are quite demanding in terms of working time and the quality of the staff involved. As has been seen in other contexts, there is a risk

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[62] Usually framed by the classic OECD/DAC evaluation criteria of relevance, effectiveness, efficiency, impact, sustainability with coherence added as a new criterion in December 2019 (OECD 2019), see also ALNAP 2016

[63] « *Il faut que le bailleur organise des rencontres confidentielles avec les ONG locales pour démanteler les réseaux avec les agences.* »

[64] For example, not all donors have the resources for regular visits as described by one NNGO, « *USAID encourage de travailler avec la main d'œuvre locale et organise plusieurs missions d'évaluation pendant la mise en œuvre.* »

[65] Steets et al 2019

that the structures involved in the TPM may be tempted to reduce their costs by lowering the level of remuneration and qualifications of the teams to be deployed in the field.

3.2.7 Information Management and Coordination

Information Management and Coordination is an area of the project cycle with low direct risks for corruption. But as with strategic planning, systems, decisions and policies applied here can in turn facilitate potential biases that enable corrupt practices in other areas of the project cycle.

The HCT established the Anti-Fraud Task Force (AFTF) under the leadership of the Deputy Humanitarian Coordinator in early 2019. Its objective is to understand the extent and impact of corruption on humanitarian distributions and reinforce collective action efforts to decrease corrupt practices. Members include donors, UN organisations, INGOs and a small NNGO representation. The Goma cell of the AFTF devised a range of additional measures to improve the prevention and detection of corrupt practices. Some of its members tested some of these supplementary methods.

Most interviewees consider the AFTF a starting point to decrease the taboo and secrecy around corrupt practices within the humanitarian sector, but it remains insufficient. Information about attempted and confirmed cases of corruption, closed investigations or experiences with the judiciary system appeared to be shared only reluctantly though an improvement was noted over the past year. Sharing of information is more noticeable amongst INGOs than from UN. Other humanitarian responses have created a country-wide Investigation Working Group and a donor publishes a yearly investigation dashboard[66]; options that should be considered in DRC to encourage information sharing on corrupt practices and foster joint learning for prevention, detection and sanction of such behaviours. The Operational Review finds that reputational fear still holds back many implementing organisations' However, any perception that reporting fraud may hamper the likelihood of future funding is quite misplaced. To the contrary - organisations who report and act with appropriate and adapted anti-fraud measures can restore confidence with aid recipients and other stakeholders and potentially serve to further strengthen funding opportunities. [67]

General shortcomings of the information management and coordination mechanisms impact on humanitarian responses and have been identified in relevant and noteworthy publications.[68] The Operational Review finds that these shortcomings can further contribute to generating potential opportunities for corruption. For example, interviewees mentioned how the multiplication of uncoordinated assessment missions creates entry points for corruption through exploitation of gaps or inconsistencies between assessments and duplication of responses.

On a related point, the opportunity for collective action on corrupt practices is not used to its potential, as confirmed by numerous interviewees from all stakeholder groups. NNGOs particularly expressed little confidence in the cluster forums : "*Nous en avions parlé dans une réunion de clusters mais rien n'est fait jusque-là en termes de solution par rapport à la fraude lors de l'identification et la distribution.* " ; and, "*Dans les réunions de clusters il y a trop de protectionnisme : cela décourage la dénonciation.*" The lack of trust between stakeholders[69] already described is another barrier to effective information management in DRC, compounded by an ever-increasing competition for funds. Lastly, it must be acknowledged, that information management in DRC is delicate and is known to be either politicised or abused in order to gain personal advantage. This is especially prevalent around the numbers of IDPs, as described by many interviewees.

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[66] Syria has an Investigation Working Group; USAID OIG publishes an investigations dashboard of cases referred (also Syria); see also USAID OIR 2019
[67] KI from donors, INGOs ; see also Larché J. 1999
[68] Haver and Williams 2016; DARA 2018; ECHO 2018; Obrecht 2018
[69] See section 3.2.2

3.3 SEXUAL EXPLOITATION AND ABUSE

3.3.1 Challenges to reporting cases of exploitation and abuse

Mirroring general obstacles to accessing justice for survivors of sexual and gender-based violence in the DRC broadly-speaking, very few cases of sexual exploitation and abuse (SEA) are reported involving actors in the humanitarian aid sector. As a member of a sexual and gender-based violence (SGBV) survivor support NNGO explained, despite advances in awareness of the population on the importance of reporting SGBV, "*pour ces genres des cas les femmes dénoncent difficilement*". Another organisation added, "*Nous connaissons des cas d'exploitation sexuels mais par ici les femmes sont presque consentantes dû à la pauvreté.*" Specifically, as in the case of 'civilian perpetrators', humanitarian workers will broker an "arrangement" with the survivor's family and pay sums of money to « buy » their silence (these sums remain derisory but are seen considerable given the poverty many of them face).

Protection organisations, in particular, explained that SGBV authors are known to use all the means and power available to them: money, influence and positions to keep survivors and their families quiet. Protection actors added that the failure to report may be compounded by a sense of complicity by the survivor. They may feel that their reporting of the abuse can be perceived as illegitimate as they received something "in return". Another NNGO explained: "*par ailleurs, il y a des cas d'abus sexuels dans les camps de déplacés mais le contexte ici c'est que les femmes ne dénoncent pas l'exploitation sexuelle par manque d'information ; en revanche lorsqu'une milice viole avec violence, elles dénoncent tout de suite.*" As such, in more remote regions of the country, information and understanding of what constitutes the crime of sexual exploitation is lacking, in addition to ignorance about where and how to report.

3.3.2 Incident profiles

NGOs were probed on their knowledge of these cases in the face of lack of formal reporting by survivors and their families. They explained that they maintain a network of "community focal points" through whom they monitor potential protection issues and achieve greater awareness. Through these focal points, they can quickly mobilise and reach the ground. Based on this information, local SGBV protection actors were asked to describe the nature of SEA incidents involving humanitarian actors. Thus, while by no means representative, in their experience, a majority of perpetrators are humanitarian workers who are more frequently in contact with aid recipients.

Some cases may involve international staff, in particular in environments of emergency humanitarian aid. Survivors are often between 14 and 22 years of age, and members of the most vulnerable of recipient populations, such as IDPs, orphans and those for whom it is difficult to access services, or for whom assistance is limited. Protection workers described how the project cycle phase of selection of aid recipients is often used as a "*moyen de séduction*". Indeed survivors might feel obligated to comply with abuse to receive assistance (food distribution, health services)[70] or to receive a financial or material assistance (kits, clothing).[71]

3.3.3 Strengthening response mechanisms

Aid organisations operating in the DRC have put in place organisational policies dedicated to the prevention and detection of sexual exploitation and abuse. Elements common to prevention mechanisms include

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[70] As one NNGO explained, « *D'autre cas c'est surtout ceux qui distribuent les jetons, parfois ils exploitent les femmes; mais pendant l'opération les femmes ne dénoncent pas par peur de rater l'assistance; beaucoup des cas d'abus sexuels lors de la distribution de l'aide par les personnes qui sont recrutés ad hoc sur terrain.* »

[71] For example, one NNGO actor explained, « *Nous avions connu un cas d'un infirmer d'un centre de santé appuyé par une agence qui a abusé de beaucoup des femmes: il échangeait les soins contre le sexe.* »

awareness-raising initiatives and trainings for staff and beneficiaries, as well as, the operation of reporting mechanisms for both survivors and internal/external whistleblowers of incidents of sexual exploitation and abuse. As described in detail under section 3.2.5, reporting mechanisms can include hotlines and letter/suggestion boxes. It should be remembered that recipients of humanitarian aid may prefer to speak directly with someone in confidence. Indeed, several representatives of INGOs and UN agencies stated that their management staff receive calls directly from beneficiaries and community members.

Notwithstanding these efforts, the reporting of cases remains low, stronger prevention and detection mechanisms are needed. Moreover, as has been found for corruption practices generally, the pressure inherent to emergency humanitarian response increases the risk of sexual exploitation and abuse. In order for current prevention efforts to work more effectively, there is a need to develop survivor-centred approaches in collaboration with local initiatives to overcome perceptions and practices that impede access to existing reporting mechanisms. Existing obstacles and potential constructive solutions are described in detail below.

Discussions held included existing and/or potential reporting and response mechanisms. The use of hotlines was criticised as being particularly inadequate for cases of SEA for several reasons. As outlined earlier, protection actors, in particular NNGOs, emphasised that as with the population generally, survivors are not disposed to call a hotline and are unlikely to speak with a stranger about sensitive subjects such as sexual violence and abuse. Similar scepticism was expressed for reliance on letter/suggestion boxes, expressing doubt over their efficacy since the complainant has no idea who will be reading and treating the complaint. These perspectives were shared by other actors in the humanitarian aid community.

Several NNGOs have a long and proven history of working with SGBV survivors. Mobilising these NNGOs as part of reporting of and response to cases of violence and abuses perpetrated through the humanitarian aid sector can capitalize on their positive reputation while responding to survivor and community needs. They enjoy a diverse network of community workers/focal points, including trusted local women, who are reliable and experience in reporting cases, [72] through whom cases are reported. NNGOS stressed the importance of undertaking awareness-raising activities on reporting mechanisms for sexual exploitation and abuse among potential target groups, families and community members. Reaching out to survivors is essential because without their support, it is difficult to resist compensation agreements negotiated between their families and perpetrators. Local NNGOs described their protection approaches in SGBV cases, including how they discuss with the family of the survivor to put her interests first; they also accompany survivors to get medical care, including the post-exposure prophylaxis treatment (PEP), etc.

Finally, KI highlighted the importance of pursuing and sanctioning the perpetrators, explaining that as long as perpetrators continue to operate without consequence, it will be forever difficult for survivors to report abuses. Pursuing judicial sanction is particularly important since it provides an opportunity for survivors and their families to claim civil damages and interests in criminal cases under Congolese law by becoming a civil party. Sanctions are also important for the integrity and reputation of the aid sector; as one protection actor explained, "We hear a lot of talk – NGO and UN have zero tolerance policies; however, we do not see any consequences for abuses when they occur."

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[72] Of note, one interviewee reported using, *« des points focaux et des comités locaux dans la communauté: ici ce sont des femmes qui choisissent dans la communauté les personnes en qui elles ont confiances; il faut dire que parmi les points focaux il y a des survivantes. »*

3.4 ORGANISATIONAL POLICIES AND GUIDELINES

3.4.1 Internal reporting mechanisms

All participating aid organisations have anti-fraud and PSEA guidelines in place as part of their Zero Tolerance policies and their necessity is understood by all interviewees.[73] The majority of systems are managed centrally at headquarters with cases being referred back to the appointed person in country. This review has observed that most INGOs have clear and accessible reporting systems in place, often visible at prominent locations within their offices and offering different reporting channels (call, email, online form). These systems are less diverse (often email only) and displayed to a lesser extent by UN offices and donors. Some UN staff, while aware of the organisational policy, did not know immediately how to report suspicions, while actors interviewed from INGOs were mostly aware.

Some NNGOs reported to not have anonymous reporting systems and rely on staff feeling confident enough to approach a dedicated focal point or a staff member they trust. Indeed, care is needed when handling internal reporting, which carries risks for staff, both international and national. In one example, an international staff member explained that anti-fraud and due diligence efforts in procurement were causing consternation among local actors and that they were warned by the security officer to be mindful of the individual's actions.[74] It was noted that in facilitating compliance, the use of anti-fraud champions or focal points within an organisation is discouraged because of the security risk to the individual. Finally, interviewees mentioned a limited engagement with Congolese authorities in terms of reporting and compliance measures, with some suggesting it may be worth exploring to secure formal sanctions (though note the shortcomings to the rule of law described earlier).[75] While noting the shortcomings of the rule of law described above, there are a certain number of cases where this approach has worked, notably for some organisations in the health sector.

