



International Practices

to measure, monitor and evaluate corruption levels
and anti-corruption policies

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Index

Index	5
Table Index.....	7
Preface	10
1. Introduction.....	13
1.1. International anti-corruption instruments	15
1.1.1. United Nations Convention against Corruption	16
1.2. Sustainable Development Goals.....	20
2. National legal framework.....	23
2.1. National Anti-Corruption System.....	25
2.2. National Anti-Corruption Policy	27
2.3 2019-2024 National Development Plan, Special Derivative Program and Development Plans at the sub-national level	28
3. Methodology for the preparation of the report	32
4. Good practices in specific areas	37
4.1. Prevention measures.....	39
4.1.1. Recruitment and professional development of public officials (Article 7 of the Convention).....	39
4.1.2. Public procurement (Article 9 of the Convention).....	46
4.1.3. Funding and control of the resources of political parties (Article 7 of the Convention) ...	55
4.1.4. Anti-corruption training for public officials (Article 8 of the Convention).....	59
4.1.5. Electronic government (Articles 9, 10 and 13 of the Convention).....	63
4.1.6. Prevention of money laundering (Article 14 of the Convention).....	74
4.2. Detection and investigation of corruption	78
4.2.1. Reporting and whistleblower protection system (Articles 8 and 33 of the Convention) ...	79
4.2.2. Specialized agencies for the investigation of corruption cases (Articles 30 and 36 of the Convention).....	82
4.3. Punishment and reparation.....	89
4.3.1. Administrative sanctions (Articles 8 (6) and 30 (6-8) of the Convention).....	89
4.3.2. Criminalization and law enforcement (Chapter III of the Convention)	94
4.3.3. Forfeiture and recovery of assets (Articles 31, 51 - 57 of the Convention)	101
4.4. Oversight and control of expenditure (Articles 9 (2 and 3) and 13 of the Convention).....	109
4.5. Measurements of corruption levels.....	114
4.5.1. Levels of corruption experienced by individuals and companies.....	114
4.5.2. Perception of corruption.....	123
4.5.3. Trust in institutions.....	128
4.5.4. Future research agenda on anti-corruption levels.....	133
5. Anti-corruption strategies	136
5.1. Egypt: National Anti-Corruption Strategy 2019-2022.....	137
5.2. Hong Kong: Permanent strategy of the Independent Commission against Corruption (ICAC) 141	

5.3.	Indonesia: National Strategy for Corruption Prevention and Eradication	149
5.4.	Italy: 2019-2021 Triannual Plans for the prevention of corruption and for transparency	159
5.5.	Latvia: Operational Strategy of the Bureau for the Prevention and Fight against Corruption 2020-2022 and Guidelines for the Corruption Prevention and Combating 2015-2020	
	166	
5.6.	Peru: National Integrity and Anti-Corruption Policy	176
5.7.	United Kingdom: National Anti-Corruption Strategy 2017-2022.....	185
5.8.	Singapore: Permanent strategy of the Corrupt Practices Investigation Bureau.....	195
6.	Recommendations based on good international practices for the development of the MOSEC....	203
6.1.	Conclusions regarding good practices in specific areas.....	205
6.2.	Conclusions on anti-corruption strategies.....	212

Table Index

Table 4.1: Measurements of recruitment, management and development of public officials	43
Table 4.2: Measurements for the generation of public procurement indicators	49
Table 4.3: Information measurements on procurement methods in public contracts	52
Table 4.4: Measurements of the quality of services received through public procurement.....	54
Table 4.5: Political party financing and spending measurements.....	58
Table 4.6: Training measurements on anti-corruption issues	61
Table 4.7: E-government management measurements.....	67
Table 4.8: E-Government Measurements.....	72
Table 4.9: Money Laundering Risk Monitoring Measurements	76
Table 4.10: Protection measures and incentives for whistleblowers	81
Table 4.11: Measurements of reports of corruption in the criminal justice system	85
Table 4.12: Efficiency measurements in specialized anti-corruption bodies	88
Table 4.13: Measurements of administrative sanctions against public officials.....	91
Table 4.14: Sanctions for corruption cases.....	96
Table 4.15: Measurements of bribery of foreign public officials.....	99
Table 4.16: Regulation on processes related to asset recovery for Mexico.....	103
Table 4.17: Asset Recovery Measurement	107
Table 4.18: Measurements of the monitoring of public expenditure in basic education.....	113
Table 4.19: Measurements of experiences of corruption among citizens	117
Table 4.20: Measurements of experiences of corruption in companies.....	120
Table 4.21: Measurements of perceptions of corruption (citizens, companies and experts).....	125
Table 4.22: Institutional Trust Measurements	131
Table 5.1: Hong Kong Corruption Investigation Area Measurements	144
Table 5.2 : Measurements in the area of corruption prevention.....	146
Table 5.3 : ICAC Annual Survey Measurements	147
Table 5.4 : Pillar One Measurements, Corruption Prevention	154
Table 5.5 : Pillar Two Measurements, Law Enforcement.....	155
Table 5.6 : Measurements of Pillar Three, Legislative Harmonization	156
Table 5.7: Measurements of Pillar Four, International Cooperation and Asset Recovery	157
Table 5.8: Measurements of Pillar Five, Education and anti-corruption culture.....	158
Table 5.9 : Measurements of Pillar Six, Implementation of Corruption Eradication Mechanisms	159
Table 5.10 : Indicators in the Triannual Plan for the prevention of corruption and for transparency of Italy.....	164
Table 5.11 : Measurements of the human resources management sub-objective to deter acts of corruption.....	169
Table 5.12 : Measurements of the sub-objective of strengthening internal control systems	170
Table 5.13 : Measures to reduce public tolerance of corruption	173
Table 5.14 : Measures to ensure the inevitability of penalties for offences related to the abuse and unlawful use of power:.....	174
Table 5.15 : Measures related to reducing the influence of money on politics.....	175
Table 5.16 : Specific objectives, actions and indicators (examples) of the "Preventive capacity of the State against acts of corruption" axis	180
Table 5.17: Specific objectives, actions and indicators (examples) of the "Risk identification and management" axis.....	181
Table 5.18: Specific objectives, actions and indicators (examples) of the "Punitive capacity of the State against acts of corruption" axis.....	183
Table 5.19 : Measurement of regulation and transparency in anti-corruption.....	190
Table 5.20 : UK National Security Threat Measurements	190
Table 5.21 : Measurements of Increase in Prosperity (Investments and Business).....	192

Table 5.22 : Trust Measurements in UK Domestic and International Institutions	193
Table 5.23 : Global composite indices; measuring expert opinion of corruption.....	194
Table 5.24 : Measurements of Corruption Reports Received by Singapore's CPIB.....	199
Table 5.25: Measurements of the results of CPIB investigations.....	200
Table 6.1 : Mexican metrics aligned with international good practices.....	207
Table 6.2 : Metrics aligned with international good practices for which no indicators are available yet.....	208
Table 6.3: Metrics that follow good measurement practices, but with limited content and no indicators	210
Table 6.4 : Areas for which there is no valid information online	211
Table 6.5: Issues included in anti-corruption strategies (eight cases).....	216

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Preface

Corruption has harmful effects on social boundaries and rule of law. It erodes the conditions for prosperity and has a negative impact on the public's trust in government. Therefore, corruption is a public problem that represents an obstacle to sustainable development in the world and that greatly undermines the rights of those that are most disadvantaged.

In consequence, corruption has been a priority issue within the 2030 Agenda for Sustainable Development, particularly in Goal 16: "Peace, Justice and Strong Institutions" in which the governments of the world agreed to reduce all forms of corruption and bribery. The concern of the international community with the issue is also reflected in the ratification by 187 States of the United Nations Convention against Corruption (hereinafter the Convention) since its adoption by the General Assembly of the United Nations and the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption held in the city of Merida, Mexico, in 2003.

The Convention emphasizes the need to periodically evaluate legal instruments and administrative measures according to their effectiveness in preventing and fighting corruption. This need is addressed in the language of the Convention, in Article 61: "Collection, exchange and analysis of information on corruption", which urges the States parties to analyze the trends in corruption in their territory, as well as the circumstances in which corruption offences are committed, monitoring the effectiveness and efficiency of their policies and actual measures. This will has been reaffirmed in the recent adoption of Resolution 8/10 of the Conference of States parties to the Convention entitled "Measurement of corruption" in which the Conference *inter alia* requests the United Nations Office on Drugs and Crime (UNODC) to continue expert-level consultations on identifying and refining methodologies on the issue of the measurement of corruption in order to develop proposals on a comprehensive, scientifically sound and objective framework for the purpose of assisting States parties, upon their request, in measuring corruption.

Complying with these and other relevant provisions of international instruments represents a formidable challenge, since measuring corruption levels and the results of policies in this area is a complex task for reasons that will be discussed in greater detail further ahead. In this sense, identifying and analyzing good practices at the international level to estimate the impact of public policies aimed at fighting corruption is a mutual learning process that can induce the adoption of shared standards and cutting-edge methodologies. This

can contribute to ensure compliance with national legislation and international commitments on the matter.

With this approach, the United Nations Office on Drugs and Crime in association with the Embassy of the United Kingdom in Mexico, within the Anti-Corruption and Rule of Law Programme of the UK's Prosperity Fund, developed this report, with the support of the Executive Secretariat of the National Anti-corruption System. The information included in this paper is considered especially useful to develop anti-corruption policies in Mexico, many of which are at the design stage or in the early stages of implementation. The central purpose of this document is to underpin the efforts of the Mexican Government in terms of policy design, monitoring and evidence-based evaluation that can strengthen the capacities of the State and generate positive effects in various areas of governance for the ultimate goal of realizing tangible improvements in the well-being of the population.



Introduction 1

The creation of a precise body of knowledge about a poorly researched and little-understood subject - such as corruption - will shed more light on murky deals. If we can calculate inflation and GDP, it should not be beyond our abilities to develop an effective and scientific measure for corruption. As knowledge deepens and spreads, it will create the conditions for change, enabling Governments and other stakeholders to make evidence-based policies.

Ban Ki-moon
Secretary General of the United Nations
(2007-2016)
Inaugural Conference of the International
Anti-Corruption Academy in Vienna

1. Introduction

Corruption takes many forms in different parts of the world, which has consequences for a variety of subjects (individuals, companies and public officials), economic sectors and aspects of daily life.¹ The analytical approaches used to study the phenomenon reflect this diversity.² The development of methodological tools facilitates a better understanding of complex phenomena such as corruption, and also serves to evaluate the achievement of goals and objectives based on contextualized information.³

According to specialists, examining public policies without the pertinent elements of measurement, monitoring and evaluation reduces the validity, reliability and credibility of the evaluation, and basically becomes the aggregation of the perceptions of those involved, thus undermining its usefulness for decision-making.⁴ Having transparent, rigorous and public measurements reduces the margin for opacity and arbitrariness in government. Consequently, citizens have tools to be better informed and to guarantee their right to transparency and, above all, to hold their leaders accountable.

Within the field of evaluation, it is the responsibility of the Executive Secretariat of the National Anti-corruption System (SESNA), as the technical support body of the Coordinating Committee of the National Anti-corruption System, to propose a methodology -based on accepted and reliable indicators- to measure the phenomenon of corruption- and to evaluate comprehensive policies on the matter.⁵ The indicators designed for this purpose are expected to be contained in the Corruption Monitoring and Evaluation Model (MOSEC), which is being devised and developed by SESNA. The MOSEC contemplates the identification of international and national techniques to measure, monitor and evaluate the phenomenon of corruption, as well as the strategies to fight it.

The measurement of corruption and the evaluation of public policies designed to reduce these behaviors specify the following goals:

- Compliance with specific elements of the United Nations Convention against Corruption on the increase and dissemination of knowledge about the prevention of corruption (article 6 (1) b).
- The collection, exchange and analysis of information on corruption (art. 61).

¹ UNODC-INEGI Center of Excellence in Statistical Information on Government, Crime, Victimization and Justice, *Critical review of existing practices to measure the experience of corruption* (2018), p. 3.

² Gulnaz Sharafutdinova, "What Explains corruption perceptions? The dark side of political competition in Russia's regions" In *Comparative Politics* Vol. 42 No. 2, pp. 147-166.

³ Consejo Nacional de Evaluación de la Política Social. *Manual para el Diseño y la Construcción de Indicadores. Instrumentos principales para el monitoreo de programas sociales de México* (Mexico City, 2013), page 15.

⁴ Jesper Johnson, Hannes Hechler, Luís De Sousa and Harald Mathisen, *How to monitor and evaluate anti-corruption agencies: Guidelines for agencies, donors, and evaluators* (Bergen [NO]: 2011), p. 11.

⁵ Under Section II of Article 31 of the General Law of the National Anti-corruption System.

- The periodic evaluation of the relevant legal instruments and administrative measures against corruption (art.5 (3)).

The eradication of corruption is one of the priorities of the Mexican Federal Government set out in section 1 of the National Development Plan (PND).⁶ For that purpose, the Mexican Government focuses its efforts on combating practices such as:

Embezzlement, the granting of benefits in exchange for gratuities, extortion of individuals or legal entities, cronyism, exemption from obligations and procedures, and abuse of a position or function for personal benefit or for the benefit of a group.⁷

The construction of indicators in the field of anti-corruption policies is not an easy task. Corruption is a phenomenon of a hidden nature and among those involved there may be a spirit of collusion, so it is not always entirely easy to identify.⁸ It should also be emphasized that monitoring and evaluating corruption levels and public anti-corruption policies is not a widespread practice in comparative politics.⁹ Although these are two major challenges, there are some records of methodologies and practical sources available to support monitoring and evaluation tasks.¹⁰ In general, the exiguous analysis of corruption from a measurement approach represents a gap that gives this document a special value.

Taking into account the above, the Center of Excellence in Statistical Information on Government, Crime, Victimization and Justice INEGI-UNODC presents a set of international good practices that are used to quantify the baseline of corruption levels and associated public policies, as well as the fulfillment of the goals and targets that have been outlined in other countries. This helps State parties to make progress in complying with Article 5 of the Convention, which urges them both to periodically evaluate the relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption and to participate in international and regional programmes and projects aimed at the prevention of corruption.

The relevance of this document in that an essential part of evaluating the quality of the components of a policy is to having solid sources of information to inform the indicators that are used to monitor and evaluate said public policy. In that sense, to facilitate the replication of good practices at the international level, reference is provided to the public information available for Mexico about corruption indicators and to the associated public policies of other countries and territories included in this document.

