

Self Assessment Report on Project Implementation

Pakistan:

Strengthening investigative and prosecutorial capabilities

Pillar 2 – Strengthening Investigative and Prosecutorial Capacities

Implementing agency/ contact: National Accountability Bureau (NAB)

Project budget: n.d.

Starting and closing date: n.d.

Project description:

Strengthening of investigative and prosecutorial capacities by:

- Providing appropriate training and financial resources to the anti-corruption agencies.
- Fostering inter-agency co-operation
- Ensuring that investigation and prosecution are free from improper influence and have effective means for gathering evidence

The project addresses the lack of skills and techniques of investigation and prosecution bodies which undermines the quality of investigation and prosecution, especially in the context of complex financial /legal fraud. The effectiveness of anti-corruption investigation agencies is expected to increase if its staff acquires the necessary additional skills and techniques in investigating areas such as money laundering, banking, campaign financing, forensic accounting, public procurement and cyber crime.

Project objectives and scope

The project aims to strengthen investigative and prosecutorial capacities of anti-corruption agencies. In the first phase it focuses on the National Accountability Bureau, NAB (being the premier accountability organization at the federal level) and then the efforts would filter down to the provincial level.

Project inputs

- (i). In an effort to improve the quality of investigations and to do away with overlapping jurisdictions the federal Cabinet has decided that National Accountability Bureau would be the only anti-corruption organization at the federal level.
- (ii). National Accountability Bureau (NAB) is already inducting specialized investigation officers through a competitive examination for which only university graduates can qualify (merit based selection). This is a qualitative leap from the existing set of investigation officers most of whom belong to the lower ranks of police and FIA with lower education levels and inadequate training. A project to further strengthen NAB's capacity is to be initiated with the assistance of Asian Development Bank. The project would specifically review the organizational structure and undertake training needs assessment.
- (iii). The first batch of the newly inducted investigators has completed its training from the Punjab Police College Sihala while course for the second batch of investigators is to begin in December. Specially designed modules for capacity enhancement of the under training investigators are being offered. Modules being offered are on such varied subjects as Law relating to civil and criminal procedures, Money laundering, Procurement procedures, Forensic accounting, Banking investigations, Campaign financing, Functions of the various government departments, Mutual

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Legal Assistance and extradition treaties, Case studies of successful NAB cases etc. In addition to this regular workshops are being held to improve the capacity of existing investigators.

As far as the prosecutors are concerned, dedicated professionals for each accountability court have been employed and they are being given training in developing prosecutorial skills and ethics of advocacy through specially designed workshops. Curriculum to train them on prosecuting individuals involved in white-collar crime is also being developed.

- (iv). Draft Anti Money Laundering and Terrorist Financing Law has been prepared in the ministry of finance with the assistance of National Accountability Bureau (NAB) and, Federal Investigation Agency (FIA). The law envisages the development of a financial intelligence unit (FIU) which would coordinate with NAB, FIA and Anti Narcotic Force (ANF) depending on the criminal activity suspected. Corruption related issues would be referred to NAB. Specific penal provisions for money laundering as an offence are a part of the draft law.
- (v). NACS has recommended strengthening of the provincial anti corruption agencies through introduction of a law, which is in line with the stronger National Accountability Ordinance 1999.

Project outputs

The project is looking for a more efficient, transparent and strengthened role for the anti-corruption agencies both at the Federal and the provincial level. It also aims at better and improved training institutions for investigators, trainers and prosecutors.

Project benefits and risks

Project benefits would include better quality investigations and their successful prosecution. It has been observed that a number of cases fail to stand the scrutiny of law in the court because of poor quality of investigations. The project aims to remove this flaw by enhancing the capacity and quality of under training investigators/prosecutors.

Output evaluation

Although output of such projects can be judged with a statistical yardstick (amount of cases successfully completed, amount of money recovered) still the output would be adjudged qualitatively. The project designers believe that heavy-handed enforcement can have its own detrimental effects. The output of this project would be viewed within the context overall reforms being envisaged by the National Anti-Corruption Strategy with emphasis on awareness, prevention and enforcement.

Project overall assessment

On-going

Follow-up action and recommendation

On-going