The importance of deepening and diversifying oversight mechanisms was underscored in an interview with a head of finance with an INGO, who explained that though they can verify documentation, project staff take the lead and manage relationships with aid recipients and partners.[76] Some fraud reporting processes were described as cumbersome and time-consuming, using the same procedure regardless of the level of fraud reported. Not all aid organisations have dedicated compliance/anti-fraud departments, which deepens the burden of upward donor reporting requirements. As one Country Director pointed out: "*Investigating these cases is really difficult without risk and compliance staff. Most suspicions are not founded. Also, immediate reporting of each suspicion has no effect other than I spend significant amount of times with reporting. I succeeded agreeing on monthly reporting with one donor which helps greatly.*" More risk and compliance personnel were employed within individual organisations, especially during the past 18 months.

All these mechanisms must be supported by a risk management approach that is already practiced by some UN agencies and some INGOs. Indeed, the Operational Review has found this approach to be largely motivated by questions of compliance and security, though seldomly applying an analysis of systematic corruption risks. This is a missed opportunity to identify the most suitable prevention and mitigation measures and to engage the management of an organisation to accept identified levels of risks, especially in areas of extensive humanitarian needs.[77]

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[73] For example: Anti-corruption and anti-bribery or anti-fraud policy, PSEA policy, Code of Conduct, Protection of whistle blowers.

[74] One practice in other areas of the aid sector is to second an international staff to a local NGO where they strengthen internal capacity and supervise project monitoring, including assisting in relations with suppliers, actors.

[75] « *Il faut impliquer les administrateurs de territoires dans la mise en œuvre des projets.* »

[76] The interviewee added that often aid recipients and partners do not know to come to Finance Unit if there are problems.

[77] See also Harmer and Grünewald 2017 and for guidance: Transparency International 2011 and Stenberg-Johnson 2015

3.4.2 Devising anti-fraud measures

While fraud responses can vary, there appears to be a shift to using the standard COSO[78] methodology in anti-fraud measures and a risk-based approach.[79] Key areas of risk cited include: logistics, finance and human resources, for which each department should include a risk-based approach to operations. Employing a fraud risk profile includes identifying the level of exposure to fraud and devising effective anti-fraud measures to protect the assets, integrity, and reputation of organisations.[80] Recommended responses also include changing procedures regularly against the current context and so that inside actors are unable to "play the system".[81] To better protect national staff, the involvement of international staff in negotiating with suppliers was suggested. Finally, an organisation's compliance function ought to be headed by a trained and experienced compliance officer who is effectively the "risk owner" and focal point for reporting from frontline staff.[82]

> *Achieving results through a multi-pronged approach*
> One INGO described the use of proactive internal reporting practices across a set of categories of fraud, for which *all* allegations are investigated. Awareness-raising is done with the community on anti-fraud issues and the project's reporting mechanisms. Target communities manage suggestion/letter boxes that collect feedback on activities and participate in focus groups as part of on-going project monitoring, which are complemented with a toll-free hotline. Community members may be engaged to support investigations,[83] which generally take 5 months to investigate and resolve. Through this dual system, both aid recipients and staff have reported cases of fraud and abuse. According to its senior anti-fraud specialist, the INGO has seen an increase of 70% in allegations.[84] Since being put in place, they now receive reports/feedback on fraud from aid recipients arising out of *other* aid organisations' activities. These are passed on to the respective organisations.

3.4.3 Anti-fraud trainings

Anti-fraud trainings are considered by many as a key to anti-fraud measures and PSEA. Extended effort has been made by some organisations, especially during the past year, to increase attendance. However, the trainings are developed by central units and standardised, often available online only. The effectiveness of these trainings was questioned, with some interviewees calling for greater contextualisation of trainings, especially with regards to definitions of corruption and corrupt practices. In-person trainings would allow an engagement and open discussion with staff on corruption and SEA. Other KIs have pointed out that training on or signing these policies remain a formality in some organisations.

3.4.4 Internal audits

It is important to reiterate that internal audits are part of an organisation's risk management structure and serve often alongside evaluation as assurance to the organisation that governance, risk management and

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[78] In 1992, the Committee of Sponsoring Organizations of the Treadway Commission (COSO) developed a model for evaluating internal controls. This model is widely recognized as the definitive standard against which organizations measure the effectiveness of their systems of internal control.

[79] For example, UNHCR is modelling its approach to compliance on that of the private sector by applying Enterprise Risk Management model, as well as, strengthening its investigation capability and oversight of programs, hiring compliance staff, and finally, through temporary high-level coordinator, implementing compliance and audit reforms across areas of operation and programs. Likewise, the WFP has an Anti-Fraud and Anti-Corruption (AFAC) policy in place since the establishment of their anti-fraud framework.

[80] One INGO's risk assessments feed into monthly risk meetings at the field office, as well as, quarterly risk management meetings by a risk committee at country office.

[81] Specific mention was made of using periodic internal audits to check against inflated pricing schemes by suppliers.

[82] Ideally, these positions are either P-4 or higher, requiring experience as a risk/compliance officer with investigative/legal/law enforcement or INGO experience.

[83] In one instance, the INGO employed an external investigator who was a local lawyer but was unhappy with the work.

[84] Of note, this INGO also regularly reviews procurement and related costs amongst active projects; when any outliers appear, cost-recovery measures can be undertaken as soon as possible.

internal controls are working effectively[85]. Most interviewees expect an internal audit to be able to discover ongoing fraud but some of the corrupt practices in DRC were described as "audit proof" in the sense that they presumably persisted undetected despite the operation of internal audits. This includes for example the addition of ghost beneficiaries who meet the criteria of eligibility or behaviours such as intimidation and coercion of colleagues or other stakeholders. Well-functioning internal controls and compliance checks in theory ought to catch such practices. Nevertheless, interviewees from UN agencies and donors highlighted that also internal audits themselves may not be performed against rigorous standards. For instance, some mentioned that internal audits are inordinately cumbersome and too slow to respond in cases of ongoing project implementations, taking considerable time before any results are available. At the same time, respondents involved in internal audits are often the same actors who participate therein year-in and year-out, being aware - and this prepared - for the kind of questions that would be asked.

This highlights the need for ongoing and appropriate management of the risks of corruption and for the integrity of aid, beyond the appropriate anti-fraud and risk management of the financial control and audit mechanisms currently in place. Simultaneously, the need for internal controls carried out on a regular and ongoing basis whilst geared towards corruption risks specific to the DRC must be addressed. These controls need to be supported at country level by a set of organisational systems of for example procedural compliance and risk management, more effective financial controls, and strengthened monitoring units; creation of an ethics office or Ombud's office dealing with internal complaints, trainings and advice could be explored.[86] Routine review of internal compliance controls and processes were advised, primarily to ensure that staff within aid organisations do not learn to manipulate them and to ensure that they are responsive and adapted to shifting local conditions and practices.

3.4.5 Investigations

Once the compliance function triggers a red flag, the investigation function is engaged. Most INGOs report to centralised oversight units that will decide if an investigation should be launched. KIs from INGOs and UN regret that these processes take a long time and give them little means of managing situations in the meantime. Learning from investigations is currently limited to the organisations themselves and their donors. Even for this review, lessons learned from such investigations have not been made available by donors or UN organisations. Knowledge of corrupt practices should be broadened by the creation of generalised lessons learned that do not contain sensitive data and can be shared. One organisation reported the use of a Red Flag Newsletter, which disseminates knowledge about such behaviours and their consequences amongst all staff.

3.5 HUMANITARIAN GUIDELINES AND POLICIES

There are several anti-corruption tools readily available, such as those published by Transparency International, which includes a detailed manual to prevent and manage corruption in humanitarian aid and an updated analysis of risk to aid integrity in humanitarian settings.[87] However, we found there to be a lack of familiarity with their use. These different documents - which represent years of learning and effort – provide useful resources for the aid community in DRC, as they offer an already wide set of action points to lower exposure to corrupt practice and to maintain aid integrity.

Furthermore, guidelines and practices on distance management, developed by responses in Somalia, Syria and Afghanistan[88], are not used. By definition humanitarian programmes in the DRC are not considered managed remotely, but the de facto reality is that many programme activities are implemented with sporadic or no oversight of senior staff from INGO or donor. Guidelines for distance management provide insight on the

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[85] See for example: WFP 2018
[86] Ibid; see also Hilhorst et al 2018
[87] Transparency International 2014; Transparency International 2017; U4 Helpdesk Answer 2019
[88] Stoddard et al 2010; see ECHO 2013; DFID 2015

management of resources in high risk areas and some practices such as enhanced monitoring and information exchange systems may be useful when applied to programmes in the DRC context.

Each practice must be examined for its advantages and disadvantages and its effectiveness. This will vary according to the type of program, organizations and geographic location. The availability of the network and the technical knowledge of staff and partners play an important role in the success of these measures. [89] For example:

i) the richness that systems of discussion over distance can offer with groups of beneficiaries via telephony tools (Skype and WhatsApp teleconferencing on smartphone or with a computer, overhead projector and a sheet as a large screen);
ii) possibilities to take photos and georeferenced videos to see activities;
iii) the possibility of bringing groups of beneficiaries to more accessible locations for workshops for reflection and expression of grievances.

Lastly, it is not only the capacity and preference of organisations, including their internal policies, that contribute to the parameters through which humanitarian responses operate, but also donors' policies and funding mechanisms. Indeed, previously identified barriers to flexible, adaptive humanitarian action are relevant as factors that impede effective management of corruption as well.[90]

THE RAPID RESPONSE / EMERGENCY RESPONSE

Multiple micro-conflicts affect a large area of eastern DRC, resulting in frequent and sudden shocks and a high level of population displacement. To respond to humanitarian needs created by these displacements, OCHA and UNICEF created the Rapid Response Mechanism in 2005 with extensive support from the donor community. The programme was designed to guarantee a rapid and multi-sectorial response for newly displaced people in areas where their arrival creates an extraordinary burden on local populations, services and resources. They have often had significant positive impacts for populations in extreme distress, including a strong impact on the mental health of adults.[91] Over the years, the programme became a permanent and important feature of humanitarian aid in DRC. Several mechanisms were created, all sharing in principle the same approach "the pre-allocation of funds that can be rapidly deployed in case of needs and the objective to improve response coordination and harmonize approaches throughout the assessment, response and monitoring phases"[92].

With the high frequency of displacements largely linked to conflicts, rapid response mechanisms were considered both necessary and highly relevant by most humanitarian actors, though also with many shortcomings that might affect the response. These have been established through several evaluations[93] and were confirmed by multiple KIs during this Review:

- **The trade-off between speed and the quality of the response remains a permanent issue.** The importance given to the assessment of the vulnerability of displaced and host populations is a strong

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[89] See p. 21 in Ruppert et al 2016 et p. 5ff in Prize R. 2018 for a discussion on advantages and inconvenients in different contexts
[90] Obrecht 2018 (The barriers are: 1-Lack of investment and incentives for problem solving and adaptive learning. 2-Rigid donor contracts and weak donor-partner relationships 3-Short-term and arbitrary programming timelines 4-Time in between project cycles for agencies to reflect and learn is inadequate 5-Costly and slow programme or situational monitoring systems 6-Absence of strong analysis and input from effected people in response design 7-Aid silos preventing humanitarian agencies from responding to needs as they shift 8-The mandate-driven, top-down nature of humanitarian agencies); see also Sida 2018
[91] See Dara 2018, Quattrochi et al 2020
[92] European Commission 2018
[93] DARA 2013, DARA 2018, European Commission 2018

impediment to a rapid response. It takes time to gather data, to analyse it appropriately, and decide a suitable action plan.