⁶ National Development Plan, version of the PND published in the Official Gazette on July 12, 2019.

⁷ National Development Plan, Section I. Politics and Government, “Eradicate corruption, waste and frivolity.”

⁸ UNODC, the United Nations Development Program and the Center of Excellence in Statistical Information on Government, Crime, Victimization and Justice UNODC-INEGI, *Manual on Corruption Surveys* (2018).

⁹ UNODC, *United Nations Convention against Corruption. National Anti-Corruption Strategies: A Practical Guide for Development and Implementation* (Vienna [AT], 2017), pgs. 45-46.

¹⁰ *How to monitor and evaluate anti-corruption agencies: Guidelines for agencies, donors and evaluators*, page 39.

1.1. International anti-corruption instruments

Mexico is active in the global sphere of the fight against corruption, having ratified three legal instruments on the matter. Two of these instruments are international and the other is regional, as illustrated in **¡Error! No se encuentra el origen de la referencia..**

Table 1.1: International anti-corruption instruments ratified by Mexico

At the International level	At the regional level
OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (1997).	Inter-American Convention against Corruption (IACAC) of the Organization of American States (1996).
United Nations Convention against Corruption (UNCAC) (2004).	

Source: *Prepared internally*

The work of UNODC is focused on supporting States parties to comply with the United Nations Convention against Corruption; throughout this document, we prioritize the connection with the most important anti-corruption planning tools at the national level: The National Anti-Corruption Policy and the 2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Management.

1.1.1. United Nations Convention against Corruption

The Convention is the only quasi-universal instrument against corruption (187 States parties) and compliance with it is essential to achieve Sustainable Development Goal 16 of the 2030 Agenda, which urges countries to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”. The Convention, also known as the Merida Convention, after the Mexican city where the High-Level Political Conference for the signing of the United Nations Convention against Corruption took place, is characterized by its wide-ranging approach scope and the legally binding nature of many of its provisions. Mexico was one of the first countries to sign (12/2003) and ratify (07/2004) the Convention. As of April 25, 2020, 187 States parties have adhered to the treaty.

The Convention provides for the classification or consideration of the classification of various corruption offences, such as bribery, trading in influence, abuse of functions, bribery in the private sector, among others. Under the Convention, States parties have the obligation to implement anti-corruption measures focused on five specific areas:

- 1. Preventive measures (Chapter II):** The actions provided for in this chapter of the Convention focus on the prevention of the commission of acts of corruption. These include the design and implementation of prevention policies and practices in general (article 5), the establishment of anti-corruption body or bodies (art. 6), practices for the recruitment, hiring, retention, promotion and retirement of civil that are based on merit, equity and aptitude (art.7), codes of conduct for public officials that promote integrity, honesty and responsibility (art. 8) public procurement and management of public finances based on competition and transparency (art .9). It also establishes the need for transparent public reporting (article 10), measures related to the Judiciary and prosecution services (article 11), prevention measures in the private sector (article 12), the active participation of individuals and groups outside the public sector in the fight against corruption (article 13) and measures to prevent money laundering with an emphasis on international cooperation for this purpose (article 14).
- 2. Criminalization and law enforcement (Chapter III):** Chapter III of the Convention provides for the classification of acts of corruption that go beyond criminalizing basic forms of corruption -such as bribery and embezzlement or misappropriation of public funds-

by requiring that offences such as trading in influence and the concealment and laundering of the proceeds of corruption.¹¹

3. **International cooperation (Chapter IV):** Considering that international cooperation is a crucial element for the investigation of the defendants in corruption cases, and their prosecution and adjudication, the Convention provides that countries must establish forms of cooperation such as extradition, mutual legal assistance, joint investigations, among others forms of cooperation.
4. **Asset recovery (Chapter V)** This chapter establishes the return of assets as a fundamental principle of the Convention and provides that States Parties shall afford one another the widest measure of cooperation and assistance in this regard. Likewise, it includes provisions on the obligation of national financial institutions to verify the identity of their clients and to enhance their scrutiny of any accounts sought or maintained by or on behalf of persons who are or have been entrusted with prominent public functions and their family and close associates. Additionally, this chapter includes cutting-edge and wide-ranging measures for the recovery of stolen assets.
5. **Technical assistance and information exchange (Chapter VI):** Chapter VI includes training and assistance and the mutual exchange of relevant experience and specialized knowledge to generate greater cooperation between the States parties with the objective of preventing and combating corruption.

An Implementation Review Mechanism (IRM) was established to support the implementation of the Convention by the States Parties.¹² In accordance with the principles of peer review, the implementation of the Convention in each State Party is evaluated by two countries randomly selected. One of the two reviewing state parties must be part of the same regional group of the State under examination and the other can belong to any regional group. The first review cycle examines the implementation of chapters III and IV of the Convention by the country under review, while the second cycle examines the implementation of chapters II and V of the Convention. Pursuant to the terms of reference of the Mechanism, UNODC publishes the summaries of the country reports for each country under review. The full report is published if requested by the country under review. Additionally, the structure of the IRM includes the Implementation Review Group, an open-ended intergovernmental group that serves as a subsidiary body of the Conference of the States Parties to the Convention (COSP¹³,

¹¹ In total, the Convention considers 11 behaviors, which are listed below: 1) bribery of national public officials, 2) bribery of foreign public officials and officials of public international organizations, 3) embezzlement, misappropriation , or other diversion of property by a public official, 5) trading in influence, 6) abuse of functions, 7) illicit enrichment, 8) bribery in the private sector, 9) embezzlement of property in the private sector, 10) laundering of proceeds crime, 11) concealment and 12) obstruction of justice.

¹² *Implementation Review Mechanism*

¹³ *Conference of the States Parties to the United Nations Convention against Corruption.*

hereinafter, the Conference). The Implementation Review Group maintains an overview of the review process and presents conclusions and recommendations to the Conference.

Given that most of the anti-corruption policies are aimed at effectively implementing the Convention and the Convention has the status of ordinary law in the national legal system of Mexico (Under article 133 of the Political Constitution of the United Mexican States),¹⁴ the IRM represents an ideal tool to support the country's efforts to implement anti-corruption public policies. In the case of Mexico, the first cycle review was conducted in 2015 by Peru and Azerbaijan. In this review cycle, the recommendations included carrying out a comparative study between federal and state law on the subjects of Chapters III and IV of the Convention and, if any contradictions were to arise, to open a space for dialogue between the Federal Government and the States in order to ensure the implementation of the Convention at all levels.¹⁵ The experts also made specific legal recommendations regarding criminalization and law enforcement (Chapter III), as well as to consider whether it would be useful to harmonize the definition of public official and to apply said definition in the relevant legislation. Similarly, in terms of international cooperation (Chapter IV), the reviewing experts suggested, among other things, adopting or strengthening measures related to extradition, mutual legal assistance and the application of the Convention directly in the absence of treaties or when bilateral treaties contain stricter rules for international cooperation.

For the second review cycle, the implementation of the Convention in Mexico was reviewed by Guatemala and São Tomé and Príncipe. The findings of this cycle were published in 2019 and the recommendations dealt with the two chapters under review in the second cycle: preventive measures (chapter II) and asset recovery (chapter V).¹⁶ The recommendations, similarly to the first cycle, included making a comparative study between federal and state law on the matters of Chapters II and V of the Convention and, if any contradictions were to arise, to open a space for dialogue between the Federal Government and the States in order to ensure the implementation of the Convention at all levels. It was also recommended, *inter alia*, to ensure the recruitment of public officials based on objective criteria such as merit. The experts who reviewed the implementation of the Convention in Mexico also identified areas of opportunity related to public procurement of goods and services. In the area of asset recovery, the recommendations included, among other things, to adopt measures to permit other States to establish title to or ownership of property acquired through the commission of a crime before Mexican courts and to enforce seizures dictated by other States Parties.

¹⁴ In September 2013, the Supreme Court of Justice of the Nation resolved conflicting lines of precedent where the human rights contained in international agreements signed by Mexico will have the same hierarchy as the Federal Constitution (Thesis Contradiction 293/2011.)

¹⁵ Conference of the States Parties to the United Nations Convention against Corruption. Implementation Review Group. Review Cycle I for Mexico (2015).

¹⁶ Conference of the States Parties to the United Nations Convention against Corruption. Implementation Review Group. Review Cycle II for Mexico (2019).

In relation to other international conventions that address the issue of corruption, the Organization for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions requires States parties to adopt national legislation in which the attempt and/or bribery of foreign public officials is classified as a crime. While using a broad definition of bribery, the OECD Convention requires dissuasive sanctions for offers of bribery. Similar to the United Nations Convention against Corruption, the OECD Convention requires States parties to criminalize money laundering and bribery of foreign public officials and officials of public international organizations; however, the latter instrument is considered more specialized. While the OECD Convention seeks to prevent and sanction the supply side by imposing sanctions on foreigners without permanent residence in a territory, the United Nations Convention has a more comprehensive perspective that includes the behavior of foreigners with temporary permanence or permanent residence, as well as citizenship. In addition, the United Nations Convention contemplates more corruption behaviors and places an emphasis on the causes that originate the phenomenon.

In turn, the Inter-American Convention against Corruption (IACAC) of the Organization of American States (OAS) requires States to strengthen and develop the necessary mechanisms to prevent, detect, punish and eradicate corruption, as well as to promote, facilitate and regulate cooperation between States Parties. The IACAC is the first international anti-corruption convention (it entered into force before the United Nations Convention against Corruption) and they share some ground, in that both instruments deal with issues such as codes of conduct for public officials, asset declarations that promote the participation of civil society, the hiring of public officials based on merit, and assistance and cooperation mechanisms. The IACAC provides for a Follow-up Mechanism (MESICIC)¹⁷ in which the implementation of the Convention in each State Party is evaluated by the representatives of two other States Parties.

One of the aspects to be highlighted in the recommendations issued by the representatives of Brazil and Haiti in the context of the MESICIC for Mexico, is to put into practice the methodologies and indicators referred to in the General Law of the National Anti-corruption System to analyze the target results of the reforms and additions to the Federal Criminal Code in the fight against corruption and to the General Law on Administrative Liability for serious administrative offences by public officials and individuals.¹⁸ In this sense, this report seeks to contribute to the fulfillment of this recommendation through the study of international cases in which different metrics were implemented to evaluate the progress of the relevant anti-corruption policies.

In sum, the three Conventions have a series of coincidences when they demand that States parties implement measures related to the protection of whistleblowers, the procurement of goods and services, transparent accounting and auditing practices, sanctions for acts of corruption and for the bribery of foreign public officials,

¹⁷ *Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption.*

¹⁸ Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, “Twenty-Seventh Meeting of the Committee of Experts. Mexico, Final Report” (2016).

extradition, mutual legal assistance, and confiscation of property. However, the United Nations Convention against Corruption is the only one that includes obligations related to asset recovery.

The fact that Mexico has signed and ratified these three instruments positions the country as an actor that is committed to preventing and fighting corruption. Likewise, having adhered to the Convention provides areas of opportunity in terms of institutional learning and cooperation for development among the countries that review progress on the subject. This series of commitments implies that resources must be dedicated to facilitate the scrutiny process and that the results of said process must be reviewed in order to adopt concrete anti-corruption measures.

1.2. Sustainable Development Goals

A second set of relevant instruments in fighting corruption at the global level is constituted by the 2030 Agenda for Sustainable Development, which includes the priorities that the governments of the world, including the Mexican government, have committed to address since September 2015 with a view to meet these Goals within the following 15 years. Progress in achieving the Sustainable Development Goals (SDGs) is measured through goals and indicators that were defined and approved by world experts at the United Nations Statistical Commission. These include Goal 16, which seeks to promote peaceful and inclusive societies, facilitate access to justice for all, and to build effective, accountable and inclusive institutions at all levels. For the purposes of this document, we would like to draw attention to goal 16.5, which is related to anti-corruption measures, by setting the target for 2030:

Target 16.5 of the Sustainable Development Goals:
Substantially reduce corruption and bribery in all its forms

Two indicators (16.5.1 and 16.5.2, see boxes below) are associated with Target 16.5, which reflect progress in this area. These indicators represent only one part of a broad phenomenon such as corruption, and are useful as “a reference and measurement tool for Member States”.¹⁹ In this sense, the Manual on Corruption Surveys developed by UNODC and the United Nations Development Program (UNDP) provides international standards and describes good practices in the measurement of both indicators, which is why we recommend reviewing it.

¹⁹ *Manual on Corruption Surveys*, p. 19.

Indicator 16.5.1:

Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months.

Indicator 16.5.2:

Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months.

In the case of Mexico, both indicators can be monitored in the measurements of the National Institute of Statistics and Geography (INEGI). These periodic measurements conform to international standards. Indicator 16.5.1, on cases of bribery experienced by citizens, is monitored through the experiences of corruption estimated in the National Survey on Governmental Quality and Impact (ENCIG), which is carried out biennially since 2011 (prior to the approval of the 2030 Agenda containing the SDGs). Meanwhile, the information from indicator 16.5.2 on victimization by corruption behaviors in companies, is collected through the information provided by the National Survey on Business Victimization (ENVE), conducted biennially since 2012, and by the National Survey on Regulatory Quality and Government Impact on Enterprises (ENCRIGE), a round of which was carried out in 2016. This allows us to have disaggregated metrics of the bribery experienced by citizens and by companies over time in Mexico. Additionally, these results can be compared internationally.



National legal framework 2

2. National legal framework

Title IV of the Political Constitution of the United Mexican States has had the objective of fighting corruption since its genesis in 1917.²⁰ The text of the Mexican constitution articulates the prosecution of illicit acts of corruption in three categories:

1. Offences²¹
2. Administrative liability²²
3. Political liability²³

On the one hand, under article 109, section II of the Constitution, the commission of corruption offences shall be sanctioned by criminal law. In this sense, both Title Ten of the Second Book of the Federal Criminal Code and each of the criminal codes of the states establish sanctions for offences that include the following behaviors:²⁴

- illicit exercise of public functions,
- abuse of authority:
- bribery,
- misappropriation,
- illicit enrichment and
- trading in influence

Federal corruption offences are prosecuted by the Prosecutor General's Office (FGR) through a specialized body called the Special Anticorruption Prosecutor (Article 102 of the Constitution), which handles cases involving federal public officials and of the misuse or embezzlement of federal funds and resources (Article 29 of the Organic Law of the Prosecutor General's Office). However, only 10% of corruption offences in Mexico happen at the federal level²⁵, and so it is essential to consider the role of the Prosecution Offices of the states, which are in charge of investigating alleged offences of local public officials of the three branches, local autonomous bodies and municipal administrations (see, for example article 328 of the Criminal Code of the State of Mexico). The offences in Mexican law correspond to a large extent to those included in Chapter III of the United Nations Convention against Corruption. However, the classification of acts of bribery or embezzlement in the private sector, obstruction of justice and participation as an accomplice, collaborator or abettor of corruption offences

²⁰ Ana Elena Fierro, *Responsabilidades de los servidores públicos. Del castigo a la confianza.* (Mexico City: Fondo de Cultura Económica, 2017), p. 23.

