

PRACTICAL GUIDE

ON TRANSPARENCY IN AID MANAGEMENT DURING HEALTH CRISES



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Adaptive, Risk-Based Approaches to Anti-Corruption
in Covid-19 Responses

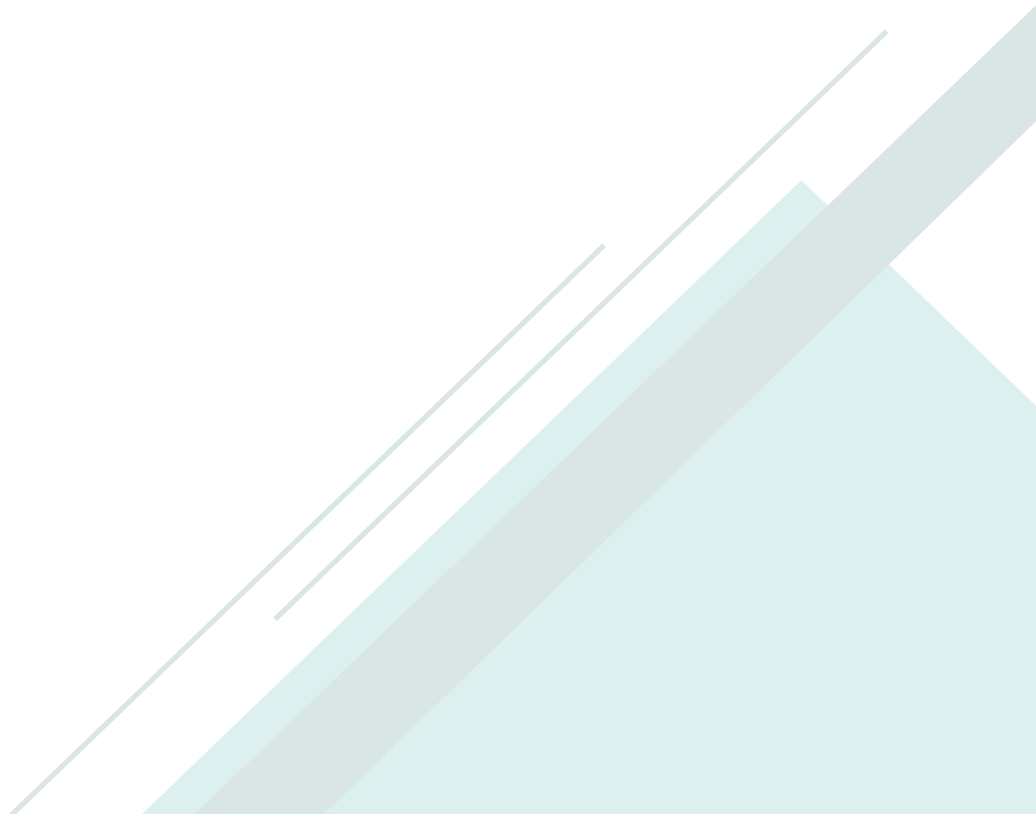
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PRACTICAL GUIDE BACKGROUND

Countries experience several natural, environmental, health, and social hazards and disasters that sometimes require declaring a state of emergency. Such situations permit exceptions in the implementation of particular legal texts to respond to the effects of a specific disaster and confront the imminent danger, as well as addressing its effects by taking the necessary measures.

As an example of health risks and disasters, the COVID-19 pandemic is a case in point. Beginning in December 2019 and spreading across the world in February 2020, this pandemic had many health, social and economic effects that required the intervention of countries and donors to provide either health assistance to deal with the direct effects of the pandemic, or through social and economic assistance addressing the indirect effects of the pandemic.

Solidarity during disasters arises to provide in-kind and cash assistance, whether through individuals, within the public or private sectors, or legal persons such as companies, non-governmental organizations, religious, or economic bodies, in addition to states or international organizations.

Here lies the problem between the urge to promptly respond to the effects of disasters on one hand, and respecting due process and procedural mechanisms, on the other hand. While the former focuses on delivering cash and in-kind assistance to those affected and/or carrying out programs and projects through official departments or agencies providing aid, the latter contributes to ensuring that aid reaches those affected without being subject to theft and/or embezzlement, or blackmailing of those affected to ensure obtaining aid, or without any corrupt practices occurring within the programs and projects, or even wasting resources.

The priority should not be focused on delivering aid while disregarding the mechanisms and procedures that contribute to ensuring the effectiveness of aid, nor should the priority be focused on the mechanisms and procedures at the expense of delivering aid to the affected people as quickly as possible. It is not a question of promptness against effectiveness. On the contrary, it is a question of alignment of speed and good governance of aid management. To align speed and governance in aid management, there must be pre-established protocols to handle any emerging natural disaster, or health, environmental, social, etc. crisis. Such protocols are scenario-based actions to address each possibility and accounting for their effects on the short, medium, and long term.

This manual demonstrates how to align speed and governance in aid management amidst health crises in the short term to ensure the effectiveness of aid and its access to those affected by limiting and preventing corrupt practices within the processes of aid provision and related services (specifically, amidst health crises that any country may experience, especially after the Covid-19 pandemic crisis). First, an overview is presented of the information that must be subjected to the highest levels of transparency within aid management in health crises. Second, the criteria that must be followed when implementing aid procurement processes are outlined, especially when obtaining cash assistance from donors to be spent on the services, donations, and management of the process of providing aid and related services.¹

¹ The study prepared by Transparency International - Lebanon "Monitoring Relief Operations in Humanitarian Disasters; A Case Study on the Response to the Beirut Port Explosion on August 4, 2020, Mohammad Ali Al Moghabat, December 2022, Transparency International - Lebanon" was used to determine the information that should be published and approved standards.