- **The repetition of the displacements in some areas and homogeneity of ensuing responses creates pull and push factors.** People learn that displacements induce access to resources and even begin to understand the most appropriate answers to questionnaires when seeking assistance. Once identified as recipients, people will wait for their assistance to arrive, when they may otherwise have been able to return home.

- **Coordination of the responses was still relatively inefficient.** Frequent examples of multiple surveys covering a single area and overlapping distribution plans have been mentioned during the field work. At the same time, practices of implementers were not harmonised (for example, the process of registering without *carte d'electeur,* or rigor of door-to-door) and this created problems for some, usually stricter, aid organisations. Additionally, a "survey fatigue" on the side of the population has been observed: "why do you come with your questionnaires when the assistance will always be the same?". In addition, the Coordination between rapid responses and the intercluster was frequently mentioned as an area for improvement.

- **Attracting assistance for IDP and host population became an opportunity for political and financial gain.** Fake alerts and phantom displacements became a tool to attract assistance in certain areas. The alert validation and MSA missions did not always exhibit the required level of vigilance to detect these. Diversion of aid was then organised in collusion with staff of aid organisations

- **The links between the RRM approach and broader humanitarian and resilience assistance have been regularly appraised as weak.** A humanitarian response provided two to three months after the onset of a crisis cannot be considered to have been delivered quickly. Certain needs of a displaced population cannot be addressed during a 3- month period. Lastly, food aid is disconnected from the rapid response mechanisms and led by WFP. The coordination of both responses is intended but it has been reported that they often arrive weeks apart.

- **The application of the "Do no harm" approach and conflict sensitivity is often rather illusory.** In several cases, villagers and communities said that the RRM is often creating tensions between IDP and villagers, between IDP themselves and among communities as injecting resources in contexts of scarcity is always a risky endeavour. Cash injections can also attract armed state and non-state actors that add to the tension.

- **Post response impact of the RRM is limited.** If the distribution of NFI and food vouchers improves a situation, the impact of this assistance is quickly forgotten in favour of other humanitarian and resilience needs linked to the protracted nature of the humanitarian crisis in DRC. [94]

The RRM described above has been dismantled and new consortia have been established to deliver multi-sectoral assistance to the needs of populations caused by conflict or other shocks. Lessons learned have been considered and integrated into the new systems by the consortia as well as the UNIRR.

Nevertheless, any rapid or emergency response must strike a balance between responding to multiple, pressing needs of affected populations and addressing the challenges inherent in operating in environments subject to significant risks of corruption (due to remoteness, complexity of local political economy dynamics, time-sensitivity, etc). Where possible, urgent response measures should be implemented by actors who are already present in affected areas and have due diligence systems in place. Likewise, rapid and emergency response interventions should maximise their relevance and seek out diverse community relationships, which can together serve to mitigate potential corruption risks. Finally, urgent response interventions should be accompanied with initiatives that can enable communities improve their resilience.

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[94] See also the advantages of multi-year humanitarian funding (Sida et al 2018)

4. CONCLUSIONS

The Operational Review underscores the complexity against which humanitarian aid operates in the DRC. In addition to difficult field conditions, constantly-shifting conflict dynamics and deeply-entrenched governance failures perpetuate widespread corruption practices across all sectors in the country.

The multiple ways in which fraudulent systems have embedded themselves across the project cycle demonstrate that corruption practices are well-established and thus sustained and creative measures will be required to limit their scale. Generally, activities in areas that are difficult to access, either due to remoteness or insecurity, encounter higher corruption risks. The constant evolution of local dynamics, such as administrative environment, relationship with local institutions or varying conflict intensities, can affect exposure of aid integrity to risk. Flexible approaches must be adopted to adapt to this ever-changing environment.

Beyond local dynamics, corrupt practices are also linked to conditions underpinning the system of humanitarian aid that have developed over two decades of varying modes of crisis in the country. If there is a strong focus on speed in responding to these crises, the quality of the assistance can be weakened because the capacity to carry out controls is limited. This enables the establishment of corruption schemes through the collusion of multiple actors working along the value chain of aid. Moreover, the aid sector is perceived as important to local economies, particularly in eastern DRC, which facilitates the sense of some that the "system" is there to be exploited as part of local gain.

An overarching consequence of these dynamics is the lack of trust that persists between aid organisations, communities and authorities, as well as amongst certain aid organisations. Communities perceive humanitarian aid as corrupt and driven by external agendas, not delivering what is most sought-after locally. On the other hand, aid organisations tend to view authorities, government institutions and organisations, and community members as part of the problem. The situation is worsened by the widespread failure to sanction individuals responsible for corruption or sexual exploitation and abuse; corrupt staff are known and continue to be in decision making positions across aid organisations (both international and local). Constituting elements of a larger system, corrupt practices including sexual exploitation and abuse can neither be seen nor treated in isolation to the overall delivery of humanitarian aid.

The humanitarian sector and aid organisations possess an array of controls to manage occurring risks along the value chain of aid; however, a gap persists concerning the use and control of these measures. The assessment of corruption risks needs to become a standard element of all action in DRC and detection and prevention goals should include all stages of the project cycle. This can only be possible if resources are available and pressures on compliance and upward reporting are adjusted to meet these needs. Prevention and mitigation measures must be adapted to local corruption drivers, such as the operation of illicit inter and intra-organisation networks based on familial, ethnic or community ties; social and situational obstacles to resisting or reporting corruption practices, as well as common acceptance and complicity in corruption practices.

The level of appropriateness and relevance of programmes has a direct effect on the exposure to risk of corruption and sexual exploitation and abuse. Previous recommendations made to the aid community in DRC remain valid: specifically, detailed understandings of context, local power dynamics and socio-economic factors remain the core of a quality programme. Moreover, active community participation, senior staff presence in the field and efficient coordination of the humanitarian community are additional key elements. Together, these elements have a direct influence on the ability to prevent and mitigate corruption, and to a lesser extent, sexual exploitation and abuse.

The figure below highlights key elements in the inter-play between motivation, rationalization, capability, and opportunity of corruption practices in the DRC.[95]

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[95] Created by authors based on the fraud diamond of Wolfe and Hermanson 2004 and its discussion by Ruankaew T. 2016. Consider: "Opportunity opens the doorway to fraud, and incentive and rationalization can draw the person toward it. However, based on the fraud diamond theory, the person also must have the capability to recognize the open doorway as an opportunity and to take advantage of it."

Figure 2 The fraud diamond in humanitarian Aid in DRC

Factors enabling corrupt practices in DRC

OPPORTUNITY
- Weak oversight
- Weak/inappropriate controls
- Low risk getting caught, few consequences if caught
- Low levels of aid integrity
- Protection through others in similar positions within and/or in other organisations, stakeholder groups

Individuals
- Aid Organisations
- Community
- Government Agencies
- Authorities

MOTIVATION
- Pressure to provide for
  • Oneself
  • Family
  • Community

CAPABILITY
- Position to decide
- Ability to understand/exploit systems
- Ability to manipulate controls
- Ability to pressure/coerce others ("make offers")

RATIONALISATION
- 'I do what everyone else does, too'; 'Dieu m'a béni'
- 'They can afford it'
- 'It is my only option to get a job/contract/funds'

Source: Authors

The extensive fraud scheme discovered in the cash-based distribution under the rapid response mechanism represented a warning call for a strong and collective action in response to systemic challenges underpinning aid delivery overall in the DRC. Individual organisations have a strong role to play in contributing to the management of corruption risks and many have examined and adapted their practices following this; however, **strategic changes and collective action are needed**. The creation of the Anti-Fraud Task Force in Kinshasa and Goma and the commission of this Operational Review demonstrate a commitment to the integrity of aid and the humanitarian sector's readiness to address the issues raised herein.

Reducing levels of corruption in the DRC can be achieved through the strengthening of certain safeguards and oversight mechanisms and the analysis and comparison of the information they generate. This will require the mobilisation of adequate human and financial resources and the establishment of resilient systems that are routinely adapted to the local context, thus enabling aid actors to better resist existing corruption systems and dynamics. This will invariably be easier to put in place for responses with longer timeframes; rapid and short-term interventions will require revision and constant adaptation. The Risk and Recommendations Matrix (Annex 1) details a number of these potential risk mitigation tools and measures to address the integrity of humanitarian assistance in the DRC.

5. RECOMMENDATIONS

The Operational Review finds that the areas of needs assessment, resource mobilisation, implementation and monitoring are most exposed to risks to the integrity of humanitarian aid in the DRC. All aspects of the project cycle need to be controlled in order to prevent and mitigate corruption in humanitarian aid and support quality implementation of the activities. This is best achieved through a combination of soft and hard control measures[96] and an ongoing analysis and comparison of the data generated by these measures and departments implementing them.

The recommendations are for the entire humanitarian community in the DRC and are therefore of a general nature. Each organisation is invited to review its current practices and controls against the proposed recommendations and identify those recommendations and activities that it considers useful. Every measure and practice have advantages and disadvantages which need to be carefully weighed against the severity of the risk identified. Donors are encouraged to use the operational recommendations to assess the adequacy of their partners' corruption mitigation and prevention measures, to fund these measures when proposed or request them when absent.

While a varied range of policies and practices are used across aid organisations in DRC, the Operational Review identified multiple existing and potential practices that represent viable risk mitigation measures in response to the corruption dynamics identified herein. The Operational Recommendations outlined below aim to connect the different elements of the project cycle and are structured around four areas of: i) preventing; ii) detecting; iii) sanctioning; and iv) learning. The second section presents three Strategic Recommendations. The Risk Matrix that accompanies the Operational Review report outlines in detail specific risk mitigation measures organised in relation to specific corruption risks along the project cycle. The recommendations below should thus be read in conjunction with the detailed Risk Matrix (Annex 1).

Of note, many of the recommendations below mirror measures that have been identified in prior reports addressing corruption in humanitarian aid and which are both relevant and transferrable to the Democratic Republic of Congo.[97] It should also be noted that some of the actions proposed here are already implemented or being explored by aid actors, coordinated by the AFTF.

5.1 OPERATIONAL RECOMMENDATIONS

1. <u>PREVENT</u>

1.1 Systematic assessment of corruption risks at project level including acceptance of these risks by senior management at country and headquarter level

A risk management approach supports the identification of risks for aid integrity and anticipates their severity and impact on the organisation. The risks of corruption need to be assessed across all stages of the project cycle at the planning stage and at the same time as related institutional, programmatic and contextual risks are considered. This requires professional staff who are experienced in identifying and assessing corruption risks. It is important that the risks are acknowledged by the senior management of the organisation and respective mitigation measures are in line with the severity of the risks and the respective operational context. National NGOs should receive adequate support for this approach.