²¹ Political Constitution of the United Mexican States, Article 109 section II.

²² *Ibid.* Article 109 sections III and IV.

²³ *Ibid.* Article 109 section I and article 110.

²⁴ A useful tool for reviewing standardized data on acts classified as offences at the local level is the INEGI Technical Standard for the National Classification of Crimes for Statistical Purposes, which is used by the Institute in different projects related to crime statistics. The Technical Standard can be consulted in the following

link: https://snieg.mx/DocumentacionPortal/Normatividad/vigente/Norma_Tecnica_Delitos_con_Fines_Estadisticos.pdf

²⁵ Conference of the States Parties to the United Nations Convention against Corruption. Implementation Review Group. Review Cycle I for Mexico (2015), page 2.

has areas of opportunity in Mexico in relation to its standardization with the international standards the country has signed.

Administrative liability has to do with the absence of a series of principles such as discipline, legality, objectivity, professionalism, honesty, loyalty, impartiality, integrity, accountability, effectiveness and efficiency.²⁶ Although the difference between offences and administrative offences is not entirely clear,²⁷ one of the ways to distinguish the latter is that the penalties are less severe. While offences for acts of corruption are punishable by deprivation of liberty, the General Law on Administrative Liability of Public Officials establishes sanctions that include warnings, suspensions, dismissals or disqualification from holding public positions, as well as economic sanctions.

Another way of analyzing this distinction is that while the penalties for offences entail the loss of rights and the search for educational mechanisms for social rehabilitation, administrative sanctions have the sole purpose of dissuasion or reparation of the damage.²⁸ As to the institutions in charge of sanctioning these behaviors, the Constitution distinguishes between serious acts and others. In relation to the former, the responsibility of investigating lies with the Superior Audit Office of the Federation (ASF) and the internal control bodies of public institutions. The most important one is the Ministry of Public Administration, which is in charge of coordinating the work of the internal control bodies of government agencies and entities at the federal level. On the other hand, the Federal Court of Administrative Justice (TFJA) resolves the investigations of serious offences through the Third Superior Chamber and five specialized regional chambers headed by anti-corruption magistrates.

When the liability is not considered serious, only the internal control bodies can both hear the case and resolve it (article 109 of the constitution, section III, paragraph 2). Said bodies have the power to file complaints for events that could be offences before the Special Anticorruption Prosecution Office. Article 109 of the Constitution orders the replication of this framework at the state level to sanction local public officials, for which there are internal bodies in local institutions. It is also worth noting that there are superior audits and specialized anti-corruption prosecutors at the sub-national level that are in charge of investigating administrative misconduct and offences committed by public officials in state and/or municipal public administrations.

The distinction between offences and administrative offences does not exclude the existence of behaviors that belong in both categories.²⁹ A crime of corruption, at first, can be classified as an administrative offence and then go to the criminal sphere if evidence arises that the conduct constitutes a crime, to finally receive administrative

²⁶ General Law on Administrative Liability, article 7, paragraph one.

²⁷ *Responsabilidades de los servidores públicos. Del castigo a la confianza*, p. 25.

²⁸ *Ibid.*, P. 127.

²⁹ Under article 14 of the General Law on Administrative Liability of Public Officials “When the acts or omissions of public officials are included in more than one of the cases subject to sanction [...] the proceedings will be followed autonomously according to their nature and through the relevant procedural means.” From which it follows that the same behavior may include acts that are punishable in the administrative and the criminal sphere.

penalties. In other cases, an unlawful act may be channeled into the criminal sphere but it can't be ruled out that the penalties include those corresponding to the administrative sphere: "Jurisprudence has ruled on the constitutionality of the imposition of sanctions from different areas on public officials for the performance of a single conduct."³⁰

The third way in which corruption is classified in the Mexican legal system is as political liability. Political liability refers to the fact that the heads of the bodies must assume the consequences of their actions as representatives of the State.³¹ This type of liability is regulated in article 110 of the Constitution,³² which establishes that the procedure to punish this type of crime is a political trial, to which a group of high-ranking public officials can be subjected.³³ In those cases, the impeachment procedure is conducted by the Congress, with the Senate acting as the prosecution and the Chamber of Deputies as the judge.³⁴ The provisions on impeachment refer to detriment to the public interest, acts against democratic institutions and acts against the representative, republican and federal form of government, as well as actions that result in any disruption of the normal functioning of the institutions.³⁵ Although there have been multiple requests for impeachment, none have progressed since the figure in its current form was introduced into the Constitution in 1982.³⁶

This classification of illegal behaviors, and a need to reduce the harmful effects of corruption in society resulted in a series of policies and programs implemented by various institutions of the Mexican State to fight against this public problem. Below we list three of these institutions and programs that guide the anti-corruption efforts of public bodies.

2.1. National Anti-Corruption System

The constitutional reform approved in 2015 laid the foundations for the General Law of the National Anti-corruption System, which aims to articulate the coordination between the Federal Government, the states, the municipalities and the Mexico City mayorships to prevent, investigate, and punish administrative offences and acts of corruption (art. 1

³⁰ *Responsabilidades de los servidores públicos. Del castigo a la confianza.* Pos. 1205-2895 ebook.

³¹ *Ibid.*, P. 41

³² *Ibid.*, P. 77

³³ Under article 110 of the Constitution, the public officials that may be subject to impeachment include senators and deputies; the ministers of the Supreme Court of Justice of the Nation; the advisers of the Federal Judiciary; the heads of the Secretariats; the Prosecutor General of the Republic; Circuit magistrates and District judges; the Chairman; electoral advisers and the executive secretary of the National Electoral Institute; the magistrates of the Electoral Tribunal; the members of the autonomous constitutional bodies; directors-general and their equivalents in devolved organizations, state-controlled companies, equivalent companies and associations and public trusts

³⁴ *Responsabilidad de los servidores públicos. Del castigo a la confianza*, p.78.

³⁵ Diego Valadés *El control del poder* (Ciudad de México: UNAM, Instituto de Investigaciones Jurídicas, 1998), p. 401.

³⁶ Édgar Danés Rojas, "La reforma constitucional en materia de juicio político". In *Derecho procesal constitucional en perspectiva histórica. A 200 años del Tribunal de Ario de Rosales, Tomo I*, (coords.) Eduardo Ferrer Mac-Gregor, Juan Antonio Magaña de la Mora, Emmanuel Roa Ortiz (Ciudad de México: UNAM, Instituto de Investigaciones Jurídicas, 2018), p. 181.

of the General Law of the National Anti-corruption System). This coordination establishes the pillars to generate policies and bases to promote, foster and disseminate a culture of integrity, public ethics and accountability in public service.

To materialize this objective and guarantee the effectiveness and coordination within the National Anti-corruption System (SNA), article 113 section I of the Constitution stipulates that the SNA consists of a Coordinating Committee that includes the heads of the Superior Audit of the Federation, the Ministry of Public Administration, the Federal Court of Administrative Justice, the institute in charge of transparency under Article 6 of the Constitution, the Office of the Special Anti-corruption Prosecutor and representatives of the Federal Judicial Council, as well as a Citizen Participation Committee (CPC). The Committee consists of five citizens who have made an outstanding contribution to transparency, accountability or the fight against corruption. The members of the CPC shall be people outside the bureaucratic sphere and its purpose is to increase citizen supervision over public officials.

In addition to this institutional framework, the anti-corruption legal reform of 2015 gave rise to a series of specialized anti-corruption institutions, and new regulations in that field. The modification of fraction XXIX, subsection H of article 73 of the Constitution provides for the creation of a Third Section of the Superior Chamber of the Federal Administrative Court of Justice, as well as five Specialized Regional Chambers (headed by anti-corruption magistrates). Said magistrates will be in charge of solving cases in which there is evidence of serious acts of corruption on the part of public officials and individuals. This possibility of sanctioning private citizens for corruption represents an important novelty included in the General Law on Administrative Liability (articles 65-72) and the Federal Criminal Code (articles 212-224).

- economic sanctions,
- temporary disqualifications from holding public office and
- compensation for damages caused to the Federal, local or municipal Public Treasury and, in criminal sanctions include prison sentences ranging from three months to 14 years.

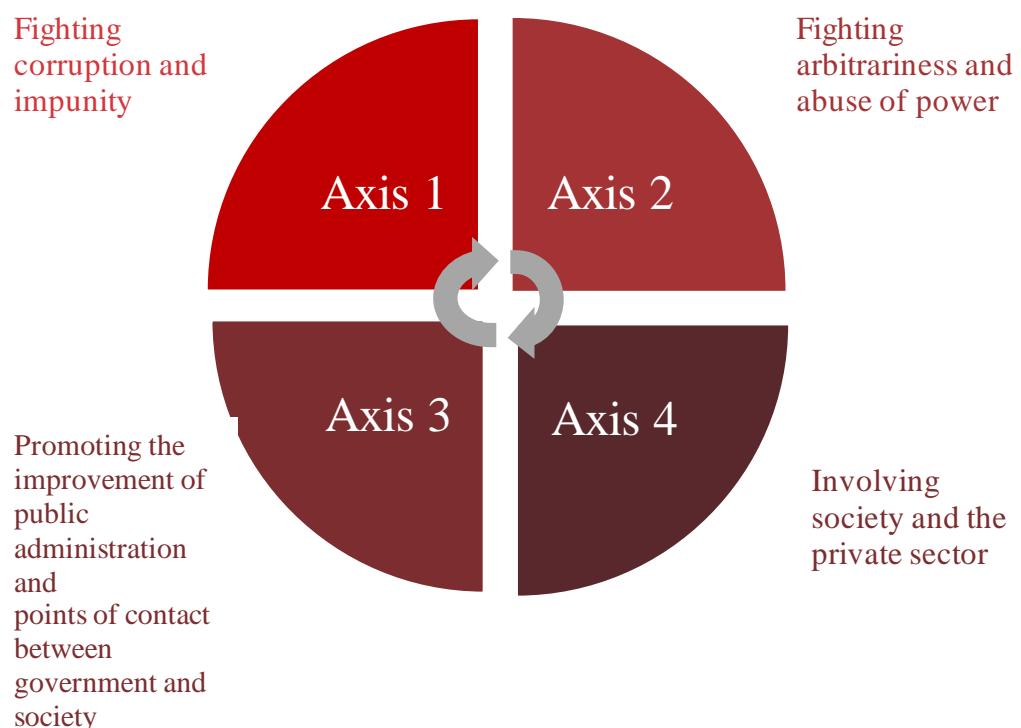
For legal entities the sanctions include the suspension of activities and/or the dissolution of the company that committed the offence. It must be noted that the list of private persons who are disqualified from entering into contracts with public entities as a result of illegal behaviors associated with corruption can be consulted by the public in the National Digital Platform.

The importance of the constitutional reform and the secondary laws that gave rise to the SNA lies in the fact that their approach is based on coordination between various entities with the aim of dismantling corruption networks. This occurs within a framework in which the Coordinating Committee is obliged to submit to being supervised by a citizen entity such as the Citizen Participation Committee. Therefore, the National Anti-corruption System represents an innovation in terms of approach and institutional design in the fight against corruption in Mexico.

2.2. National Anti-Corruption Policy

The National Anti-Corruption Policy (PNA), approved by the Coordinating Committee of the National Anti-corruption System in January 2020, is a central part of said System, which guides the actions for the prevention, detection and punishment administrative offences and acts of corruption. According to the comprehensive diagnosis made by the SESNA contained in the PNA, there are four perspectives from which the phenomenon of corruption must be tackled (see **¡Error! No se encuentra el origen de la referencia.**).

Illustration 2.1: Outline of the National Anti-corruption Policy



Source: *National Anti-Corruption Policy*

Ten priorities emerge from each perspective (40 in total), which seek to strengthen social and governmental capacities to fight corruption in specific aspects identified as areas of opportunity. Each of the axes of the PNA represents an implementation program, which shall contain the actions and projects required to address any problems identified in a focused manner. These implementation programs are a mechanism to assign responsibilities for each task and generating synergies with stakeholders from various sectors who are interested in contributing to the strategy and/or who are essential to the implementation in a specific area.

In turn, MOSEC is the tool conceived by SESNA to identify the results and impacts generated by the four implementation programs of the PNA. Given the

similarities that are planned to exist between the PNA and the State Anti-corruption Policies (PEA), the MOSEC will also be useful to obtain information that feeds indicators at the sub-national level and that facilitates the monitoring and implementation of the different anti-corruption policies at the state level. A follow-up model like this coincides with the content of the Kuala Lumpur Statement on Anti-Corruption Strategies, which includes a series of recommendations generated by authorities and experts invited by UNODC and UNDP to instruct the process to develop, redesign, and implement sustainable anti-corruption policies.³⁷ In this sense, it is useful to review the experience of other countries and international organizations in which there are good practices with disaggregated statistical information for sub-national entities.

By monitoring the different stages of a public policy, as the MOSEC intends to do, two of the PNA approaches are achieved. The first is to gradually accomplish compliance with the Policy as a result of monitoring the stages in a logical sequence. The second has to do with the strategic adjustment based on changes in conditions, in the availability of resources and in the new challenges that come to be identified in the implementation process.

2.3 2019-2024 National Development Plan, Special Derivative Program³⁸ and Development Plans at the sub-national level

The 2019-2024 National Development Plan (PND) describes corruption as a public problem that has held back the development of the country in recent decades. As a consequence, the goal of the PND is to eradicate corruption during the current administration. To this end, a series of actions are foreseen, such as criminalizing cases of corruption and electoral offences as warranting preventive detention ex officio, monitoring public officials through declarations of assets, taxes and interests, reviewing the procurement schemes for public services, among others. The PND also includes institutional redesign measures such as strengthening public bodies with responsibilities in anti-corruption matters such as the SFP and ASF, as well as repurposing the Financial Intelligence Unit of the Ministry of Finance and Public Credit (SHCP), in addition to creating a specialized body against money laundering.