TRANSPARENCY OF AID MANAGEMENT IN HEALTH CRISES

Transparency is one of the most significant tools that help in ensuring aid effectiveness. The dissemination of information related to the process of providing aid acts as a deterrent to entities and individuals that are waiting for a chance to either steal aid or direct it towards a specific individual or group, which is considered a conflict of interest and may in its turn undermine the entire process of aid provision. It is noteworthy that the disclosure must be simplified so that the published information is easily accessible and searchable, in that its content can be easily searched, copied, and downloaded. The disclosure must be rapid so that the public and other stakeholders are authorized to access accurate information in a timely manner; meaning that publishing information happens simultaneously and periodically with the process of providing aid. Therefore, disclosure should occur prior to the completion of all processes so that the concerned stakeholders and the public at large can concurrently analyze the data to draw the attention of the concerned authorities to any inconsistencies that may conceal any corrupt practices that undermine the effectiveness of health aid delivery operations. Therefore, if the disclosure is made after the completion of aid operations, the ability to redress becomes very limited.

Hence, upon initiation of the provision of aid, whether from public or private sector bodies, the highest standards of transparency must be adopted by publishing the following information and procedures, through traditional and modern media such as websites of the relevant authorities and social media sites. In case such procedures do not exist, it is essential that they be adopted and published:

1. Source of cash and in-kind assistance.
2. The amount of cash and in-kind assistance.
3. The budget related to aid provision processes through the citizen's budget form, as well as publishing closing accounts of this budget after the expiry of its term.
4. The Quarterly and annual accounting audit reports, as well as audit reports after the completion of the aid provision process.
5. The objectives of the health assistance provision process such as determining the need that health assistance providers seek to meet and how to achieve these objectives, provided that this is within a comprehensive and integrated health policy in response to the health crisis.
6. The objective criteria for selecting beneficiaries to receive assistance.
7. The objective criteria for selecting aid facilitators and managers.
8. The mechanism through which assistance is received by those affected.
9. The complaints mechanisms available for the affected, the complaints recipients, and their mechanism of action, which must be confidential with regard to the personal information of the complainants and the subject matters of the complaints.
10. The prohibited practices for personnel involved in managing and providing aid.

11. A code of conduct for employees directly or indirectly involved in aid operations, whether within the medical or administrative team.
12. The mechanism for disbursement of funds related to the operational expenses of the process of providing aid, the amount of these funds, and their percentage of the value of funds received from donors or allocated by the concerned state.
13. Scientific information related to the provided aid, especially those related to vaccines and medicines.
14. The clear definition of the responsibilities and prerogatives of the bodies involved in the process of providing aid.
15. Having an archive specified for documenting and registering all aid and assistance operations in order to prove:
 - a. The presence and classification of aid
 - b. Provision of assistance
 - c. Completion of assistance
 - d. Accuracy in providing assistance by registration in the specific database
 - e. Registering the provision of assistance at the correct time and date
 - f. Correct classification of assistance



PROCUREMENT PROCESSES RELATED TO THE PROVISION OF HEALTH AID

Specific procedures must be adopted to limit corrupt practices within the procurement processes related to the provision of aid, especially services, in order to ensure that aid funds allocated for providing services related to disaster and/or health crises, such as the purchase of vaccines, medicines, medical equipment, etc., are not wasted.

Public and private sector entities involved in providing aid related to the relevant health crisis must follow the following standards to limit corrupt practices within procurement processes, which are preferably disclosed to the public and stakeholders from donors and observers, whether they were civil society organizations or investigative journalists, as follows:

1. Establishment of a minimum value for contracts that require the implementation of procurement processes for goods, services, and works.
2. Provision of complete bidding documents.
3. Provision of the results of evaluating the offers submitted within the tenders.
4. Provision of all documents of procurement processes in one central place.
5. Retention of the following records:
 - a. Public notice of bidding opportunities
 - b. Bidding documents and attachments
 - c. Bid opening records
 - d. Bid evaluation reports
 - e. Formal appeals by the bidders, and the results of these appeals
 - f. The signed final contract, appendices, and amendments
 - g. Lawsuits and dispute resolution
 - h. Final payments
 - e. Payments' data
6. Commitment to make information related to contractors and subcontractors publicly available online for the public, including:
 - a. Accurate and correct information related to the Beneficial Ownership
 - b. The solvency of financial entities through periodically updated budgets
7. Placement of restrictions on the reasons for excluding bidders.
8. Determination of criteria for automatic exclusion of offers, such as automatically excluding the two offers with the highest and lowest price.
9. Establishment/existence of an evaluation committee charged with limiting and preventing conflict of interest.
10. Determination of the location to announce open/restricted/negotiated offers.
11. Establishment/existence of a body specialized in arbitration related to procurement processes.
12. Adoption of standards that enhance the confidence of bidders in the bodies concerned with organizing procurement processes, which enhances competition, and thus contributes to achieving the best value in procurement processes.

Adopting the highest standards of transparency, in terms of aid operations, is necessary to form a deterrent to anyone waiting for the opportunity to steal or divert aid. These standards ought to be applied from the moment operations are conceived, securing the necessary resources until they reach the affected people. In such contexts, transparency must cover not only how the funds are spent, but also cover the administrative processes, terms, and conditions governing the process of providing aid, in addition to the resources spent on the management process and their size from the full value of the aid received. Such practices are fundamental to limit the abuse of disbursement of funds in places that are not essential and can be used as a direct aid for those affected.