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[96] Hard: controls + spot checks and tests if controls are functioning; Soft: presence, context understanding, relationships
[97] Transparency International 2011; Transparency International 2017; Feinstein 2009; ODI; U4 Anti-Corruption Resource Centre

1.2 Improve systems and practices during needs assessment and implementation with corruption risks in mind

The verification and confirmation of early warnings and alerts, as well as needs assessment practices, need to be improved, especially for rapid and emergency responses. Alerts need to be systematically verified and triangulated by multiple actors (UN, INGO, NNGO) and the credibility of the sources should be evaluated and ranked.[98] The coherence of alerts with the ongoing context and security analysis needs to be considered as well. Sources need to be as diverse as possible every time a verification takes place. Needs assessments need to include direct consultation with additional sources, having not raised the alert, from the concerned communities, especially if the alert verification relied on insufficiently diverse resources.[99]

Even if communities are often perceived as being part of the problem, they are also part of the solution. Community members should be involved in the design and implementation of planned activities and disclose fully and transparently all programme activities to communities, including roles and responsibilities of all actors involved in implementation. This way, counter-powers and dynamics of social control can develop. Electronic data collection systems should not allow for the extraction and reinsertion of data at field level. Procedures of registering recipients without formal ID (*carte d'électeur*) should be harmonised amongst actors operating in the same area. Established distribution lists should be verified with trusted members of the community.

1.3 Improve transparency and oversight in fund allocation, procurement, and recruitment processes

Due diligence practices (partnerships, suppliers) need to include questions of ownership to assure conflict of interests, especially between staff of aid organisations (fund allocation, procurement) and NNGOs or suppliers, are discovered. Implement and process asset and financial declarations for all staff involved in fund allocation and procurement. Wherever possible, explore the options of committee-based decision making. The membership of such committees should rotate and include observers wherever possible. Observers can extend to but should not be limited to staff from other departments within the same organisation (for example monitoring staff, risk management staff).

Specifically, for fund allocations, appropriate task segregation needs to be assured. Further, after fund allocation, a disclosure of project data (activities, duration, cost) to the entire hierarchy of contracting and contracted organisations should be made. This will allow involved parties to identify fund diversions.

With respect to procurement practices, the humanitarian community should explore collaborating with independent third-party organisations who are working on improving the business environment as part of donor-supported private sector or economic development projects. These actors work with, and understand the private sector, which is particularly useful to ensure business environment risks are reflected in humanitarian procurement procedures. This can include conducting market research and updating pricing guidelines; drafting guidance notes for terms of reference against conditions of purchase and delivery, especially in priority sectors (transportation, seed sector, etc.). This collaboration can also include assessing entry points from which to strengthen the ability of suppliers to resist corruption (both within industry cartels and from illicit aid insider networks).

Specifically, for recruitment, consider digitisation (online depository, online data bases) of recruitment processes and assure the requirement of relevant documentation for each recruitment process including a recorded justification how and why a selection is made. These processes should be subject to quality control in addition to the existing audit cycles. This will of course not always be possible, especially for temporary and very local recruitments.

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[98] Concerned communities, their leadership, local authorities, local government organisations (including staff from Ministry of Health, Ministry of Education); civils society network, youth and women's organisations, NNGOs, INGOs, UN present in the area.
[99] This has already started for responses under the SAFER consortium; CHAT (Congo Humanitarian Analysis Team) of Mercy Corps supports this work.

1.4 Reconsider sensitisation messages and trainings to ensure that definitions of corrupt practices are contextualised, and consequences of such behaviour are clearly communicated

This should include the presentation of sanctions that will be imposed for corrupt practices to communities, their leadership as well as partner organisations and suppliers. Ensure that this messaging promotes transparency in terms of expected aid delivery and clearly communicates available feedback and reporting mechanisms available for aid recipients. Include the revision of in-person and online training tools and content on all anti-corruption and protection against sexual exploitation and abuse related policies to assure they are sufficiently contextualised and understood by staff. Further raise awareness on prevention issues in aid recipient communities. Focus on the meaning of *Conflict of Interest* and definitions of types of corruption and exploitation based on examples from DRC.

2. DETECT

2.1 Increase spot-checks on standard controls and decision-making processes. Align policies and procedures with corruption risks in mind for all areas of the project cycle. This criterion should include evaluating performance on "accountability" or oversight of down-stream sub-contracting by agencies to other organisations.Without adding additional controls, increase the frequency of independent, randomised, and unannounced spot checks by oversight and senior staff and in addition to the audit cycle. This should include contracted individuals and organisations as well as those who were not selected amongst NNGO, suppliers and recruited staff. Include the recipient community in accountability measures and monitoring.

2.2 Ensure complaint mechanisms are appropriate and inclusive (communities and staff) and accessible as well as available for partner organisations, suppliers and other service providers. Feedback and complaint mechanisms need to be diversified and accessible to all participants in the aid chain. The system needs to be enhanced with trusted community and staff members being available for face-to-face interactions and the direct reception of complaints[100]. Further, complaints that are received need to be followed up immediately, met with action where required and any outcomes transparently communicated to affected stakeholders. The current complaint and feedback mechanisms should be evaluated, ideally across organisations and especially (but not limited to) the hotlines and call centres. This should include a cost-benefit analysis with a view to potentially transferring resources from hotlines and call centres to other monitoring and detection efforts. In areas where multiple organisations are operating, joint approaches need to be examined.

Current approaches are failing to identify and respond to cases of sexual exploitation and abuse. Link funding initiatives to local SGBV protection organisations (specially to strengthen the response for survivors of SEA practices), community-based identification and reporting and in the humanitarian sector.

2.3 Broaden and improve the means of detecting cases of corruption. Existing tools like PDM need to be used extensively and especially in areas without permanent presence of the aid actor. A common list of red flags should be derived from previous investigations, audit, and evaluation findings. Increase the capacity and speed of investigations and broaden the criteria to launch a pre-investigation. Aim to complete investigations even if concerned staff member has left the organisation, whilst being mindful that impugned staff often do not act alone. In programme evaluations, routinely include explicit questions and performance indicators of programme quality that could be affected by corrupt practices.

3. SANCTION

3.1 Review and improve the use of sanctions for individuals, organisations and suppliers, including perpetrators of sexual exploitation and abuse. Establish a better understanding of the legal background,

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[100] See Ruppert et al 2016 that also describes that corruption, fraud and PSEA are rarely reported through established complaint and feedback mechanisms.

improve utilisation of the judicial system and enforce reimbursements, based on practices already established by the INGO Forum and within individual organisations.

3.2 Suspend any activities in areas where aid delivery is blocked motivated by corrupt practices until negotiations are successful or concluded. While delivering humanitarian aid remains the key objective, organisations should not hesitate to ensure the policies of non-payment for access or information are implemented and adhered to, and that breaches are reported in a confidential manner. Assure that the option to suspend or withdraw activities when coerced into payments is known and implemented, and inform community members and their leadership of the reasons. Immediately suspend, pending investigation results, and dismiss staff members if there is sufficient evidence of failure to respect anticorruption-related rules and policies, including and especially in cases involving SEA.

3.3 Design and advocate for a strategic set of improvement to the legal framework through the drafting of a Directive or related regulatory instrument that can clarify and strengthen the legal basis from which corruption cases can be pursued and resolved. Engage with local experts on this and use opportunities offered by governmental actors to advance these aspects[101].

4.   <u>ACT, SHARE & LEARN</u>

4.1 Improve humanitarian action through combining senior staff presence in the field and active community participation throughout the project cycle. Senior national and international staff presence can increase oversight and presents opportunities for community members to engage in a direct interaction with a staff member, supporting diverse feedback channels. Active community participation (community members and their leadership) will support the overall quality of programme, offer an opportunity to actively engage in a discussion with the community on the activities but also corruption risks, sanctions and reporting, and contribute ultimately to the improvement of the relationship between that community and the aid organisations.

4.2 Create and/or enhance a culture of confidence and encouragement where reporting (also of mistakes) is encouraged and met with protection and support. For survivors of PSEA, this should include available services. Encouraging the reporting of such instances (successful and un-successful request for bribes) will increase transparency and decrease the opportunity for staff members to be part of the bribe. These reports should be recorded. Assure training of staff likely to face pressure on negotiations on the organisation's policies in such situations Establish clearly what protection for whistle blowers means practically and show the system that is in place.

4.3 Continue to decrease the taboo on occurring corruption within an organisation and at inter-agency coordination. Increase the dialogue and learning from corruption experiences. Corruption risks and experiences need to be a regular agenda item during meetings (staff meetings, coordination, cluster and WG meetings). Share and map information on incidents of attempted or successful bribery by authorities or community leadership. Consider creating a DRC Investigation Working Group as a forum to share information and learning from internal audits and investigations. Organisation's risk managers, fraud and compliance officers and monitoring staff should partake. This group should not carry out investigations but could advise how to overcome common problems with investigations in DRC. Examining patterns of occurring corrupt practices will help define suitable prevention and mitigation measures. Donors and organisations could consider publishing an investigation dashboard to share information.

4.4 Explore the options to pilot a 'do not call' list as a means to share information about corrupt individuals and suppliers in a systematic way within and across organisations. Since there is no comparable system in other humanitarian aid contexts, a project of this nature will require further examination into the nature, scope and status (public/non-public) of such a list including (but not limited to) criteria for inclusion and accepted type of evidence, means to verify evidence, period of time an entry remains

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[101] This ties in closely with the second strategic recommendation

valid and the composition and rotation of a supervisory committee. Lastly, any legal obstacles and compatibility with participating organisations requirements need to be carefully considered.

4.5 Explore and/or use options to pool resources (monitors, investigators) between groups of aid organisations. This can be country wide or grouped by a specific type of programme or a joint geographical area of intervention. Shared resources could be used for legal counsel, independent monitors (possible TPM firms) and investigators (general, PSEA). This could also be a list of vetted resources that individual organisations can use.

5.2 STRATEGIC RECOMMENDATIONS

The levels of risks for aid integrity are intrinsically linked to the overall humanitarian aid system, its policies and requirements. Implementing the operational recommendations is essential but they will be less effective and face limitations if systemic and strategic changes do not occur simultaneously.

5. Humanitarian community: diversify the approach to address the peaks of humanitarian needs caused by conflict or other shocks.

5.1 Improve humanitarian aid organisation's ability to provide rapid responses within their areas of presence. Increase the use of crisis modifiers or emergency response budget lines with rapid release mechanisms to allow aid organisations to respond to frequently occurring shocks where they work.

5.2 Maintain the rapid response mechanisms to respond to unusual and unexpected shocks or in geographical areas without regular humanitarian aid presence.

5.3 Consider creating or expanding a specific portfolio of programmes that extend support to communities after a peak in needs and a rapid response. Allow rapid responses to be agile to better react to changes occurring during the response (deterioration or improvement of security situation; shift in population movements with increased arrivals or returns). Prioritize the relevance and quality of any response over timeliness by providing appropriate funding and implementation cycles. Responses must be developed with an approach sensitive to conflict and the political economy. Ensure that a set of specific control mechanisms is in place including mandatory needs assessments and PDM especially in areas without permanent presence as well as a review of the complaint mechanisms.

6. Humanitarian community: improve aid integrity, credibility and confidence.

Open channels with the relevant government ministries to design measures that can clarify areas under the legal framework whose opacity enables current corruption risks and practices. A joint legal taskforce can identify priority areas from which to draft appropriate regulation that can promote legal certainty and level the playing field for aid organisations operating in the DRC.

Share and combine political economy analysis and pool intelligence-gathering and analysis across organisations and coordination platforms to strengthen due diligence and minimise opportunities for corruption. This should, specifically rely on networks between aid organisations, private sector actors and links to political actors. Consider the establishment of an Ombud's office with consideration as to the feasibility and security risks of such an exercise.[102]

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[102] Consult Hilhorst et al 2018

7. <u>Donors: lift the pressure on aid organisations to increase quality management and the promotion of aid integrity.</u>

Donors should enable and promote risk-based decision-making inclusive of careful consideration of corruption risks. Programmes need to allow flexibility with regards to the type of response that is required. This flexibility needs to extend to spending being allowed when required and not forced by administrative or financial deadlines.