To comply with the provisions contained in the National Development Plan, there are Special Programs, which are instruments provided for in articles 26, 26 bis, 27, 29, 30 and 31 of the Planning Law. In the subject of the fight against corruption and the promotion of integrity, in August 2019 the SFP, the SHCP and the National Digital Strategy Office of the Office of the Presidency of the Republic presented, the 2019-2024 National Program to Fight Corruption and Impunity, and to Improve the Public

³⁷ Which was noted by the Conference of the States Parties to the United Nations Convention against Corruption at its fifth meeting, held in Panama City, Panama, November 25-29, 2013 (resolution 5/4 point 11). To read the Kuala Lumpur Statement, see the Annex *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, pp. 59-62

³⁸ 2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration.

Administration. Said program specifies the priority strategies to be carried out in the next five years and contains a series of goals and indicators to evaluate the progress of these actions. The basis of the special program consists of the five primary goals presented in illustration 2.2 below, and their respective main components.

Illustration 2.2: Priority goals of the special program of the Federal Public Administration (APF) against corruption and impunity

1. Frontally attack the causes and effects of corruption

- Generating conditions that articulate citizen networks and participatory spaces.
- Improving internal control.
- Focusing inspection in areas prone to irregularities and illicit acts.
- Consolidating a model of accountability in the Federal Public Administration (APF) and the adoption of a culture of government openness.
- Promoting and operating a system of citizens who report corruption.
- Promoting coordination with other public entities and anti-corruption bodies at the national and international level.

2. Combat administrative impunity in the Federal Government

- Strengthening government capacity to impose administrative sanctions.
- Establishing new administrative intelligence mechanisms to improve investigation processes.
- Identifying and mitigating conflicts of interest and promoting sanctions when warranted.
- Punishing those who violate public procurement provisions.

3. Promote efficiency and effectiveness in public management

- Establishing mechanisms for the exercise of resources with austerity and discipline, as well as consolidating an austere and responsible administration. Likewise, increasing the quality and efficiency of spending in the APF.
- Consolidating public procurement.
- Strengthening the analysis of budget programs and use the findings in the design, operation and measurement of results.
- Using ICT to transform the APF: streamline its functions, increase its coordination and liaison.

4. Promote the professionalization and efficient management of the human resources of the APF

- Training and raising awareness among public officials about the meaning of the public service.
- Public policies that promote the professionalization of human resources.
- Promoting the improvement and simplification of institutional processes and the internal regulatory framework. Also, seeking the modernization of the APF structure.
- Updating the definition of the functions of public officials according to the needs of the operation.

5. Promote the efficient and responsible use of the assets of the Mexican State

- Consolidating the real estate regulatory framework for the use of government real estate assets.
- Promoting control actions, and better use of movable and immovable property.
- Providing the APF with adequate and sustainable infrastructure.
- Put idle goods and businesses to use.

Source: Prepared internally from the "2019-2024 National Program to Fight Corruption and Impunity and to Improve Public Administration".

The anti-corruption policies and strategies included in the development plans or programs at the state level or derived from them should also be considered. According to data from the 2019 National Census of Government, Public Security and State Penitentiary System of the National Institute of Statistics and Geography (INEGI), by 2018, 26 entities included the term anti-corruption as a topic or guiding principle in their local development plans. In addition, by 2018 (the most recent year for which there is data), 17 of these entities reported having a specific anti-corruption plan or program and nine more are in the process of integrating a planning instrument of this kind.

At the municipal level, including the territorial districts of Mexico City, according to the 2019 National Census of Municipal Governments and Territorial Districts of Mexico City, out of a total of 2,463 entities, by the end of 2018, only 21.6% (533) had a Municipal Development Plan or Program that included corruption as a guiding axis or theme, and 58.9% had specific anti-corruption strategic and/or operational programs (that is, a total of 314 municipalities or territorial districts of Mexico City).³⁹ This reflects the recurring presence of the anti-corruption issue in the planning instruments of the three levels of government - federal, state and municipal or mayoral. Likewise, this points to the opportunities that exist to address the problem of corruption in a coordinated manner between the different levels of government.

³⁹ Which represents 12.7% of the total municipalities. Additionally, 142 municipalities or districts are in the process of integrating these strategic and/or operational programs (5.8% of the total in the country).



Methodology for the preparation of this report 3

3. Methodology for the preparation of this report

In order to contribute to the construction of metrics for monitoring and evaluating anti-corruption policies and corruption levels in Mexico, the methodology for preparing this document is based on a review of the practices for preparing and implementing metrics, indicators and/or instruments that are used to prevent and fight against corruption in different countries. Informing a policy with international experiences is one of the recommendations that UNODC makes to the processes to design anti-corruption strategies.⁴⁰ Likewise, if a country has elements comparable to others, that favors the measurement of its corruption levels and the quality of governance in its territory⁴¹

In this sense, the measurements included in this report represent good practices⁴² in terms of methodological development, and serve as a benchmark of rigorous information to evaluate two related, although different, aspects:

- indicators of anti-corruption policies and
- corruption levels.

On the one hand, the indicators of anti-corruption policies correspond to the public policy measures generally acknowledged in Article 5 of the Convention,⁴³ which refer to actions in different areas that contribute in the fight against corruption. Recognizing that corruption has many causes and that there are different spaces of arbitrariness that facilitate its occurrence, these anti-corruption measures can be used in many fields of government action. On the other hand, the corruption levels refer to measurements of the problem itself, the magnitude of different aspects of corruption in a defined context and time. This is a recurring distinction that is referred to throughout the document to differentiate the measurement of actions to fight corruption from corruption itself.

In other words, the case studies considered represent good practices regarding the implementation, results and impact of public policies that as a whole contribute in the fight against corruption. On some occasions, these cases follow international standards or practices applied in different countries by international organizations. However, as can be seen in the conclusions chapter, it should not be ruled out that the information generated in Mexico in particular areas may have higher levels of validity (see the box below for the definition of the concept of validity) than that of other of the countries considered. This document follows a logical sequence, although its various

⁴⁰ National Anti-Corruption Strategies: A Practical Guide for Development and Implementation, p. 12.

⁴¹ Ibid., P. 18.

⁴² Although during the preparation of this report the possibility was raised to use the term “best practices for the measurement of anti-corruption policies and corruption cases”, the foregoing would have implied a thorough analysis; that is, having studied all the existing policies for each of the areas considered in the report. Consequently, a more modest definition was chosen, which has the advantage of being more precise.

⁴³ Said article of the Convention stipulates the following: “Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.”

sections can be consulted as separate reference material. The list of indicators in the annex to the document, which includes the set of indicators presented in the tables, is an additional tool that may be useful for people interested in learning about one or more specific indicators in greater detail.

Statistical Validity

Statistical validity refers to the attribute in which a variable actually reflects the underlying concept of interest (for the purposes of this study, if an indicator reflects the concept of interest). There are different types of validity with different degrees of depth. The most basic type used in this study is face validity, which examines whether the proposed measurement makes sense for experts and is in accordance with the findings of the specialized literature.

Source: *Alan Bryman and Duncan Cramer, “Constructing variables”*. In *Melissa Hardy y Alan Bryman, eds. The Handbook of Data Analysis (Thousand Oaks [Ca]: SAGE Publications, 2013)*, pp. 17-34

The comparison of international good practices with the equivalent information for Mexico is not only based on the degree of statistical validity of the information, but we also considered two relevant characteristics of the information for monitoring and evaluation purposes:

1. The information should be published regularly and in a timely manner to allow it to be monitored and to promote accountability for government actions.
2. The statistics of the indicators should be public and made available online in a format that is accessible to anyone.

This makes it possible to review the information of interest and facilitates its comparison with international cases. In contrast, when the data on topics related to the fight against corruption is not available to citizens, public actions in this matter are less likely to be scrutinized.⁴⁴ Likewise, if said transparency mechanisms do not exist, it is more difficult to guarantee that citizens will support the anti-corruption strategy when it faces political obstacles.⁴⁵ The set of principles considered to prepare the recommendations for the integration of the MOSEC that are included in the conclusions of this document, and based on the principles mentioned above, are summarized in **¡Error! No se encuentra el origen de la referencia..**

⁴⁴ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 2.3.

⁴⁵ *Ibid*, p. 58.

Illustration 3.1: Principles for the evaluation of the quality of Mexico's statistics

- 1 The data are produced using a methodology that is standardized with international practices or used by international organizations for several countries. If it is different, it is justified by providing higher degrees of statistical validity.
- 2 Information sources are published regularly and in a timely manner.
- 3 The information is publicly accessible in remotely accessible formats that allow monitoring.

Source: Prepared internally

This document presents the evidence of good practice cases in two parts. First, it presents good practices in specific areas that are recognized by the National Anti-corruption Policy and the PND's special derivative program, the specialized literature and experiences of public policy abroad as relevant in the fight against corruption. The different policies belong to areas that are sometimes scattered within the set of actions carried out by dozens of countries and that are not articulated in a formal anti-corruption strategy. The different anti-corruption policies of the first part of the report were arranged in four blocks, in order to facilitate their analysis and to provide an overarching element:

1. prevention,
2. detection,
3. sanction of administrative liabilities and acts of corruption and
4. supervision and control of public resources

This framework of government action is taken from Title IV (art. 113) of the Constitution, which stipulates that authorities having competence in the prevention, detection and sanction of administrative liabilities and corruption offences, as well as in the supervision and control of public resources will be the coordinating body of the National Anti-corruption System. Next, the document describes good practices in the measurement of corruption levels. The indicators that emerge from this section are most useful for measuring the results and impact of the policies that countries implement and monitor at a more general level.

To a large extent, the practices contained in the first part of the report are directly linked to specific articles of the Convention, which serves as a framework to order this content. As an example, these areas include:

- merit-based personnel appointment, promotion and retirement practices (art. 7),
- promotion of integrity, honesty and responsibility in public service (art. 8),
- public procurement schemes based on transparency, competition, objective decision-making criteria and that are effective in fighting corruption (art. 9),
- prevention of money laundering (art.14)

The second part of the report presents the cases of countries that have developed comprehensive anti-corruption strategies and that have designed follow-up mechanisms, as well as indicators to monitor them and evaluate their implementation to some extent. In this sense, we use the term "anti-corruption strategies" for countries that have a program that handles the issue of corruption from a broad approach, seeking to address its diverse causes and consequences, and in which different agencies and public institutions nationals participate through the assignment of specific tasks. As presented below, it is not uncommon for these strategies to have a governance mechanism to guarantee implementation and accountability in the fight against corruption. Anti-corruption strategies have the advantage of being useful tools to mobilize and coordinate efforts and resources of the government and other key actors to develop public policies, and to have a scheme to compare the actual actions that are being carried out against what was originally planned.⁴⁶ As will be seen later, the same strategy can include actions to prevent, detect, and punish corrupt behaviors and control public resources similar to those described in the first part of the report. The difference lies in that in the second scheme, actions are aimed at the fulfillment of the same shared goal related with the fight against corruption.

⁴⁶ National Anti-Corruption Strategies: A Practical Guide for Development and Implementation, p. 2.



4

Good practices in specific areas

4. Good practices in specific areas

In the first level of analysis, which is related to practices in specific areas, a review is made of the policies of other countries that are not articulated for implementation in anti-corruption strategies, but which represent good practices related to specific components of the National Anti-corruption Policy and the National Program to Fight Corruption and Impunity, and to Improve Public Management in Mexico. The framework to analyze the different sections is the United Nations Convention against Corruption. The use of the Convention follows the Kuala Lumpur Statement on Anti-Corruption Strategies, which recommends the use of the Convention to inspire frameworks to design and structure national anti-corruption strategies.⁴⁷ To inform the discussion, we include findings of academic studies or international organizations that are more focused on the generation of knowledge, and not necessarily implemented in the monitoring and evaluation of public policies, but which provide robust measurements of corruption-related issues.

The value of this first part of the document lies in the fact that measurements in specific areas are useful for monitoring specific actions in the fight against corruption. As recommended in UNODC's *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, the implementation of a set of anti-corruption actions is facilitated by breaking them down into a series of steps and evaluating progress step by step.⁴⁸ This logic based on gradual advances also corresponds to the design adopted by the National Anti-corruption Policy of Mexico.⁴⁹ In order to visualize the components in this logic, we present ilustración 4.1, originally proposed by the *U4 Anti-corruption Resource Centre*,⁵⁰ in which public policy is articulated in different stages: resources, activities, outputs, results and impact.

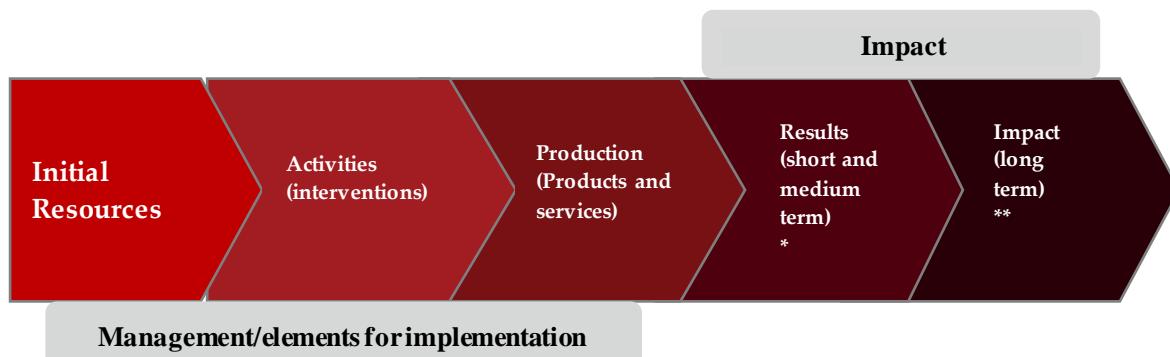
⁴⁷ Kuala Lumpur Statement on Anti-Corruption Strategies (2013).

⁴⁸ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 47.

⁴⁹ National Anti-corruption Policy, pp. 195-196

⁵⁰ *U4 Anti-Corruption Resource Centre*.

Ilustración 4.1: Esquema de etapas de la política pública, elementos para la implementación y la evaluación



* Short-term results refer to those expected within three years and medium-term to those expected within six years.

** Long-term results are those expected in a horizon of more than six years. See: National Anti-corruption Policy, p.178.

Source: U4 Anti-corruption Resource Centre, *How to monitor and evaluate anti-corruption agencies* (2010) y UNODC, *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation* (2017).