Funding to emergency and humanitarian programmes should allow inclusion of a) continuous senior staff presence in the field, b) monitoring independent from programme implementation, either by a dedicated unit but attached to the most senior manager in the country and not to operations or programmes, or by an external unit contracted to do so, c) context analysis and d) risk management units. The requirements to use hot lines should also be reviewed.

Donors need to consider reducing the pressure created by Zero Tolerance policies. Reporting of all suspected cases of corruption from aid organisation to the donor needs to continue but options of creating agreed thresholds and reporting schedules should be contemplated at the beginning of a project. Such a threshold could identify how often a summative report is required and which instances will need immediate reporting to donors regardless.

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7. ANNEXES

ANNEX 1: CORRUPTION RISK MATRIX

This table contains risks, risk drivers, risk indicators, potential actors and key controls. The examples presented here are findings of the Operational Review (Jan - Apr 2020) and this matrix is to be used as a complementary tool with the Report of the Review.

Disclaimer: Examples given here are a support to the prevention, mitigation and sanction of corruption risks during the project cycle. This table will contain elements that are already part of your organisation's policy and procedures and globally available guidance on the management of corruption risks in Humanitarian Aid (like the Transparency International Handbook).

Project Cycle	Risk	Risk Driver (enabling factor)	Risk Indicator (what to watch out for)	Potential Actors (involved in the risk / performing the corrupt practices)	Key controls required	Key controls or measures currently not implemented or not widespread implemented
Needs Assessment & Analysis	**Triggering a false or exaggerated early warning alert** Most common for: - Rapid distribution - Distribution	Detailed knowledge of (rapid) response requirements by communities	Alerts are a surprise, don't match with context or are conflicting with security data base and incident mapping (INSO)	Community members	Verification of alerts (triangulation with other actors (INGO, NNGO, MoH) and context analysis)	
		Lack of presence in area; insufficient sub-offices	Similar/repeated alerts in geographically close areas	Administrative and traditional authorities	Geographical mapping of alerts (including follow-up)	Sufficient context analysis especially at micro-level including local power-dynamics and socio-economic factors
		Lack of understanding of local socio-economic factors	Inconsistent information	Staff (UN, INGO,NNGO)	Establish a system to classify alerts (source, content) after verification. Establish a credibility score (type and number of sources; consistency with contextual and security analysis) *This has already been developed by the AFTF in Goma*	
		Context (poverty, conflict, military confrontations and security incidents, remoteness)		Armed groups	Consult information from possible whistle-blowers, such as Civil Society Networks, Youth associations, etc	Networks with Civil Society Groups, Youth Associations or other networks that can function as whistle blowers
	Presentation of false or exaggerated needs	Detailed knowledge of response requirements by communities	Inconsistent information and/or data (not matching usual data patterns, insufficient diversity, 'too coherent stories')	Community members	Mandatory MSA prior to response decision with senior staff, local and non-local staff, multi-agency including FGD and active community participation *See proposals of 'intercept surveys' by AFTF in Goma*	

Most common for: - Rapid distribution - Distribution	Pressure to respond fast; insufficient time to verify and triangulate information	Reluctance of staff or community or authorities to allow verification	Administrative and traditional authorities	Ongoing contextual analysis of potential intervention area (security/conflict; previous displacement patterns; socio-economic situation)	
	Inexperienced staff; staff facing difficulties to withstand pressures	Pushing of monitors by guides towards 'certain doors' or people only; avoidance of certain geographical areas	Staff (UN, INGO,NNGO)	Independent verification of needs; including quality control of needs assessment	Detailed documentation of decision-making processes
	Lack of presence in area, insufficient sub-offices	Beneficiaries do not present identification		Rotation of staff performing needs assessment	Quality control of decision-making processes
	Lack of understanding of local socio-economic factors	Same people are used to triangulate and mediate at every step		Documentation of decision-making process (early warning - alert - MSA - Go/No-Go decision	
	High response rate after needs assessment			Consult information from possible whistle-blowers, such as Société Civile networks, Youth associations, etc	
	Context (poverty, conflict, remoteness)				
Payment for information, payment for access Common at needs assessment stage but can occur at implementation stage as well	Bad practice in place and known	Unwillingness to share information	Authorities	Clear policy of withdrawal of intervention if coerced into payment with information to community about reasons for suspension/withdrawal	
	Junior and/or local staff faced with threatening authorities	Unexplained or oddly explained discrepancies	Staff of aid organisations	Clear policy of non-payment for access or information	
	Presence of and pressure by armed forces/militia	High levels of fear or discomfort amongst populations	Armed groups	Training of implementing staff (negotiations, organisation's policies)	
				Information sharing on these incidents	

Strategic Planning	**Intentional behaviour to create conditions that favour corruption** (needs assessment ignored/not taken sufficiently into account)	Pressure to spend	Poor quality MSA	Staff (UN, INGO,NNGO)	Neutral analysis of needs requiring data from MSA	Reasonable time for decision making and programme design when possible
		Pressure to respond fast	Data/recommendations from MSA ignored		Decision based on needs in line with community priorities, security, market and protection assessment	Emergency Preparedness including establishment of key needs arising from common shocks
					Assessing corruption (internal and across project cycle) as standard component of risk and feasibility assessments	Risk & Compliance Officers in place with corruption part of their JD
					Prioritization of needs (coordination)	
					Documentation of decision-making process (early warning - alert - MSA - Go/No-Go decision	
Resource mobilisation - Identification of Partner Organisations	**Non-transparent allocation of funds to implementing organisations**	Unclear NNGO landscape with incorrect and out-of-date 3W	Agency with insufficient capacity or poor proposal receiving funds	Staff of UN Organisations	Transparent and committee-based allocation process. Include outside experts and community members in committee	Criteria for NNGO to qualify for capacity and diligence assessment; establish fixed number of NNGO assessed/year
	Most common for: - Fund Allocation from UN ® NNGO	Lack of needs prioritization	Agency not present in area or not known by key partners are receiving funds	Staff of INGO	Beneficial ownership to be included in due diligence and identification of potential conflict of interests	Independent and confidential reporting channels for NNGO partners
	Practices: - Arrangement of kickback payments - Rigging sub-contracting process to favoured NNGO (because kickback has been arranged or indirect interest met)	Incomplete or lack of due diligence assessments of implementing organisations	Insufficient diversity of committee members allocating funds		Up-to-date database of partners	Community feedback mechanisms on selection of NNGO partners that are known and trusted by the community

	Insufficient quality control of processes	Budget (staff/goods/services) are higher than market prices		Spot checks on allocation process with recipient and non-recipient organisations; Random, independent quality control of fund allocation processes beyond audit controls (TPM or independent control)	*Do not call list* of partners and their staff with confirmed corrupt practices in the past
	Lack of or insufficient control of conflict of interest policy; failure of staff to disclose conflict of interest and/or beneficial ownership	Staff members suddenly resigning		Task segregation: Staff participating in allocation should not oversee implementation or monitoring, though attention should be paid to inside networks across departments	
	Absence of sanctions, especially when fraud is suspected and corrupt staff member simply resigns with no consequence			Disclosure of project data (activities, duration, cost) after allocation processes to all the hierarchy of contracting and contracted organisations. This allows contracted organisation to identify instances of fund diversion	
Withholding allocated funds from NNGO (diversion) Practices: - Payment via a third-party who shares collected intermediary fees with the funding organisation/ contractor - Allocating funds to a NNGO but NNGO being told project did not go ahead (funds pocketed by individual allocating) - Transfer of partial funds, delay of transfer of funds	Lack of or insufficient control of fund transfer processes; lack of transparency	Use of third parties to transfer funds; transfer documents not in the name of the contracted organisation	Staff of UN Organisations	Clear fund transfer policies in place and verified Disclosure of project data (activities, duration, cost) after allocation processes to all the hierarchy of contracting and contracted organisations to enable contracted implementing organisation to identify diversion occurring at contracting organisation	

	Kickback payments (% of the awarded contract to be paid back to an individual in the contracting organisation)	Conflict of Interest: - NNGO run by either aid organisation's staff or their close family - Political actors involved in NNGO's management or board	Insistence of certain staff following certain contracts	Staff of UN Organisations	Conflict of Interest Policy implemented and verified; increased spot checks on asset declarations and financial disclosure of staff involved in fund allocations
	Practices to obtain required sums for kickback: - falsification of pay-slips with external seconded staff signing for more than they receive (whilst overseen by NNGO partner) - Addition of or inflation of budget lines - Hiding these costs in taxes, road blocks and administrative payments ('les tracasseries')	Lack of transparency in fund allocation and transfer processes	No declarations of conflict of interest	Staff of donors, INGO	Adequate oversight by senior staff
			Complaints by implementing organisations		Direct payments via banks with financial controls Adequate complaint mechanism for implementing organisations
Resource mobilisation - Procurement	**Diversion at stock management**	Lack of transparency on transactions	Internal procedures not followed or waived too often	Staff of aid organisations	Control of established procedures and oversight mechanisms
	Practices: - Complicity or blind eye towards quality and quantity of incoming stock with gains for supplier and staff member - Withholding a portion of goods by insider within aid organisation for re-sale	Failure to diversify oversight roles in warehousing, stock management	Boxes/packages not closed	Supplier	Randomised, independent, and unannounced spot-checks

(individually or within their businesses)					
		Manipulation of stock records		Task segregation of reception, storage and dispatch of goods Computerized warehouse and inventory systems Suppliers signing a Code of Conduct	
Diversion through price fixing or inflation	Insufficient or no conflict-of-interest policy; or conflict-of-interest policy not applied correctly	Prices above market levels	Staff of aid organisations	Good understanding of market dynamics and prices	*Do not call list* of suppliers with confirmed corrupt practices in the past
Most common for: - Fairs - Ongoing national procurements for all activities/services	Beneficial ownership of businesses excluded from due diligence procedures	Divergence in pricing/costs across purchases in similar activities/areas	Supplier	Robust internal procurement and financial procedures with independent spot-checks on functioning of controls outside audit cycles	
Practices: - Falsification of invoices and receipts - Coercing junior staff members to falsify for bribe or possible advantages in the future - Price inflation is also a practice to collect required amounts for kick- back payments	Wide-spread corruption in the business sector nationally			Beneficial ownership to be included in due diligence and identification of potential conflict of interests; as well as asset declarations	

- Cartel-like behaviour and price setting	Uncertainty with the applicable legal framework (e.g. contract terminations, including via 'force majeure') Pricing lists outdated, inaccurate and/or manipulated			Suppliers signing a Code of Conduct	
Kickback payments (procurement; service provision) or bribes	Insufficient or no conflict-of-interest policy; or conflict-of-interest policy not applied correctly	Tender processes fast-tracked	Staff of aid organisations	Engage an independent third-party actor that works with, and understands the private sector, especially business environment constraints and political realities to support procurement processes (improve realistic understanding)	Work with business fraud experts to design of guidelines to assist with due diligence on beneficial ownership and tracing of business interests, including setting suppliers against a political economy analysis as part of due diligence
Practices: - Sharing of details of bidding process with suppliers - Coaching of specific suppliers to win bids - Suppliers or service provider pay bribes to staff of aid organisations to gain time and flexibility on delivery	Ownership of businesses excluded from due diligence procedures	Frequent waiving of established procedures	Supplier	Market research including updated pricing guidelines (consider potential mechanisms that ensure regular updates of these guidelines) Include ease of mobilisation of goods, importation blockages, etc. in market assessments	'Do not call' list of suppliers to avoid who are known for corruption practices
- Complicity or blind-eye when goods or services are not delivered as contractually agreed - Paying bribes to staff of aid organisations by suppliers to not share information about corrupt behaviour	Procurement under time pressure	Relevant bids excluded; received bids too accurate in relation to non-publicly available information	Service Provider	Coordinate with aid organisations on how to establish an independent complaints mechanism for suppliers that respects confidentiality	Voluntary schemes where suppliers can spontaneously come forward and provide required information as part of due diligence, demonstrating that they meet requirements.
	Kickback payment expected and accepted business practice			Guidance notes for drafting terms of reference against conditions of purchase and delivery, especially in priority sectors (transportation, NFI sector, etc.)	Independent and confidential reporting channels for NNGO partners

Resource mobilisation - Recruitment						
		Lack of understanding of customs exonerations			Suppliers signing a Code of Conduct	Coordinate with other aid organisations on how to collectively realise procurement controls in cases of emergency response
		Overall market conditions (ToRs do not reflect market realities, difficult to meet in practice without added flexibility)			Suppliers signing a Code of Conduct	
	Fraud during recruitment processes (staff, consultants and daily workers)	Fast-tracked recruitment	Lack of diversity in HR department	Staff (Donor, UN, INGO,NNGO)	Public communication about free-of-charge process and sanctions for accepting or offering bribes	*Do not call list* of humanitarian staff with confirmed corrupt practices in the past
	Practices: - payment for acceptance of dossier (facilitation payment) - kickback payments once employed/contracted/paid - sex for work - coercion or bribes to hired staff for complicity/silence - coaching of some candidates and blocking of others (delayed information on dates/times for test for example)	Individual decision makers	Overriding of steps in the recruitment process		Interviews with newly hired staff by independent monitors about process; spot-checks with candidates who have applied but were not retained after phase 1, 2	Quality control of hiring processes

	Kickback payments (recruitment; % of the awarded contract to be paid back to an individual in the contracting organisation) - upfront payment for acceptance of dossier (facilitation payment) - kickback payments once employed/contracted/paid	Recruitment fraud expected and accepted practice Internal illicit networks that collaborate to ensure these practices are covered up by monitoring, finance, etc.	Job requirements are very detailed, unrealistic or contain specifics not relevant to the job	Staff of aid organisations Candidates	Key internal control mechanisms - Emphasis on recruitment based strictly on detailed professional standards and requirements; increased use of specialist positions that demand particular areas of expertise - Use of mixed recruitment panels; digitisation (online depository); and, the requirement of extensive documentation and the rationale to justify how and why selections are made	
Implementation	**Non-eligible beneficiaries added to distribution list**	Little difference in vulnerability between displaced and non-displaced or returnees and non-returnees	Short registration process	Authorities	Closed electronic data collection systems	Use of social scientist to support monitoring, PDM and evaluation
	Practices: - implementing organisation/monitors adding their own people/ contacts/ relations - authorities; armed actors; militia exert pressure or force to have their own people added - creation of non-existing blocs in sites and selling of spaces/houses for registration - trafficking of 'carte d'electeur'	Population density (the higher - the larger the risk; displacement in or close to urban centres are at higher risk; displacement in areas with high INGO presence are at higher risk)	Unusual number/type of complaints received	Community Members; Chef de quartier or village/ IDP President; Committees	Analysis of collected data (time stamp, GPS, duration of registration)	Use of Scope (eliminating double registration)
	- residents (non-displaced) moving into sites for targeting - payment for registration	Insecurity	Unusual length/location of registration processes (time stamp, duration, GPS)	Staff (UN, INGO,NNGO)	Publishing and verification of lists within communities (where possible, consider Protection Analysis)	

Lack of understanding of local socio-economic factors	Pushing of needs assement team and monitors by guides or communities towards 'certain doors' or people, guided away or avoiding certain areas	Senior (non-local) and independent supervision during targeting and distribution
Lack of understanding of local displacement history and conflict, and of demography	Insecurity (teams more likely to give in if isolated, if militia pressuring)	
Cash distribution	Staff (too closely) involved with elections of representatives in camps or sites of displaced (put someone in place who afterwards pays-back or can be manipulated for gains)	Spot checks and verifications if using already established lists
		Establish averages on registration data (e.g. standard ranges of vulnerability scores) and act when diversion
		Registration with ID (carte d'electeur) with specific system to vet people without carte d'electeur
		Sensitisation of communities and clear communication of red lines (if double registered: exclusion; if individual people posing as beneficiaries: exclusion; if systematic inclusion of ineligible beneficiaries: suspension)
		Include community in accountability measures including clear communication of what is being distributed (amounts, type and quantity of items)

				Independent verification of registration and identification during PDM and programme evaluations
Embezzlement/diversion during project implementation	Remoteness	Non-realistic project reports	Staff of implementing organisation (INGO, NNGO)	Independent, systematic monitoring during implementation
Practices: - selling of items stocked for distribution or project use	Insecurity	Non-realistic monitoring reports	Suppliers	Independent, systematic PDM
- partial or no implementation of planned activities - less salaries paid; less items purchased; less trainings given; less PerDiems paid - Diverting payments through invented 'tracasseries'	Widespread, accepted and expected petty corruption	Unexplained discrepancies	Staff of funding organisations (UN)	Appropriate complaint mechanism including treatment and follow-up of complaints
	Need to pay kickback for having received funds	Complaints received	Authorities	Project oversight through mixed committees
	Short-term contracts of implementation staff	Same people are used to triangulate and mediate at every step	Counterparts (civil servants like health staff, teachers etc)	
Diversion during distribution	Remoteness	100% show of recipients	Staff of implementing organisation (INGO, NNGO)	Community Committee + Authorities + Organisation needs to approve distributions reports (caution: delays!)

Practices: - not all beneficiaries registered are served - smaller rations - poorer quality if items	Insecurity	Many similar complaints	Vendors	Active community participation in implementation
	Widespread, accepted and expected petty corruption	Non-realistic monitoring reports	Authorities	Appropriate complaint mechanism including treatment and follow-up of complaints
	Short-term contracts of implementation staff	Recipients sign for USD but receive CDF; suspicious looking signatures		
		Number of non-distributed item does not correlate with number of absentee		
Aid diversion post-distribution	Insecurity	Reports of insecurity/incursions post distribution	Authorities	Community consultation and involvement on decision of type and time of distribution, especially in insecure areas
Practices: - 'taxation' by Elders or gatekeepers, forceful or not - armed robbery of received aid by armed forces or militia - Re-buying of items by traders at lower price	Pressure by gatekeepers, community representative	Reports of payment to gatekeepers/ authorities post distribution (to a certain degree this is accepted and respected practice, and it is important to evaluate the level of 'taxation')	Armed actors	Assessment of protection needs
	Widespread and accepted practice Insufficient protection analysis prior to distribution, do-no-harm principles not considered			

	Reproduction and selling of jetons/vouchers	Criminal activities	Falsified jetons appear at distribution	Community members	Use of forgery proof jetons	
	Risk frequently occuring without the involvement of personel of the aid organisation		Reports of staff in areas with no presence (individual's posing as aid organisation's staff) Theft of ID materials			
	Bribes for access and ability to implement	Remoteness	Delays in implementation	Staff of implementing organisation (INGO, NNGO)		
	Practices: - tracasseries; payment to authorities for access	Insecurity	Unusual high unexpected costs during implementation	Authorities	Policy to suspend if irregular payments are requested to be implemented/supported	
		Widespread, accepted and expected petty corruption			Mapping and documentation of these events and their solutions, sharing with other actors in region	
Monitoring	**Manipulated, false monitoring reports**	Significant networks of staff involved in diversion schemes	Monitoring/PDM reports not matching complaints, previous reports or financial reports	Monitors	Reception and review of monitoring reports by a committee or a control group	
	Manipulated, false PDM reports	Short-term contracts of monitoring staff	Monitoring/PDM reports only received by one person, are not shared or shared with delay and after several requests	Community members	Use varied teams monitors who were not involved in any previous aspects of the programme implementation or needs assessment. Use of a team (local/non-local)	Create mixed monitoring teams (NNGO/INGO/donor)

Practices					
Practices: - Field level: Bribing or coercing monitoring staff, NNGO partners, community stakeholders to turn a blind eye and/or not report observations and findings; providing false information - Office level: Redaction or suppression of reports	Lack of internal support to staff and perceived limited capacity of the hierarchy to listen and act when implementation has been difficult	Insufficient geographical coverage and diversity of monitoring visits	Authorities	Triangulation with complaints received with regards to implementation area and immediate follow-up	Monitoring or PDM by a third-party
Reasons: - Hide corrupt practices - Hide mismanagement, wastage, poor implementation and delays - Boost one's career, fear of repercussion when report is not done - Fear of repercussions, wish to secure future funding - Distance to field locations (and perceived insecurity)		Reports on hard-to-reach and dangerous areas appear too precise and well done, lack of reporting of difficulties, objectives achieved too accurately	Staff of aid organisations	Have a balanced and independent monitoring team reporting to senior management or country director directly (not to the programme team implementing)	
					Disclosure of monitoring reports to all the hierarchy of contracting and contracted organisations to enable contracted implementing organisation to identify manipulation
				Community participation in monitoring	Create a meta-monitoring report (for example comparison of several PDMs), establish quality control of monitoring and PDM report by independent staff

				Check coverage of monitors presence against GIS systems, verify mission reports	Creation and use of a list of Red Flags that trigger an investigation after PDM. (List of triggers to be established by experience of present organisations, forensic audit, meta-analysis of PDM and investigation reports)
				Have debriefing interviews with the monitoring staff and a senior person of management	
Suspicions or corrupt practices are insufficiently reported through established systems	Reluctance to report because having (voluntarily or involuntarily) participated and/or benefitted	No or low number of suspicions reported	Staff of aid organisations	Multi-pronged approach (hot-line; suggestion-boxes; field presence of senior staff including with the assigned task to be focal point for feedback; complaint committee/complaint table during activities (if not permanent) or regular sessions with established committees throughout implementation	External evaluation of complaint mechanism (inter-agency)
	Lack of follow-up on complaints (internal and to complainant)	After investigations are concluded, it is often revealed that 'everyone knew, but no one reported'	Communities	Analysis of collected information (who uses the system - check on women, check on certain ethnicities, check on geography)	Identify trustworthy individuals (community and staff) that functions as direct inter-face to receive complaints (in addition to, not as replacement off existing systems). They should be approachable in person and by phone
	Fear for one's safety; lack of anonymity when reporting			Maintain multiple focal points at the field level to assist with monitoring; engage trusted actors as local focal points, who are easily accessible to aid recipients	Increase frequency of donor visits in the field with clear objective to receive feedback from communities
	Practices are widely tolerated and not considered problematic			Active Community participation in monitoring including grassroots and civil society organisations	Collaborate with NNGO partners, who maintain strong local networks through context-sensitive means. For example: already existing complaint committees or community focal points (relais communautaire)