In terms of assigning tasks and monitoring compliance with objectives, it is perhaps easier to approach these stages in two large blocks that are present both in literature⁵¹ and in the documents of international public policy standards.⁵²: one of *good practices in public management* and another one of *evaluation of results and impact* in the fight against corruption. On the one hand, monitoring management corresponds to the first three stages of the diagram (resources, activities and outputs). These steps are more related to verifying the implementation of policies, public property and services necessary to reduce areas of discretion in government.⁵³ On the other hand, the evaluation segment refers to the results and impact stages, which refers to recording the effects of these policies, especially their contribution to reducing corruption.⁵⁴

According to the conceptualization of ilustración 4.1 , the higher objectives of a strategy are more complex than the lower ones. In this sense, in order to meet the more complex objectives, in this case the fight against corruption, it was necessary to have met the first objectives first⁵⁵ (more associated with good management practices).

⁵¹ Guillermo Cejudo and Dionisio Zabaleta “La calidad del gobierno en las entidades federativas mexicanas: una propuesta conceptual y de medición”, in *Méjico estatal, calidad de gobierno y rendición de cuentas en las entidades federativas* No. 3 (2010), pp. 1-38. See the proposal of management indicators for a summary.

⁵² Kuala Lumpur Statement on Anti-Corruption Strategies (2013), see “Evaluation v. Programme Management”.

⁵³ “La calidad del gobierno en las entidades federativas mexicanas: una propuesta conceptual y de medición”.

⁵⁴ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 46.

⁵⁵ *Manual para el Diseño y la Construcción de Indicadores. Instrumentos principales para el monitoreo de programas sociales de México*, p. 18

Having an analysis by stages makes it easier to measure progress in each step and make the accountability of the actors involved in the tasks more transparent.⁵⁶ These advantages allow for continuous improvement and facilitate the achievement of further objectives. Although these policies are aimed at materializing the fight against corruption and its broader manifestations, UNODC recommends prioritizing the achievement of “intermediate” results instead of focusing on broader objectives, such as reducing the perception of corruption or increasing trust in government.⁵⁷ This approach of “intermediate” results in the fight against corruption makes it easier to isolate the effect of a public policy. In contrast, when impact measures are very broad, the above can become very complex⁵⁸, among other things, due to the multiple factors associated with the variable where the impact is sought. Following this recommendation to measure the most immediate effects, this section of the document is arranged in sections of prevention, detection and punishment of corruption, as well as its control. This discussion of specific areas of government intervention is followed by a broader section on the more general measurements of *corruption levels* corresponding to the fulfillment of longer-term objectives.

4.1. Prevention measures

Chapter II of the Convention addresses the measures to prevent corruption that States Parties must adopt. Some of the measurements in these areas are used in this section. This implies the discussion of practices that don't have a direct and immediate impact on reducing corruption, but rather focus on reducing spaces of arbitrariness that open up opportunities for the occurrence of these behaviors. The reduction of these spaces of arbitrariness is realized by introducing objective criteria for decision-making. It is also important to promote transparency and citizen participation in order to have the means for supervision and accountability of public officials.

4.1.1. Recruitment and professional development of public officials (Article 7 of the Convention)

A common characterization used in specialized corruption literature is that of the “spoils system” of the public administration.⁵⁹ Under the spoils system public positions are obtained by rewarding loyalty to a party or political force over the qualifications or capacity of the person.⁶⁰ The use of highly discretionary criteria such as those described in the “spoils system” has been recognized as one of the causes of corruption in Mexico,

⁵⁶ National Anti-Corruption Strategies: A Practical Guide for Development and Implementation, p. 47.

⁵⁷ Ibid, p. 3. 4.

⁵⁸ Ibid., p. 53.

⁵⁹ Expression originally attributed to the seventh US President Andrew Jackson, whose term spanned the period between 1829 and 1835. For further reference on the *spoils system* see: <https://obamawhitehouse.archives.gov/1600/presidents/andrewjackson>.

⁶⁰ The Editors of Encyclopaedia Britannica, “Spoils system” In Encyclopedia Britannica (May 13, 2020).

because it has undermined the country's administrative institutions.⁶¹ A process for the selection of public officials "based on principles of efficiency and transparency and on objective criteria such as merit, equity and aptitude"⁶² is essential to increase professionalization in the State, improve management practices and eventually reduce the margin for acts of corruption occur. That makes it possible to achieve a higher quality government.⁶³

From the relevance of a robust civil career system as a preventive measure against corruption, it can be inferred that many of the most successful countries in fighting corruption have included quality standards regarding the hiring of public officials based on competition, merit and aptitude, continuing education opportunities for the civil service, and the guarantee of adequate compensation.⁶⁴ In Mexico "A career professional service is the exception, rather than the rule, and in those areas in which it operates it usually faces significant restrictions, challenges and resistance."⁶⁵ Although it must be recognized that this situation represents a challenge that can hardly be solved in the short term, there are measures that can advance the principles established by the Convention in the hiring of public officials in a few years. An example of this is the degree of public access to information on vacancies in public bodies. In the case of Mexico, under articles 25 and 26 of the Professional Career Service Law and articles 34 and 35 of the Regulations of said law, there is a platform that publishes the existing vacancies in the Professional Career Service of the Federal Government (trabajael.gob.mx). The information derived from these provisions is found in a list of the vacancies in the Professional Career System during 2017 and 2016 that is available on the Open Data platform of the Federal Government. A problematic aspect of this system is that the positions that could fall under this scheme represent a relatively small proportion of the pool of public positions.⁶⁶

In response, the National Program to Fight Corruption and Impunity, and to Improve Public Administration proposes the professionalization and efficient management of human resources in the Federal Public Administration as part of its primary goal number four. In line with the above, the National Anti-corruption Policy considers generalizing the design, implementation and evaluation of professional career services in all areas of government and public powers as one of its long-term priorities, within the goal of combating arbitrariness and abuse of power.⁶⁷ To measure these

⁶¹ José Juan Sánchez González, "El cambio institucional en la reforma y modernización de la administración pública mexicana", *Gestión y Política Pública* Vol. XVIII No. 1 (2009) pp. 67-105.

⁶² Article 7 of the United Nations Convention against Corruption.

⁶³ "La calidad del gobierno en las entidades federativas mexicanas: una propuesta conceptual y de medición", pp. 19-20.

⁶⁴ Conference of the States Parties to the United Nations Convention against Corruption, Open-ended intergovernmental working group on the prevention of corruption, *Good practices and initiatives in the prevention of corruption: awareness-raising policies and practices with special reference to articles 5, 7, 12 and 13 of the United Nations Convention against Corruption* (2011), p. 7

⁶⁵ *National Anti-Corruption Policy*, p. 87.

⁶⁶ According to the data that the National Anti-corruption Policy retrieves from the 230 Evaluation Number "Career Services in the Federal State" carried out by the ASF in 2012, only 133 thousand jobs (just over 7% of the jobs in the federal government) were eligible to be incorporated into any of the career systems.

⁶⁷ Priority 14 of the National Anti-corruption Policy.

issues, INEGI's National Government Censuses provide annual information about the existence of career services and various characteristics of the professionalization of public officials such as the hiring regime, income range, degree of studies and elements of training or continuing education for personnel in public institutions in Mexico. The information can be disaggregated for different areas of government and their respective civil career systems. For example, the National Census of the State Justice System provides information about the civil service of ministers, police officers or experts in the state attorneys' or prosecutor's offices.

Civil Service Development Index of the Inter-American Development Bank (IDB)

The Civil Service Development Index of the Inter-American Development Bank (IDB) is a comprehensive measure to assess the quality of civil service systems in Latin American and Caribbean countries. The index is composed of eight sub-systems and five indexes described below:⁶⁸ Each of these components can be analyzed as a different element in the implementation of public service reforms that reflect the measurement of the quality of the civil service system. With this, State management practices have been consolidated which, if they didn't exist, the fight against corruption would probably be more challenging.

Subsystems

1. **Human Resources Planning:** Through Human Resources planning, an organization identifies the quantitative and qualitative needs of Human Resources in the short, medium and long term, in addition to contrasting them with the capabilities it has. The way the differences are covered is planned at a later stage.
2. **Work organization:** It integrates the set of human resource management policies and practices aimed at defining the characteristics and conditions for carrying out tasks, as well as the suitability requirements of the people in charge of carrying them out
3. **Employment management:** Refers to a set of safeguards on the recruitment, tenure and departure of personnel in a public organization. What these indicators seek to reflect are: the existence of open calls and well-specified vacancies; labor mobility mechanisms that respond to the needs of the State, and job terminations that respond to poor performance and not to political changes.
4. **Performance management:** Performance management is quantified with three critical points that estimate the evaluation of public officials based on predetermined criteria and goals. To guarantee that

⁶⁸ Francisco Longo, *Analytical Framework for Institutional Assessment of Civil Service Systems* (Washington DC: Inter-American Development Bank, ESADE Institute of Public Leadership and Management, 2002) and Juan Carlos Cortázar, Mariano Lafuente and Mario Sanginés (editors), "Appendix 1: Analytical Framework for Institutional Assessment of Civil Service Systems, in *Serving Citizens: A Decade of Civil Service Reforms in Latin America* (Washington DC: Inter-American Development Bank, 2014), pp. 149-151

the organizational objectives are met, the goals are collective, and the expected performance of each person depends on the fulfillment of said goals.

5. **Compensation management:** It is a sub-index that captures the degree to which the recommendations are attractive without being excessive,⁶⁹ their role in motivating employees and their definition based on coherent and non-discretionary criteria.
6. **Development management:** It refers to the fulfillment of the objectives of promotion and career policies within the institution. Likewise, it reviews that training policies for public officials respond to planning, are subject to evaluation, and are focused on supporting the needs of the organization.
7. **Human and social relations management:** It quantifies aspects such as organizational climate, the management of labor relations without an excessive degree of conflict, as well as the ownership and involvement of the personnel in the global organizational project.
8. **HR function organization:** It refers to the responsibility of directors as managers of the people under their formal authority, as well as the perception that the central services of the civil service add value to the achievement of common goals.

Indexes

1. **Efficiency:** Assesses the degree of optimization of the investment in human capital detectable by the career service. In other words, it involves establishing the link between the results obtained by the civil career system and the resources invested for its operation.
2. **Merit:** The merit index is estimated from the degree to which the civil service incorporates guarantees for the use of criteria that assess professionalism into its different policies and practices. In other words, "it measures the degree of effective protection against arbitrariness, political capture or clientelism, and the different ways that interested groups or sectors engage in rent-seeking."⁷⁰
3. **Structural consistency:** Measures the solidity and integration of the civil service. In this sense, it includes the fundamental management processes, coherence with other public employee management processes and the development of managerial functions.
4. **Functional capacity:** Measures the ability of the civil service system to positively influence the behavior of public employees through:
 - i. Their qualifications.
 - ii. The improvement of their performance with stimuli and training capacities.

⁶⁹ Based on a comparison with the income offered by the labor market

⁷⁰ *Serving Citizens: A Decade of Civil Service Reforms in Latin America*, p. 47.

iii. The degree of flexibility to generate innovation.

5. **Integrating capacity:** This index approaches the feeling of ownership in the organization and the reduction of conflict in the work environment by measuring the harmonization of expectations and interests.

The Civil Service Development Index has been used since 2004 in 24 countries based on three measurement cycles.⁷¹ Although this is a methodologically sound index, the availability of the information is not very extensive for purposes of the construction of baselines and time series. In sixteen years, only three countries have measurements for the three cycles of the Civil Development Index (Ecuador, Peru and the Dominican Republic). Mexico, for example, has two measurements corresponding to 2004 and another to 2013. Additionally, considering the relatively small proportion of public officials that make up the civil career systems in the country, it begs the question of how useful the evolution of the Index is to reach conclusions on the professionalization of the bulk of government employees. The Civil Service Development Index is therefore an indicator that is useful to assess long-term effects on the consolidation of a professionalized civil career system. Meanwhile, in the short term, we could consider the evolution in the proportion of government employees that are part of the civil career systems, as well as other key areas for professionalization contained in the measurements of the National Government Censuses.

Table 4.1: Measurements of recruitment, management and development of public officials

Measurement: recruitment, management and development of public officials	
Axis of the National Anti- corruption Policy in Mexico	Axis 02: Fight arbitrariness and abuse of power. Priority 14: Generalizing the design, implementation and evaluation of professional career services in all areas of government and public powers, based on merit, capacities, performance and aptitude according to the profile of the position, office or commission, with a gender perspective and promoting diversity and inclusion.
Priority of the National Anti- corruption Policy	
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	<ul style="list-style-type: none">Priority strategy 4.2.- Designing and implementing public policies that promote the professionalization of human resources through the objectivity of its talent recruitment, distribution, retention and development processes in the public service and the strengthening of the capacities and integral skills of public officials, in

⁷¹ The three series correspond to the following years: 1) 2004, 2) between 2011 and 2013, 3) 2015, 2017 and 2019

Measurement: recruitment, management and development of public officials	
	<p>order to raise institutional capacities, contributing to the efficient fulfillment of government objectives.</p> <ul style="list-style-type: none"> Priority strategy 4.4. Modernizing the structure of the APF to contribute to the Federal Government having adequate organizations to achieve institutional results, under criteria of efficiency, transparency and austerity.
Mexico Sources	<p>For information on the socio-demographic characteristics, hiring regime, income range, education and training or professionalization for personnel in public institutions in Mexico:</p> <p>INEGI, National Government Censuses:</p> <ul style="list-style-type: none"> National Government Census, Public Safety and State Penitentiary System and National Census of Municipal Governments and Territorial Districts of Mexico City Module 1 Public Administration, Section 1 Organizational structure and exercise of the government function. For the rest of the national censuses, see the Organizational Structure and Resources Module, section or subsection that contains the information on "Human Resources", usually stated in the relevant title.
Comparative case considered	Civil Service Development Index (Inter-American Development Bank) <ol style="list-style-type: none"> 1. Civil Service Development Index, composed of eight subsystems: <ol style="list-style-type: none"> a. Human Resources Planning. b. Work Organization. c. Employment management. d. Performance management. e. Compensation management. f. Development management. g. Human and social relations management h. HR function organization.
Subsystems of the Civil Service Development Index	<ol style="list-style-type: none"> 1. Efficiency 2. Merit 3. Structural consistency 4. Functional capacity 5. Integrating capacity
Disaggregation	The indicators of each of the subsystems and subindexes
Reference	Inter-American Development Bank, Civil Service Development Index, Service Development Index, Platform my data .