		Reporting systems not available and/or limited for non-staff			Presence of senior staff at field level available and approachable to receive complaints	
		Pressure, tension (local; amongst staff)			Assure women are represented in complaint committees or consider establish two committees (women/men)	
		Lack of follow-up on complaints (internal and to complainant)				
	Fabricated claims to disadvantage someone/another organisation	High levels of competition for funding and jobs	Anonymous claims (during allocation and recruitment processes)	Staff of aid organisations	Verification of claims (triangulation of claim and situation analysis)	
		Difficult to find supporting statements or evidence for claims		Community members	Investigation (increase capacity and speed of investigations)	
				Authorities		
Review Evaluation	**Internal Audits and evaluations miss fraud cases (especially external cases)**	Corruption risks not included in projects risk assessments	Low rate of suspected corruption in internal audits	(This is a systemic problem and not an intentional behaviour)	Include questions &/or performance indicators related to corrupt practices in programme evaluations	Discuss the creation of an investigation's dashboard for DRC
	Reasons here are rather systematic than intentional: - Lack of questions with corruption risk in mind - Lack of time for sufficient field work - Lack of socio-anthropological approach	Internal Audit procedures are well known	Time spent in the field or office does not meet usual standards or project needs		Encourage internal audit questions that investigate beyond the 'paper trail'	Create a DRC Investigations Working Group, fostering and enabling fraud investigations and improving investigation practices in DRC

		Insufficient funding for field missions for audit and evaluation teams			Establish in-country investigative capacity	Produce and share generalised lessons learned from investigations, including exposing illicit inter-agency networks of actors who collude with suppliers or extort NNGOs
		Internal audit or investigations start with much delay			Verify ratio of 'time spent in office/time spent in field'	
Information Coordination	**Intentional behaviour to create conditions that favour corruption** - withholding of information (as a source of power, to gain advantage) - directing aid into specific areas - double funding of similar activities in the same area	Complicated coordination system	Double funding of similar activities in the same area	Staff of aid organisations	Quality control and evaluation of coordination mechanisms	
		Inter-agency competition for funds and visibility	Organisations with strong and extensive field presence are silent in coordination meetings (Caution: inefficient coordination does not necessarily have corrupt intentions at its heart)		Develop, maintain and up-date products (3W, maps of presence of actors, mapping of sub-offices, etc.)	
PSEA	**Sexual exploitation and abuse occurring but not reported**	Gender Inequality	Low or no reporting of cases in standard complaint mechanism	Victims/survivors are not reporting	Appropriate reporting systems	Appropriate protection and services for complainants to encourage complaints to come forward

	Practices: - Abuses/exploitation of a sexual nature demanded in exchange for: inclusion on distribution lists, receipt of aid (kits, clothing, cash transfers, food distribution)	Poverty, sense of lack of choice, inability to refuse 'Sexe de survie' is sadly expected as part of accessing aid advantages in face of poverty	Medical data, signs of psychosocial disorder		Interview with medical staff, interview with elderly, regularly visit by psychosocial specialist	Appropriate reporting systems in conjunction with protection and services for complainants
	Often targeted: girls between 14 - 22 years of age	Fear, especially in areas with armed actors or militia	Local pay-out arrangements	Exploitation occurring by - Staff of aid organisations - Gatekeepers (powerful members of community connected to aid) - Often by actors in emergency settings who have access to and target the most vulnerable of aid recipient populations (orphans, IDPs)	Support and funding to community-based SGBV and protection groups and organisations (identification of practices, support to and protection of victims/survivors)	Through support and funding, build awareness and reporting at the field level through community-based SGBV/protection groups and organisations (identification of practices), as well as support to and protection of victims/survivors, including and especially on response (PEP kits, psychosocial support, etc)
		Perpetrators not sanctioned, particularly when able to "buy off" family members to drop complaints Survivors have no access to avenues of recourse, including phones or ability to use phones privately to report				
Use of justice system	**Corruption in the justice system**	Institutional weaknesses, opacity of legal texts	No single risk indicator provided because of hidden nature of practices, which in many cases can only be identified once a corrupt practice takes place (bribe solicitation, etc.)	Litigant	Establish a list of reputable legal counsel for each Province	

Practices: - deal-making between litigant and judicial actors - misapplication of the law to exert influence - fee for service - bribes for sought-after outcomes - political interferences	Uncertainty of legal positions on issues relating to Human Resources; Termination of contracts (especially with suppliers)	Judicial actor	Include sufficient funding in budgets for potentially occurring referrals to the justice system
	Access to competent legal counsel difficult and expensive	Staff of aid organisations	Carefully verify potential conflict of interest between legal counsel and litigant
			Establish a better understanding of the legal background, improve utilisation of the judiciary system and enforce reimbursements Design and advocate for a strategic set of improvements to the legal framework through the drafting of directives or related regulatory instruments that can clarify and strengthen the legal basis from which legal issues that drive corruption risks, and/or cases themselves can be resolved. (Working with local legal experts)

ANNEX 2: TABLE OF SUGGESTED DETAILED MEASURES TO SUPPORT THE RECOMMENDATIONS

The detailed suggestions and their recommendations have been developed based on the findings of this review and are considered practices adapted to and required in the provision of humanitarian aid in DRC. Every organisation is invited to examine their current practices and controls against this list and identify recommendations and activities they see valuable and are currently not practices. Donors are invited to use this as a check-list for the presentation of relevant corruption mitigation and prevention measures.

Operational Recommendations		
1. Prevent		
Recommendation	Suggested Actions	Who
1.1 Systematic assessment of corruption risks at project level including acceptance of these risks by senior management at country and headquarter level	o Review risk management approach to include corruption risks (internal and across project cycle) as standard component of risk and feasibility assessments	UN INGO
	o Assure that risk and compliance officers are sufficiently trained to assess corruption risks (financial and non-financial; internal and external); employ a risk and compliance officer	UN INGO
	o Assure that NNGOs receive adequate support to this approach	Contracting Organisations
1.2 Improve systems and practices during needs assessment and implementation with corruption risks in mind	Alerts and needs assessment: o Ongoing context analysis of potential intervention areas including security/conflict; previous displacement patterns; socio-economic situation (Like CHAT, Mercy Corps that supports SAFER) o Verification: Triangulate warnings and alerts with analysis and actors in the area (community members – not only leadership, humanitarian organisations, government organisations, other stakeholders like MoH, consult with possible whistle-blowers, such as Société Civile networks, Youth Associations, etc.) o After verification: Establish a system to rank alerts (source, content). Establish a credibility score (type and number of sources; consistency with contextual and security analysis) o Credible alerts to be followed with MSA prior to a response decision. MSA with senior staff, local and non-local staff, multi-agency including FGD and active community participation; rotate staff performing MSA	UN INGO
	Implementation: o Review electronic data collection systems and avoid systems that allow manipulation (extraction and reinsertion of data before upload)	INGO NNGO

		o Harmonise practices around registration of recipients, especially with regards to processes of registration without '*carte d'électeur*' and between organisations o Verify recipients lists with communities o Increase and assure senior national and/or international staff during all phases of needs assessment and implementation o Disclose fully and transparently all details of programme activities to communities	
1.3	Improve transparency and oversight in fund allocation, procurement, and recruitment processes	o Systematically include questions of beneficial ownership of NNGO and businesses in due diligence processes o Implement and process asset declarations for all staff involved in fund allocation and procurement as well as NNGOs o Maintain committee-based decision-making processes; include outside experts and community members in committee	UN INGO
		Specific to Fund Allocation: o Assure appropriate task segregation (staff participating in allocation should not oversee implementation or monitoring) o Full Disclosure of project data (activities, duration, cost) after allocation processes to entire hierarchy of contracting and contracted organisations. This allows all involved to identify instances of fund diversion	UN (INGO)
		Specific to Procurement: o Conduct market research and update pricing guidelines (consider potential mechanisms that ensure regular updates of these guidelines) o Consider working with independent third-party organizations that work to improve the business environment through donor-supported economic or private sector development projects (with regards to market research, updated pricing guidelines, etc.).	UN INGO
		Specific to Recruitment: o Consider digitisation (online depository) of recruitment processes; assure the requirement of extensive documentation and the rationale to justify how and why selections are made	UN INGO NNGO
1.4	Reconsider sensitisation messages and trainings to ensure that definitions of corrupt practices are contextualised, and consequences of such behaviour are clearly communicated	o Public communication about free-of-charge process and the non-acceptance of offering bribes to staff o Review sensitization/awareness raising of communities and authorities with clear information about red lines, sanctions of exclusion of individuals or suspension of activities o Sensitise staff, partner organisations, suppliers with clear messages on the type of sanctions that will be implemented for corrupt behaviours o Training of staff on negotiations and identification of red flags o Review in-person and online trainings on all anti-corruption and PSEA related policies to assure they are sufficiently contextualised and understood, especially the meaning of Conflict of Interest and definitions of types of corruption and exploitation	UN INGO NNGO

2. Detect		
Recommendation	Suggested Actions	Who

2.1 Increase spot-checks on standard controls and decision-making processes. Align policies and procedures with corruption risks in mind for all areas of the project cycle (See: Transparency International Handbook)	o Independent, randomised and unannounced spot checks on processes outside audit cycles and include recipients as well as non-recipient/rejected parties, for:
	  ▪ Fund allocation
	  ▪ Decision-making (Alert classification; Go/No-Go Decisions)
	  ▪ Procurement
	  ▪ Recruitment
	 o Establish random, independent quality control of fund allocation processes beyond audit controls
	 o Include community in accountability measures and monitoring
		UN
		 INGO
		 NNGO

2.2 Ensure complaint mechanisms are appropriate and inclusive (communities and staff) and accessible as well as available for partner organisations, suppliers and other service providers	o Assure that complaints are received; increase the use of trusted community and staff members for direct interaction; systematic follow up of complaints including feedback to complainant o Analyse data obtained from current complaint mechanisms (by geographical criteria, user profiles* and across programmes). Use this to identify red flags for further investigation, to establish averages for reference and to adapt the systems where necessary o Evaluate the existing complaint mechanisms, ideally across aid organisations and with a view to a cost-benefit analysis; especially (but not limited to) the hotlines and call centres and assess if hotlines should continue and in which form. o Review how to provide an appropriate complaints mechanism for suppliers, service providers and NNGOs o To assure reporting on sexual exploitation and abuse: consider supporting and funding community-based women's groups and organisations *specific check on women, certain ethnicities and minorities	UN INGO
2.3 Broaden and improve the means of detecting cases of corruption	o Carry out systematic PDM, especially for high-risk intervention o Establish a common list of Red Flags (from investigations, audit and evaluations) that will trigger a (pre-) investigation o Encourage internal audit questions containing elements of surprise and go beyond the 'paper trail' o Increase capacity and speed of investigations, broaden criteria to launch a pre-investigation; finalise investigations even if staff leave the organisation before completion o In programme evaluations, include explicit questions and performance indicators of programme quality that could be affected by corrupt practices	UN INGO NNGO