Measurement: recruitment, management and development of public officials

Methodology in detail	Juan Carlos Cortázar, Mariano Lafuente and Mario Sanginés (editors), " Serving Citizens: A Decade of Civil Service Reforms in Latin America ".
Data collection method	Composite indices based on administrative records.
Period for which it is available	2004-2019 in three series (the year of the second and third survey vary by country).
Article(s) of the United Nations Convention against Corruption	7, Public Sector.

Source: *Prepared internally*

4.1.2. Public procurement (Article 9 of the Convention)

Public procurement refers to the purchase of goods, services and works by governments and public companies. As mentioned above, government procurement represents an area that is particularly prone to corrupt practices.⁷² Likewise, the public procurement sector represents a large portion of public spending in a State and of the economy of a country,⁷³ so its proper management is essential to protect the public interest. Accountability for how public funds are spent and transparency are essential to avoid information asymmetries that provide opportunities for corruption.

The Convention requires appropriate public procurement systems based on principles such as transparency, competition and objectivity for decision-making in order to prevent corruption. Some of the States Parties have systematized and published their contracting regulations. When these regulations are applied as they are stipulated, the uncertainty about the decision criteria in public procurement is reduced and opportunities for corruption are reduced.

In the framework of the Second Review Cycle for Mexico, the Mechanism for the Review of the Implementation of the Convention has recommended that measures be adopted to guarantee an effective internal review mechanism of all public procurement procedures, in particular, it recommends adopting measures to guarantee an effective internal review mechanism of all public procurement procedures and offering the possibility of reporting non-conformities in the direct award procedures and in request-for-proposals to at least three people, not just the people invited to participate in the process.⁷⁴ Mexico has made commendable progress in public procurement management through the CompraNet electronic information and transactional system. This system allows public institutions to carry out everything from the publication of a tender to the award of the contract through an electronic platform. CompraNet publishes the main terms of the contract, as well as additional information such as the minutes of the clarification meetings held with the bidders. With this system, the information of the tenders is widely distributed and constantly updated. This makes it easier for the bidders to have enough time to prepare their proposals. In addition, there is a minimum period to receive bids after the publication of the tender in CompraNet established by the Law on Acquisitions, Leases and Services of the Public Sector and the Law on Public Works

⁷² Robert Klitgaard, Ronald Maclean-Abaroa and H. Lindsey Parris, *Corrupt cities: a practical guide to cure and prevention* (Washington DC: World Bank Publications, 2000); Organization for Economic Cooperation and Development, *OECD Foreign Bribery report: An analysis of the crime of bribery of foreign public officials* (Paris [Fr]: OECD, 2014), p. 35.

⁷³ According to the Working Group on the Prevention of Corruption of the Conference of the States Parties in its Report on the Implementation of Conference resolution 5/4, government procurement represents between 12 and 30% of the Gross Domestic Product of many countries.

⁷⁴ Conference of the States Parties to the United Nations Convention against Corruption. Implementation Review Group. Review Cycle II for Mexico (2019), p. 8.

and Related Services (15 calendar days for national tenders and 20 calendar days for international tenders). The degree of automation and transparency of CompraNet favors the generation of statistical data and indicators to monitor and evaluate the prevention of corruption. However, CompraNet presents only a few indicators on the purchasing entities by government level, as well as the number of contracts per procurement procedure (public tender, direct award or restricted invitation to at least three participants) and the amount disbursed by type of procedure. Because of the wealth of information in CompraNet, it could be used to a greater extent. For example, by monitoring the basic indicators of public procurement over time. Another possibility is to make the disaggregation of information more accessible by type of purchasing institution, the type of service provided and the time required to carry out the purchasing process.

There are several recent initiatives to maximize CompraNet's scope in terms of transparency and effectiveness in carrying out public procurement. The 2019-2024 National Development Plan proposes preventing corruption in public procurement by monitoring the resources in government procurement processes online and in real time.⁷⁵ The Special Program to Fight Corruption and Impunity, and to Improve Public Administration⁷⁶ emphasizes sanctioning individuals and legal entities that do not comply with the provisions of public procurement (priority strategy 2.4). These approaches have been translated into concrete actions such as collaboration between the SFP and the SHCP's Main Administrative Office to build a new, more open and transparent public procurement system that is capable of achieving better quality and price relationships from government suppliers. In the same spirit, a Business Integrity Registry was launched, under which the SFP grants a badge to companies committed to fighting corruption and promoting a new culture of integrity. In a second stage of this program, the badge is expected to be used in making public procurement decisions and, in a third stage, the project will be replicated in other sectors or branches of industry, services and commerce.⁷⁷

Mexico regulations provide for the supervision of public procurement processes under different concepts. Article 26 Ter of the Law of Acquisitions, Leases and Services of the Public Sector and article 27 Bis of the Law of Public Works and Related Services establishes social witnesses as people in charge of inspecting public tender processes above a previously determined amount. However, the information available to evaluate the role of witnesses is scarce beyond the study of the organization *Contraloría Ciudadana para la Rendición de Cuentas* (Citizen Accountability Comptroller).⁷⁸ The

⁷⁵ Measure contained in the Policy and Government section of the PND, within “Eradicate corruption, waste and frivolity”.

⁷⁶ 2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration.

⁷⁷ Secretariat of the Public Service “SFP launches Business Integrity Registry” (In Spanish), *Blog*, August 22, 2019, <https://www.gob.mx/sfp/articulos/funcion-publica-lanza-padron-de-integridad-empresarial>.

⁷⁸ *National Anti-Corruption Policy*, p. 159.

social comptroller and citizen participation schemes as a control against corruption practices are also provided for in specific action 3.5.8 of the National Program to Fight Corruption and Impunity, and to Improve Public Administration. These efforts seek to promote the participation of citizens and to recognize their legitimate interest to observe, monitor and serve as witnesses of public procurement processes.

Indicators of good management of public procurement in Chile

In the subject of public procurement, the Chilean digital system (known as *ChileCompra*) - details of which are presented in **¡Error! No se encuentra el origen de la referencia.**- is considered a good practice, as it provides useful statistical information to understand the management of the public procurement system. The most relevant is the number of purchases made, the amounts and the method used to award the contract. One of the advantages of the system is that it grants access to microdata, that is, disaggregated information for each purchase, both in real time (through the Mercado Público site), and on an aggregated, monthly basis. This way, the public can obtain information on each of the purchases made by the Chilean government during the period selected by the user.

The *ChileCompra* platform generates a series of indicators that are useful in monitoring the implementation of a public procurement system based on objective criteria and with broad participation of suppliers of different sizes. In Chile public procurement resorts to four different methods: framework agreements, public tenders, private tenders and direct deals. Of this series of alternatives, direct deals are considered to involve a greater degree of risk of being subject to arbitrary criteria, since there is no public call for different private actors to participate. Based on the monitoring of *ChileCompra* data, the system offers statistics on the number of contracts by type of award and provides the number of total purchase orders during the year.⁷⁹ The Historical State Purchases section publishes data in an annual aggregate from 2014 to the last month concluded, which shows that direct deals represent only an exceptional mechanism, and makes it possible to monitor their proportion in the total distribution over time.

Additionally, the proportional distribution by purchase mechanism is reported in the annual indicator reports of *ChileCompra* currently available for 2016 to 2018. These reports also present an indicator on the amounts of public purchases by size of awardee (large, medium or micro/small). This indicator indicates the degree of de-concentration of the public procurement market in suppliers of different sizes in order to prevent a few corporations from becoming predominant in the government procurement market. As detailed below, a similar metric is employed by the United Kingdom in its public procurement system for digital products.

⁷⁹ See the following link: <https://datosabiertos.chilecompra.cl/Home/CompraDuranteAno>

Table 4.2: Measurements for the generation of public procurement indicators

Measurement public procurement contract information systems	
Axis of the National Anti-corruption Policy in Mexico	Axis 03: Promote the improvement of public administration and points of contact between the government and society.
Priority of the National Anti-corruption Policy	<ul style="list-style-type: none"> ● Priority 29. Developing and implementing a single information system on public purchases and acquisitions, which includes a national registry of government suppliers and a national standardized public procurement system, linked to the National Digital Platform. ● Priority 30: Promoting the creation and adoption of unified criteria and standards in public purchases, contracting and acquisitions, which limit the margin for arbitrariness and improve transparency and supervision.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Priority strategy 2.4. Sanctioning natural and legal persons who violate the provisions on public procurement.
Mexico Sources	<ul style="list-style-type: none"> ● Secretariat of Finance and Public Credit, COMPRANET. ● Mexican Institute of Social Security, Procurement Website.*
Comparative case considered	<i>ChileCompra</i> .
Indicators	<ol style="list-style-type: none"> 1. Proportion of purchase orders by framework agreement (virtual catalog of suppliers considered reliable). 2. Proportion of purchase orders by public tender (open tender). 3. Purchase orders by private tender (restricted invitation). 4. Proportion of purchase orders by direct deal (equivalent to direct award). 5. Proportion of participation by company size (large, medium, small and micro) in public procurement amounts.
Disaggregation	Region (for data on the number of public tenders by company size).

Measurement: public procurement contract information systems	
Reference	<ul style="list-style-type: none"> • ChileCompra, <i>Presentation of closing figures</i> 2015-2018. • ChileCompra, <i>Open Data</i>.
Data collection method	Administrative records of the <i>ChileCompra</i> online public procurement platform.
Period for which it is available	2014-2019.
Article(s) of the United Nations Convention against Corruption	9 (1-2), Public Procurement and Management of Public Finances.

* The IMSS publishes its calls and makes all its purchases, which represent a significant part of purchases in the health sector at the federal level, through the CompraNet system, but also has a specialized website,

Source: Prepared internally

Italian public procurement system: Consip S. p. A.

As mentioned above, certainty and the disclosure of information among businesses interested in participating in government bidding processes is a key element to have public procurement based on high standards. A fundamental element of the public procurement process is that the information is clear among potential bidders, and that the system to register with the bodies responsible for purchasing is simple. This reduces the cases in which a participant may obtain undue advantages from having privileged information that is not available to the rest of the bidders of a good or service. The wide availability of information can also be used for citizens to request accountability for specific aspects of public procurement.

A good practice that has been identified for this report is that of the Italian public company Consip, administered by the Ministry of Economy and Finance,⁸⁰ which provides a repository in which both current and concluded public procurement tenders can be consulted. The same platform includes a control panel of the number and amount of the tenders, which allows the comparison of the number and number of tenders issued every year. For the bidding processes in progress during the year, it monitors the degree of progress of the bids received and the award criteria that will be used, which can be best price-quality ratio or lower price. Additionally, the Consip portal has an open data section with reports on these acquisitions that list the information on public procurement

⁸⁰ Ministero dell'economia e delle finanze (MEF).

management and disaggregate the information by region and field of the products purchased.⁸¹

UK: Balanced management of the purchase of digital products

An additional level of sophistication in procurement information systems is that of the UK Digital Market⁸², a public procurement platform for digital services. The purpose of the Digital Market goes beyond transparency, by seeking to make the purchasing process accessible and to provide suppliers of any size with the opportunity to win public tenders. According to testimonials provided by Chris Short, British Crown Commercial Service (CCS)⁸³ with experience in the Government Digital Service (GDS),⁸⁴ and Chantal Donaldson-Foyer, of the GDS, the documents to participate in public contracts are created in collaboration with content designers and legal experts.⁸⁵ This practice ensures that the requirements for bidders are legally robust and easy to understand. The departments involved in the digital market have also worked to make the same documents accessible to people with special needs and to people with different levels of instruction, by simplifying their content. The platform is constantly updated to make these documents available to the public, which guarantees that any participant in a tender can always review and ask questions about the process.

In turn, there is a support office that handles complaints and suggestions, and once the final decisions are made, bidders who were not awarded can receive feedback to maximize their chances in the future. The digital market seeks constant improvement on the basis of evidence. To this end, it conducts frequent surveys among users to gather information about the most frequent questions and complaints in relation to procurement processes.

The digital market is also an effort to resolve the concentration of the digital technology and services market that was detected in a report by the National Audit Office (NAO)⁸⁶ in 2011, which warned that 80% of public spending on information and communication technologies (ICT) went to 18 providers.⁸⁷ For this reason, the UK government set a management goal for its technology purchases, that one in three British pounds of government purchases would go to small and medium-sized enterprises (SMEs).⁸⁸ The deadline set to reach this goal was 2022, but the digital market exceeded the target years before (according to data from December 2018, 44% of the amounts and 66% of the volume of transactions have been assigned to small and medium

⁸¹ Consip SpA, “I report”, *OpenData* (July 2020), <https://dati.consip.it/report>.

⁸² *Digital Marketplace*.

⁸³ *Crown Commercial Service*

⁸⁴ *Government Digital Service*.

⁸⁵ Donaldson-Foyer, Chantal and Chris Short. Interview by Héctor Duarte Ortiz. Personal interview. Mexico City, Mexico, October 11, 2020.

⁸⁶ *National Audit Office*

⁸⁷ Donaldson-Foyer, Chantal and Chris Short. Interview by Héctor Duarte Ortiz.