3. Sanction		
Recommendation	Suggested Actions	Who
3.1 Review and improve the use of sanctions for individuals, organisations and suppliers, including perpetrators of sexual exploitation and abuse	o Establish a better understanding of the legal background, based on the work already established by the INGO Forum, improve utilisation of the judiciary system and enforce reimbursements,	UN INGO NNGO
3.2 Suspend any activities in areas where aid delivery is blocked motivated by corrupt practices until negotiations are successful or concluded	o Ensure the policy of non-payment for access or information is adhered to o Ensure the policy of suspension/withdrawal of activities if coerced into payment is implemented; inform community about reasons for suspension/withdrawal o Inform community members and their leadership about such situations and the reasons for suspensions. Use this as opportunity for active debate with members of the community on corruption	UN INGO NNGO
3.3 Design and advocate for a strategic set of improvement to the legal framework through the drafting of a Directive or related regulatory instrument that can clarify and strengthen the legal basis from which corruption cases can be pursued and resolved	o Engage with local experts	AFTF (INGO Forum)
4. Act, Share and Learn		
Recommendation	Suggested Actions	Who
4.1 Improve humanitarian action through combining senior staff presence in the field and active community participation throughout the project cycle.	o Increase the presence and oversight by senior (non-local and/or international) personnel o Assure active community participation in needs assessment, implementation and monitoring	UN INGO NNGO
4.2 Create and/or enhance a culture of confidence and encouragement where reporting (also of mistakes) is encouraged and met with protection and support. For survivors of PSEA, this should include available services	o Training of staff likely to face pressure on negotiations and the organisation's policies o Establish clearly what protection of whistle blowers actually means and establish clear support and services for whistle blowers. Communicate what to expect o Assure that services and support is available for those affected by SEA (in addition to protection)	UN INGO NNGO
4.3 Continue to decrease the taboo on occurring corruption within an organisation and at inter-agency coordination. Increase the dialogue and learning from corruption experiences	o Create and share a Red Flag Newsletter or similar (country level) o Make corruption regularly a topic at staff meetings (organisation) and inter-agency meetings (coordination, cluster, WGs) o Share information on incidents of attempted or successful bribery by authorities/communities o Consider creating a DRC Investigation Working Group to share information and learning from audits and investigations in an anonymised manner; create and share an investigations dashboard for DRC (by donors) o Map and document events (bribing, selling of information) and their solutions	UN INGO NNGO

4.4	Explore the options to pilot a 'do not call' list as a means to share information about corrupt individuals and suppliers in a systematic way within and across organisations	o Consider the following points for examination of feasibility of such list in DRC: • Nature and scope • Status (public/non-public) • Verification of evidence (who and how) • Governance: Managing and supervising committee (who, rotation of members) • Data Protection • Legal basis (in-country) • Relation to organisation's own procedures o Explore option of broader use of United Nations Partner Platform (UNPP)	UN INGO NNGO
4.5	Explore and/or use options to pool resources (monitors, investigators) between groups of aid organisations	Shared and vetted resources could be used for o Legal counsel o Independent monitors /TPM consultants or firms o Investigators (general, PSEA) o Explore how this is best implemented (geographical or by specific type of programme or by a specific group of interested organisations) o Establish criteria to include, strategies to verify and review when establishing a list of vetted resources	UN INGO

Strategic Recommendations	
5. Diversify the approach to address the peaks of humanitarian needs caused by conflict or other shocks.	
Suggested Actions	Who
5.1 Improve humanitarian aid organisations's ability to provide rapid responses within their areas of presence through increased use of crisis modifiers or emergency response budget lines with rapid release mechanisms.	Humanitarian Community: - Donors - UN - INGO - NNGO
5.2 Maintain the rapid response mechanisms to respond to unusual or unexpected shocks or in geographical areas without regular humanitarian aid presence	
5.3 Consider creating or expanding a specific portfolio of programmes that extend support to communities after a peak in needs and a rapid response.	
6. Improve aid integrity, credibility and confidence	
Suggested Actions	Who
6.1 Open channels with the relevant government ministries to design measures that can clarify areas under the legal framework	Humanitarian Community: - Donors - UN
6.2 Consider a joint legal taskforce	

6.3	Share and combinr political economy analysis and intelligence-gathering across organisations and coordination platforms to strengthen due diligence and minimise opportunities for corruption, particularly on networks between aid organisations, private sector actors and links to political actors	- INGO - NNGO
6.4	Decrease inefficiency and improve participation of all actors in coordination mechanism	
6.5	Consider the creation of an Ombud's Office for the humanitarian community.	

7. Lift the pressure on aid organisations to increase quality management and the promotion of aid integrity	
Suggested Actions	Who
7.1 Enable and promote decision-making based on needs, protection and risk assessments inclusive of corruption risks	Donors
7.2 Allow flexibility with regards to the type of response that is required and spending cycles	
7.3 Funding to emergency and humanitarian programmes should allow inclusion of continuous senior staff presence in the field, independent monitoring and context analysis as well as risk management units	
7.4 Allow summative reporting on corruption from implementing organisation to donor with identification which type of cases require immediate reporting	
7.5 Review the requirement for the use of hotlines (in relation with action 2.2 on complaint & feedback mechanisms)	

ANNEX 3: REVIEW QUESTIONS AND FRAMEWORK

The table below gives an overview of questions that might be asked per topic. Additional question guides, tailored to different stakeholders, will be developed and used during all interviews and Focus Group Discussions.

Table 1 Sub-questions

Topic	Questions
1. Context	1.1. What is the perception of humanitarian aid? 1.2. What is the existence and operating status of common anti-corruption and safe-guarding instruments in DRC (including related accountability mechanisms)? 1.3. How does the applicable legal and institutional framework and their operation in practice affect your work? 1.4. How does the Congolese legal framework and its practices affect your global/organisational procedures (and practices)?
2. Organisational	2.1 How is corruption, fraud and bribery defined and understood within your organisation/community? What are its definitions? 2.2 What compliance policies exist? Are they global or national? How available and accessible are they? 2.3 Do you have your own investigation team? Do you have a risk and compliance unit? How does this help you? 2.4 What barriers and obstacles do you encounter within your organisation to the strategic and practical implementation of measures to combat corruption as well as sexual exploitation and abuse? 2.5 How do you report corruption or suspicious behaviour? How is corruption most commonly identified when cases do arise? 2.6 Do you use any general global guidance (like the Transparency International handbook on preventing corruption in Humanitarian Aid)?
3. Needs Assessment and Analysis	3.1 How do you monitor the context and needs? 3.2 How do you communicate needs that you have been made aware off within your organisation/cluster? 3.3 How do you investigate alerts that reach you? Who investigates? 3.4 How do you negotiate access generally? What are your practices for insecure areas? What have you heard in terms of practices by other organisations? 3.5 To what extent do you evaluate feasibility of a response or an intervention at this stage? How and who does that? Which risks do you asses and how?
4. Strategic Planning	4.1 How do you decide an intervention methodology? (cash, voucher, in-kind)

		4.2 What factors influence your modus operandi?
		4.3 To what extent do you evaluate feasibility of an intervention at this stage? How and who does that? Which risks do you asses and how?
		4.4 To what extent do you consider anti-corruption measures or the risk of corruption at this stage?
5.	Resource mobilization	5.1 Are the risks of corruption factored into your procurement procedures? Are there differences between procuring services and goods? Which areas do you identify as the most vulnerable ones?
		5.2 Do you share information on service providers, vendors and partners with others?
		5.3 How are contracts established?
		5.4 What are your recruitment policies?
		5.5 What kinds of "red flags" have you identified over the course of your operations for potential cases of corruption?
6.	Implementation and Monitoring	6.1 Beneficiary Identification: What are your agency's processes? (Who does what, vulnerability score, verification)
		6.2 What are your processes to negotiate access?
		6.3 How is the community involved in implementation?
		6.4 What are your systems to manage contracts and deliveries?
		6.5 What are your systems to manage the implementing personnel?
		6.6 What are your systems to support and monitor implementing partners?
		6.7 How do you monitor the implementation? How do you detect deviations? What avenues of correction of implementation do you use if deviations are found? Do you use Third-Party-Monitoring? Peer Reviews?
		6.8 What complaint mechanisms do you have in place? How are complaints responded too?
		6.9 Do you give formal feedback to partners and communities?
		6.10 How do you implement monitoring of remote or inaccessible locations? What checks and balances are normally used? Do you use different systems in different locations?
7.	Review and evaluation	7.1 How do you review a rapid intervention? A long-term intervention?
		7.2 What complaint mechanisms do you have in place? How are complaints responded too? How long after an intervention does this remain in place?
		7.3 Do you give formal feedback to partners and communities? When and how?
8.	Information Management and Coordination	1.1 Are context analysis and information about alerts shared between agencies
		1.2 Are there systems of sharing information within your organisation and with other organisations about: suppliers and service providers; partner organisations; human resources?
		1.3 How are the risks of corruption discussed within coordination mechanisms at the different levels?

NEEDS ASSESSMENT & ANALYSIS
- Situation Analysis
- Alert and Early Warning Systems
- Verification of alerts
- Access negotiations
- Feasibility and risk assessment

STRATEGIC PLANNING
- Choice of intervention modality
- Choice of modus operandi
- Role of community
- Feasibility and risk assessment

RESOURCE MOBILIZATION
- Procurement*
- Selection of partners
- Contracting (services, partners, vendors)
- Recruitment of personnel of casual workers

IMPLEMENTATION & MONITORING
- Access negotiations
- Participation of community
- Reception of procured services, goods
- Staff management and incentives
- Identification and registration of recipients
- Monitoring of implementation
- Internal control mechanisms
- Feedback and complaint mechanism

OPERATIONAL PEER REVIEW & EVALUATION
- Post distribution monitoring
- Project evaluations
- Complaint mechanism
- Operational Reviews

Center: COORDINATION / INFORMATION MANAGEMENT

Outer ring: PREPAREDNESS

| Donor | Int'l Agency | INGO | LNGO | CSO | Community | Aid Recipient |

* Procurement of goods and services (transport, warehousing, customs clearance, financial services, construction, distribution etc)

ANNEX 4: OVERVIEW OF THE FIELDWORK

Overview of Interviews and FGD by location and total days spent (all consultants)

Province	Location	Interviews	FGD	Total field days
Kinshasa	Kinshasa	36	2 (workshops)	22
North Kivu	Goma	30	-	28
	Kitchanga/Mweso	10	3	3
	Kiwanja/Ruthsuru	8	1	3
South Kivu	Bukavu	21	2	9
	Kalehe	2	2	(day trip)
	Uvira	12	3	4
	Baraka	10	-	3
Tanganyika	Kalemie	27	-	18
	Mwaka	-	3	(day trip)
	Kikumbe	-	1	(day trip)
	Axe Cinquantenaire	-	2	(day trip)
	Axe Taba Congo	1	-	(day trip)
Remote	Remote	18	-	-
Kwilu	Kikwit	10	-	-
	TOTAL	188	17 (2)	90

List of organisations or role of participants[103]

AAA	DRC	OCHA
AAP	DYFEM	OXFAM
ACF	EBENEZER	PIN
ACTED	ECHO	PRODES
ACTIONAID	Elan	Provincial Administration
ADICO	EU	RFDP
ADIPET	FAP	SAD
ADPF	FEC	SCI
ADRA	FENAPEC	SECA
ADS	French Embassy	SFCG
AFD	German MFA	SIDA
AFEJUCO	HCR	SOFAD
AIDES	ICRC	SOFAMAC
Administration, level ('Aire de Santé')	IDP	SI
ALIMA	IES	Swedish Embassy
ALPHA BUSNESS	IMC	Supplier
APEF	INGO Forum	Swiss Cooperation
AVSI	IOM	The Carter Center
CARE	IRC	TPO
CARITAS	La Bénévolencya	UCOFEM
CCIC	Lawyer	UN DSRSG
CDJP	LIPEDEM	UNHCR
Civil Society	LIZADEEL	UNICEF
CNR	Local Administration (village, Traditional)	WB
CODEVAH	MDM	WFP
Community members	Mercy Corps	WHO
Croix Rouge Congolaise	MSF	WHO
CRS	NCA	WWI
DCA	NNGO	Youth Committee
DFID	Norway MOFA	YPD
DIVAH	NRC	

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[103] Names of organisations that did not want to be named have been omitted to protect confidentiality.