⁸⁸ *Small and Medium Enterprises*.

businesses).⁸⁹ Many countries consider the public procurement platform of the United Kingdom to be a success, and the British government has been invited by other governments, including Mexico, to share their experience.⁹⁰

Table 4.3: Information measurements on procurement methods in public contracts

Measurement information on acquisition methods	
Axis of the National Anti-corruption Policy in Mexico	Axis 03: Promote the improvement of public administration and points of contact between the government and society.
PNA priority	<ul style="list-style-type: none"> • Priority 29: Developing and implementing a single information system on public purchases and acquisitions, which includes a national registry of government suppliers and a national standardized public procurement system, linked to the National Digital Platform. • Priority 30: Promoting the creation and adoption of unified criteria and standards in public purchases, contracting and acquisitions, which limit the margin for arbitrariness and improve transparency and supervision.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration .	Priority strategy 2.4. Sanctioning natural and legal persons who violate the provisions on public procurement.
Mexico Sources	<ul style="list-style-type: none"> • Secretariat of Finance and Public Credit, COMPRANET. • Mexican Institute of Social Security, Procurement Website.*
Comparative cases considered	<ul style="list-style-type: none"> • Italy, Consip SPA • United Kingdom, <i>Digital Marketplace</i>.
Indicators	<p>CONSIP SPA</p> <ol style="list-style-type: none"> 1. Number and amount (million euros) of initiatives published. 2. Number and amount (million euros) of initiatives awarded. 3. Ongoing procedures decided by award criteria (most economically advantageous offer/lowest price). <p>UK Digital Marketplace</p>

⁸⁹ Government Digital Service and Crown Commercial Service, “Statistical data set Digital Services framework sales (up to 31 December 2018)”, *Government spending* (January 24, 2019), <https://www.gov.uk/government/statistical-data-sets/digital-services-framework-sales-up-to-31-december-2018>

⁹⁰ Warren Smith, “How GDS is helping tackle global corruption”, *Government Digital Service blog*, January 22, 2019, <https://gds.blog.gov.uk/2019/01/22/how-gds-is-helping-tackle-global-corruption/>

Measurement information on acquisition methods	
	<ol style="list-style-type: none"> 1. Proportion of digital services public purchases placed with small and medium-sized enterprises.
Disaggregation	<ul style="list-style-type: none"> • Region (Lombardy, Tuscany, Lazio, among others). • Geographic area (Central, Insular, South, Northwest, East). • Product field.
Reference	<ul style="list-style-type: none"> • Consip, <i>Cruscotto gare</i>. • Crown Commercial Service, <i>Digital Marketplace Sales</i>.
Data collection method	<ul style="list-style-type: none"> • Administrative public procurement and tenders' records.
Period for which it is available	<ul style="list-style-type: none"> • Italy, CONSIP: 2018-2020. • United Kingdom, Contract's Finder. 2012-2020.
Article(s) of the United Nations Convention against Corruption	9 (1-2): Public Procurement and Management of Public Finances.

* The IMSS publishes its calls and makes all its purchases, which represent a significant part of purchases in the health sector at the federal level, through the CompraNet system, but also has a specialized website.

Source: Prepared internally

Procurement quality assessment: Republic of Korea

A further dimension that is relevant in the subject of public procurement is the stage of contract fulfillment, specifically in relation to the administration of the delivery of the goods or services in accordance with agreed quality standards. An example of this is the Spending Quality Management Index of the Public Procurement Service of the Republic of Korea. The indicator - which is presented in **Error! No se encuentra el origen de la referencia.** - in addition to measuring the quality of the suppliers, is also used to select them under a pre-qualification system. Said system establishes a minimum of 70 points for suppliers interested in participating in public purchases of products and services considered essential for safety, health or environmental reasons. The foregoing aligns with one of the suggestions by Robert Klitgaard and others regarding weeding out (or rewarding) certain private providers based on their prior history.⁹¹ In this particular aspect, Mexico's SFP has a public registry of sanctioned government contractors and suppliers, which may be indicative of those that failed to comply with the legal framework in the past. However, press reports have identified that a lack of coordination and common standards between public institutions cause companies to receive contracts after they are imposed a sanction.⁹² For its part, CompraNet also contemplates evaluating government contractors, although no indicators have been published on the matter. Therefore, metrics such as those used by the Republic of Korea could be used to

⁹¹ *Corrupt cities: a practical guide to cure and prevention*, p. 98.

⁹² Zorayda Gallegos "At least ten health companies sanctioned by the Government won public contracts despite being disqualified" *El País*, México, July 19, 2020, <https://elpais.com/mexico/2020-07-20/al-menos-diez-empresas-de-salud-sancionadas-por-el-gobierno-lograron-contratos-publicos-pese-a-estar-inhabilitadas.html>.

increase the transparency of this information and to make decisions based on objective criteria. For that purpose, the different public institutions should use common interoperable data standards that allow each institution to have the same information on government providers at the same time.

Table 4.4: Measurements of the quality of services received through public procurement

Measurement quality of services received through public procurement	
Axis of the National Anti-corruption Policy in Mexico	Axis 03: Promote the improvement of public administration and points of contact between the government and society.
Priority of the National Anti-corruption Policy	Priority 29. Developing and implementing a single information system on public purchases and acquisitions, which includes a national registry of government suppliers and a national standardized public procurement system, linked to the National Digital Platform.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Priority strategy 2.4. Sanctioning natural and legal persons who violate the provisions on public procurement.
Mexico Sources	<ul style="list-style-type: none"> • Ministry of Finance, COMPRANET. • Secretariat of Public Service, Directory of sanctioned suppliers and contractors.
Comparative case considered	Republic of Korea.
Indicators	<p>Weighted evaluation index based on:</p> <ol style="list-style-type: none"> 1. Past Performance (20 points). 2. Technical capacity (17 points). 3. Credit ranking (20 points). 4. Satisfaction rate (40 points). 5. History of compliance with contracts and regulations (3 points).
Disaggregation	-
Reference	OCDE, <i>The Korean Public Procurement Service Innovating for Effectiveness</i> , p. 70.
Data collection method	Index from administrative records.
Years available	2014-2015.

Measurement quality of services received through public procurement	
Article(s) of the United Nations Convention against Corruption	9 (1-2): Public Procurement and Management of Public Finances.

Source: Prepared internally

4.1.3. Funding and control of the resources of political parties (Article 7 of the Convention)

Article 7 paragraph 3 of the Convention stipulates that each State Party must consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, "to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties". The regulation of electoral campaigns represents a preventive stage in the fight against corruption. This is explained by the fact that illicit or poorly regulated donations to political parties have an undue influence on politics, which often ends up benefiting the private interests of those who made such contributions at the expense of broader goals with more-encompassing benefits.⁹³ The issue of political party funding largely has to do with the degree of opacity with which money is handled in politics. This creates large opportunities for small groups of donors with broad economic power to exert influence. In light of this situation, the Institute for Democracy and Electoral Assistance (IDEA)⁹⁴ has made a series of specific recommendations to the Latin American region. The suggestions for increasing transparency and accountability are focused on complying with the measures and not only in adopting them, because is an important issue in a region like Latin America, where States sometimes do not have the capacity to enforce the law in all cases.⁹⁵

One of the elements that is recommended that should be public are the reports of the sources of funding of candidatures and political parties. In particular, it is important to make the income and expense reports of the campaigns available. The action of maintaining control of income and expenditures reported by political parties is substantive, because, as mentioned in the IDEA report, "a lack of transparency of legal money is the best smokescreen for the entry of illicit money".⁹⁶ The information

⁹³ Laurence Whitehead, "Money and party politics in modern market democracies" in *The financing of politics: Latin American and European perspectives*, Eduardo Posada-Carbó, and Carlos Malamud, eds. (London [UK]: Institute for the Study of the Americas, 2005), pp. 26-27.

⁹⁴ International Institute for Democracy and Electoral Assistance.

⁹⁵ International Institute for Democracy and Electoral Assistance, "Funding of political parties and election campaigns: A handbook on political finance" (Strömborg [SUE]: IDEA, 2014), p. 130.

⁹⁶ *Ibid.*, p. 156.

produced by controlling the resources of political parties takes on special importance when it is linked to data in other areas that are prone to corruption risks. According to corruption experts Alina Mungiu-Pippidi and Mihály Fazekas, the percentage of public procurement contracts won by contestants who made illegal donations to a political campaign is a direct measure of corruption.⁹⁷

The information in the income and expenditure reports of candidatures and political parties is a valuable input to derive different indicators of the sources and management of their funds that help to detect risks of corruption in electoral processes. On the one hand, this information helps to reflect whether the parties have sufficient funding to compete in fair conditions. On the other hand, for countries that allow electoral donations from private, corporate or citizen sources,⁹⁸ transparency makes it easier to identify the degree to which campaign financing is concentrated in a few donors. A broad base of donors is indicative of ties with the electorate, shows the trust that candidatures generate and reflects the legitimacy of the candidate in relation to certain sectors of society. When these funding capabilities erode, political parties tend to turn to large donors or even public money that is not earmarked for use in election campaigns. However, funding based on extremely small donations to pay for an electoral campaign may also signal that it is hard to obtain sufficient resources, which in turn implies greater incentives to obtain money from acts of corruption.⁹⁹ Additionally, the combination of statistical and accounting information on the income and expenditures of political parties is useful to identify financial management practices. This is particularly important because in most countries political parties receive public money¹⁰⁰ that must be monitored to ensure that it is being used for social benefit.

Mexico is one of the countries with the highest regulation of electoral funding, as well as one of the countries that demands more transparency in spending in this area. The provisions of article 41 of the Political Constitution, the General Law of Electoral Institutions and Procedures (LEGIPE) and the Law on Political Parties (LGPP) stipulate that political parties and independent candidates cannot receive financing from foreign entities or from companies. Likewise, contributions from individuals have a maximum cap based on public financing and the campaign caps of the previous presidential election under article 41, section II of the Constitution and article 56 of the LGPP. In addition, political parties must report the total income and expenses of their pre-campaigns to the electoral authority - the National Electoral Institute (INE) -, and submit

⁹⁷ Alina Mungiu-Pippidi and Mihály Fazekas, “How to define and measure corruption”, *A research agenda for studies of corruption*, eds. Alina Mungiu-Pippidi and Paul M. Heywood (Northampton [MA]: Edward Elgar Publishing Limited 2020), p. 19.

⁹⁸ Most countries in the world allow private financing of some kind. See Institute for Democracy and Electoral Assistance, “Limitations on private donations” *Political Finance Design Tool*, <https://www.idea.int/political-finance-tool-new>

⁹⁹ *Idem*.

¹⁰⁰ Institute for Democracy and Electoral Assistance, “30. Are there provisions for direct public funding to political parties”, *Political finance database*, (2020) <https://www.idea.int/data-tools/question-view/548>

campaign reports every 30 days. In addition, they must submit ordinary expenditure reports to the electoral authority on a quarterly and annual basis under article 78 of the General Law of Political Parties.

The challenges in terms of risk of corruption in Mexican regulations are twofold. The first is that the sanction for the offences described above does not seem to be enough to correct harmful financing behaviors.¹⁰¹ On the other hand, the way in which this expense is reported does not identify illicit conduct in a timely manner, nor does it allow for the public to examine and analyze the issue. According to the evaluation report on the implementation of the *Open-up Guide* for Mexico,¹⁰² the statistical information produced on the financing of political parties has areas of opportunity in relation to the consistency of the data, which can be corrected by improving the sequence of the stages for the production of these statistics.¹⁰³ In terms of transparency of the information that political parties report to the INE for national and local elections, there is a significant lag (the most recent reports available are from 2015).¹⁰⁴ Similarly, the reports on the origin and the funds of the parties are not available in an open data format, but in digitized copies, so that the generation of indicators on this issue for Mexico represents a complex task.

Electoral campaign income and expenditure indicators: Platform of the Superior Electoral Court of Brazil

In the area of financing and oversight, Brazil represents a case of good practice by periodically monitoring and systematizing the electoral income and spending of each candidature in the website of the entity in charge of auditing in the Brazilian electoral system, the Superior Electoral Court (TSE, per the acronym in Portuguese).¹⁰⁵ This platform has the advantage of publishing information in a transparent manner both at an aggregate level and with high degrees of specificity (see **¡Error! No se encuentra el origen de la referencia.**). For each candidacy for a public position, it offers access to indicators on campaign expenditure items, sources of income, the main donors and the suppliers contracted by the different campaigns. The platform references the electoral spending cap, and the information presented is supported by bank account statements, electronic invoices and financial reports for each candidate.¹⁰⁶ An accounting and statistical information management system such as that of Brazil is pertinent to comply

¹⁰¹ Mónica González García, “Fiscalización de los recursos de los partidos políticos (2008-2012)” en *Fortalezas y debilidades del sistema electoral mexicano. Perspectiva estatal e internacional*, Luis Carlos Ugalde Ramírez and Gustavo Rivera Loret de Mola, coord. (Mexico City: Electoral Court of the Federal Judiciary, 2014), p. 97.

¹⁰² The *Open-up Guide* is a series of open data content and standards focused on fighting corruption.

¹⁰³ Alejandra Echeverría, Diana D’Herrera and Ricardo Alánis, “Open Up Guide Testing how to use open data to combat corruption in Mexico” (Mexico City: Inter American Development Bank, 2014), p. 9.

¹⁰⁴ See National Electoral Institute, "Annual Political Party Reports", <https://www.ine.mx/informes-anuales-partidos/>

¹⁰⁵ Superior Electoral Court.

¹⁰⁶ Superior Electoral Court, “Distribuição de Recursos e Gastos de Campanha” and “Comparativo entre candidatos” *Divulgação de Candidaturas e Contas Eleitorais*, <http://divulga.candcontas.tse.jus.br/divulga/#/>

with electoral regulations in Mexico and increases the degree of opportunity with which information on expenses and expenditures of electoral campaigns is published. It could also contribute to correcting the opacity that prevails among the political parties identified in the diagnosis of the National Anti-Corruption Policy.¹⁰⁷

Table 4.5: Political party financing and spending measurements

Measurement: transparency in the financing of political parties	
Axis of the National Anti-corruption Policy in Mexico	Axis 01: Fighting corruption and impunity
Priority of the National Anti-corruption Policy	<ul style="list-style-type: none"> • Priority 1. Developing and executing strategic programs that promote coordination between the authorities responsible for responding to, investigating, gathering evidence on, determining, resolving and punishing serious and non-serious administrative offences. • Priority 02: Ensuring coordination among the institutions in charge of detecting and investigating acts of corruption with the competent fiscal and financial intelligence authorities.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Priority strategy 1.3. Focusing the acts of inspection in areas prone to administrative irregularities and illegal acts in the public administration.
Mexico Sources Comparative cases considered	<p>National Electoral Institute, <i>Annual Party Reports</i>.</p> <p>Brazil.</p> <p>Aggregated information for political parties and candidates</p> <ol style="list-style-type: none"> 1. Total income (amount). 2. Share of public income (%). 3. Share of private income (%). 4. Ranking of candidates' own resources: $\frac{\text{Candidate's own resources}}{\text{Total campaign income}} \times 100$ <ol style="list-style-type: none"> 5. Donor Ranking: $\frac{\text{Amount contributed by a specific donor}}{\text{Total income from donations}} \times 100$ <p>Information disaggregated by candidacy</p> <ol style="list-style-type: none"> 1. Total income (amount). 2. Source of financing (e.g., political party, collective financing from specific individuals) as a proportion of campaign income (%). 3. Donor Ranking:
Income indicators for electoral campaigns	

¹⁰⁷ National Anti-corruption Policy, page 104

Measurement: transparency in the financing of political parties	
	$\frac{\text{Amount contributed by a specific donor}}{\text{Campaign income from donations}} \times 100$
Campaign spending indicators	<p>Aggregated information for political parties and candidates</p> <ol style="list-style-type: none"> 1. Concentration of expenses by item (donations to other campaigns, advertising in printed materials, personnel expenses): $\frac{\text{Expenditure in specific electoral campaign items}}{\text{Total campaign expenditure}} \times 100$ <ol style="list-style-type: none"> 2. Suppliers ranking: $\frac{\text{Expenditure in specific electoral campaign suppliers}}{\text{Total campaign expenditure}} \times 100$ <p>Information disaggregated by candidature</p> <ol style="list-style-type: none"> 1. Campaign expenditure (%) by item (e.g., mobilization activities, advertising, financial fund administration payments). 2. Campaign spending (%) by contractor. <ol style="list-style-type: none"> 1. Region (Central-West, Northeast, North, Southeast, South). 2. State (26 states and a Federal District). 3. Municipality. 4. Type of provider (candidate or political party). 5. Political party. 6. Source of origin and expenditure of political party and candidate resources. <ul style="list-style-type: none"> • For aggregated data: Superior Electoral Court, <i>Estadísticas eleitorais, Sección Prestação de contas</i>. • For information disaggregated by campaign: Superior Electoral Court, <i>Divulgação de Candidaturas e Contas Eleitorais</i>.
Reference	Political party reports to the Superior Electoral Court.
Data collection method	
Period for which it is available	<ul style="list-style-type: none"> • Aggregated data: 2018. • Disaggregated data: Municipal elections of 2016 and Federal General Election of 2018.
Article(s) of the United Nations Convention against Corruption	7 (3): Public sector.

Source: Prepared internally

4.1.4. Anti-corruption training for public officials (Article 8 of the Convention)

One of the corruption prevention tools included in Article 13 of the Convention consists of promoting the participation of civil society, non-governmental organizations and community-based organizations to raise public awareness regarding the causes and consequences of corruption and the threat it poses to development. For example, in some

of the societies in which corruption has been deeply rooted at some point, education against this problem is provided at school. Some prominent examples, such as Hong Kong, are presented in section 5 of this document. There are also cases such as Singapore that explicitly focus on prevention in the private sector, due to the damage that corruption causes to international investment and trade. However, in other countries, measures focus on providing training in anti-corruption principles to public officials in order to increase public trust and the effectiveness of institutions. In this sense, Article 8 establishes that each of the States Parties shall promote integrity, honesty and responsibility among its public officials. There are different approaches to measuring the promotion of these principles. For Mexico, INEGI's National Government Censuses offer data on the training programs for public officials in anti-corruption issues that are implemented at the municipal, state and federal levels. The data are available for each year and are disaggregated by institution, but they are not contextualized in terms of the coverage of these actions for all the staff of government offices. Nor do they report which public officials - in terms of hierarchical level and profile - are the beneficiaries of the training programs. In this regard, there are areas of opportunity for public institutions in charge of fighting corruption and for society in general in relation to the exploitation of this information to generate monitoring and evaluation indicators.

The implementation of corruption-risk awareness-raising actions: Germany

Germany represents a case study with a measurement approach based on providing training in anti-corruption issues for public officials, especially those whose professional duties expose them to greater risks. The starting point for the German government is an anti-corruption directive for the prevention of corruption at the federal level, considered by Transparency International as a good practice for public officials to become aware of the risks of corruption, and to motivate them to fulfill their duties and to comply with the law.¹⁰⁸ The first annex of that directive, the anti-corruption code of conduct, addresses the conduct that public officials must follow under specific circumstances to avoid engaging in acts of corruption inadvertently. The second annex of the anti-corruption directive addresses the role of managers in integrity management in the public service.¹⁰⁹

One of the first provisions of the anti-corruption directive is to carry out a series of risk analyzes in order to identify the public officials who are most vulnerable to committing acts of corruption in the federal public administration (**¡Error! No se encuentra el origen de la referencia.**). There is a manual that provides guidelines to

¹⁰⁸ Matthew Jenkins “Topic guide: Codes of conduct”(Transparency International, 2015), p. 8.

¹⁰⁹ Federal Ministry of Interior, *Federal Government Directive Concerning the Prevention of Corruption in the Federal Administration*, (July 30, 2004). Available at:

https://www.unodc.org/pdf/corruption/best_practice_ger_directive%20.pdf.

detect corruption-prone areas. The directive also instructs public offices to appoint contact persons to carry out corruption prevention actions. Such measures include keeping staff members informed - including communicating the sanctions established under the Public Service Law and Criminal Law - as well as solving needs according to different levels of complexity.

A series of indicators based on diagnoses of the positions most vulnerable to corruption risks are generated to verify the implementation of these measures. Using these results, statistics are generated on the implementation of a differentiated corruption awareness-raising and prevention policy targeted at the risks faced by the staff. For example, data is collected on the proportion of public officials who received training courses on corruption issues. It is worth noting that these indicators have limitations, in that they can't be downloaded and are not presented in a systematic way in a data repository. Also, the data focuses only on staff management measures on anti-corruption issues. An additional step would consist of designing, collecting and publishing impact indicators for the actions carried out; that is, to have indicators of the ownership of the issue by those who received the training. However, this is a stage that the German government is yet to reach and represents an area of opportunity in the design of metrics to evaluate efforts in this area.

Table 4.6: Training measurements on anti-corruption issues

Measurement: assessment of the implementation of corruption prevention training	
Axis of the National Anti-corruption Policy of Mexico	Axis 02: Fighting arbitrariness and abuse of power
Priority of the National Anti-corruption Policy	Priority 11. Promoting the adoption, communication and strengthening of policies on the subject of integrity and prevention of conflicts of interest in public entities through ethics committees or similar entities.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Priority strategy 4.1. Training and raising awareness among public officials to guide their behavior and their decision-making in the performance of their work, in order to realize the true meaning of the exercise of public service.

Measurement: assessment of the implementation of corruption prevention training

<p>Mexico Sources</p>	<p>INEGI's National Government Censuses offers data on internal training in various institutions by level and branch of the relevant government</p> <p>Internal Control and Anti-Corruption Section in</p> <ul style="list-style-type: none"> • National Federal Government Census (CNGF). • National Federal Public Safety Census (CNSPF). • National Census of the Federal Penitentiary System (CNSPEF). • National Census of Government, Public Safety and State Penitentiary System (CNGSPSPE). • National Census of Municipal Governments and Territorial Districts of Mexico City (CNGMD). • National Census of the State Legislative Branch (CNPLE) • National Census of Federal Justice Administration (CNIJF). • National Census of State Justice Administration (CNIJE). • National Census of Federal Human Rights (CNDHF). • National Census of State Human Rights (CNDHE). • National Census of Transparency, Access to Public Information and Protection of Personal Data at the Federal Level 2019 (CTAIPPDF). • National Census of Transparency, Access to Public Information and Protection of State Personal Data (CTAIPPDPE).
<p>Comparative case considered</p>	<p>Germany.</p>

Measurement: assessment of the implementation of corruption prevention training

<p>Indicators</p>	<p>Corruption risk diagnosis:</p> <ol style="list-style-type: none"> 1. Federal offices with risk analysis of public positions vulnerable to corruption (%). 2. Proportion of positions for which there is information available on corruption risks (%). 3. Proportion of positions that are vulnerable to corruption (%). <p>Corruption prevention training:</p> <ol style="list-style-type: none"> 1. Proportion of public officials of federal and state authorities who received corruption awareness training (%). 2. Proportion of agencies in which corruption awareness training is regularly implemented for all staff (%). 3. Proportion of public officials of federal and state authorities in high-risk positions trained (in topics beyond corruption awareness) (%). 4. Proportion of agencies that appointed a corruption prevention person that staff can contact(%).
<p>Disaggregation</p>	<ol style="list-style-type: none"> 1. Public institution. 2. Hierarchical level (middle management and administrative staff, senior officials).
<p>Reference</p>	Federal Ministry of the Interior, <i>Building and Community, Annual Report in preventing corruption in the federal administration</i> (2013-2018).
<p>Data collection method</p>	Administrative records.
<p>Period for which it is available</p>	2013-2018.
<p>Article(s) of the United Nations Convention against Corruption</p>	8 (1), Codes of conduct for public officials.

Source: Prepared internally

4.1.5. Electronic government (Articles 9, 10 and 13 of the Convention)

The term electronic government generally refers to the delivery of information and the availability of national or local governmental services to citizens, companies and other

government agencies through the internet and other digital means. The purpose of electronic government is to develop government electronic websites for the main public services and to provide citizens and legal entities with transparent information. E-participation is also usually included in this discussion, a concept that encompasses virtual tools that solve many of the coordination costs associated with political participation and nurture collaborative decision-making. Information and communication technologies have been discussed by bodies such as the Open-ended Intergovernmental Working Group on the Prevention of Corruption for the implementation of the Convention, by facilitating transparency in the public sector and fighting corruption.¹¹⁰ In particular, the Prevention Group has stated that the use of this type of technology is especially useful to comply with articles 9 (public procurement and management of public finances), 10 (public reporting) and 13 (participation of society) of the Convention. A privileged tool for measuring progress on this issue is the annual e-government survey carried out by the United Nations.¹¹¹ The survey provides follow-up on the development of electronic government based on the E-Government Development Index. The Index, which assesses the position of States vis-à-vis each other in terms of e-government development, consists of three measures: the provision of online services, telecommunication connectivity, and human capacity.¹¹² There is information on the E-Government Development Index available for Mexico from the first survey in 2003 to the most recent one, published in 2020, so this information can be used to monitor this issue.

Another advantage of e-government for the prevention of corruption is that it reduces direct interaction between public officials and citizens. This reduces areas of opacity and discretion that often make it easier for the parties to a transaction to get involved in acts of corruption.¹¹³ Effective e-government is generally thought to increase accountability, because citizens can easily access public information at any time, and thereby demand results from public officials. An effective e-government also

¹¹⁰ Conference of the States Parties to the United Nations Convention against Corruption, Open-ended Intergovernmental Working Group on Prevention on the Prevention of Corruption, "Implementation of Conference Resolution 6/6, "Follow-up to the Marrakech declaration on the prevention of corruption", and 6/7, "Promoting the use of information and communications technologies for the implementation of the United Nations Convention against Corruption" (2016).

¹¹¹ United Nations, Department of Economic and Social Affairs, *United Nations E-government Survey* (2020), <https://www.un.org/development/desa/publications/publication/2020-united-nations-e-government-survey>.

¹¹² United Nations, Department of Economic and Social Affairs *United Nations E-government survey 2018: Gearing e-government to support transformation towards sustainable and resilient societies* (New York: United Nations 2018)

¹¹³ Seongcheol Kim, Hyung Jeong Kim and Heejin Lee. "An institutional analysis of an e-government system for anti-corruption: The case of OPEN", in *Government information Quarterly* Vol. 26 No.1 (2009): pp. 42-50. It is worth noting that, although the number of potential acts of corruption is reduced with the decrease of personal contact between citizens and public officials, corruption is not completely eliminated with the mere introduction of electronic government. For certain cases and individual inquiries, "face-to-face" meetings with public officials are unavoidable.

provides a link between government and citizens through greater inclusion and participation.

As part of the Network of e-Government Leaders of Latin America and the Caribbean (the *Gealc* network), Mexico has committed to innovation, in particular to promoting e-government policies aimed at the most vulnerable populations. For that purpose, the Network has designed e-government indicators and carried out workshops and training for public officials on digital government management solutions on issues such as digitization of services and data interoperability. Mexico implemented a digital strategy from 2014 to 2018 with indicators based on international indices.¹¹⁴ Currently, the 2019-2024 National Development Plan considers providing internet access to the entire country to counter social development gaps among its priorities. The National Program to Fight Corruption and Impunity, and to Improve the Public Administration goes deeper into the subject by proposing to democratize information technologies in order to promote citizen participation in the supervision of government actions (strategy priority 1.4, specific action 1.4.4). This special program also establishes Mexico's commitment in continuing with the work of the Open Government Alliance originally signed in 2011 (priority strategy 1.6, specific action 1.6.8). In addition, the Mexican government works together with the National Autonomous University of Mexico (UNAM) in the publication of open data on *datos.gob.mx*, a website with about 26 thousand databases, tools and open data visualizations. A particularly valuable resource for the interoperability of systems is the development of the National Catalog of Procedures and Services by the SFP and the National Commission for Regulatory Improvement (CONAMER), which includes a set of procedures and services at the federal, state and municipal level and provides information on the level of digitization of each of them. INEGI's National Government Censuses make use of said catalog in the procedures and services section to measure the number of online transactions (requests), and the percentage of transactional procedures and services offered online by different levels of public administrations. This represents an indicator of the availability of digital services that is updated every year. This catalog and its use to obtain information on public digital services also contributes to the fulfillment of priority strategy 3.6 of the special program. The purpose of this strategy is to promote the transformation of the Federal Public Administration through the use and exploitation of ICTs for the direct benefit of the population.

Mexico was also the first country to be reviewed by *Open Data Charter* experts to evaluate the implementation of the Open UpGuide¹¹⁵ in order to improve the publication and quality of anti-corruption data.¹¹⁶ The report's methodology was based on a series of statistical audits carried out between September and November 2017. The

¹¹⁴ Mexican Government "National Digital Strategy", <https://www.gob.mx/mexicodigital>

¹¹⁵ *Open up Guide*.

¹¹⁶ "Open up Guide Testing how to use open data to combat corruption in Mexico".

findings of the evaluation report say that the Mexican government has made proactive efforts to publish this data, but there are areas of opportunity regarding the quality of the information, and the degree of coordination between the public officials who develop information in similar areas. In this regard, one of the specific recommendations of the report is to improve interoperability between key information sources so that the corresponding databases are fed from different fields. The above is one of the specific actions carried out within the National Program to Fight Corruption and Impunity and to Improve Public Administration, which promotes the integration and connectivity of the various electronic systems so that the competent authorities optimize the exchange of information related to the prevention and the fight against corruption (priority strategy 1.7, specific action 1.7.5).

Brazil: Measurement of e-government management and results

A good practice for the implementation of electronic government practices is the case of Brazil, which obtained the 2018 Award for Excellence in E-Government (*excelGOB*) granted by the Gealc Network. The award recognized the Brazilian government's digital citizenship platform that allows, among other things, face-to-face services to be digitized within three months. This system makes it possible for each citizen to access all digital public services with an individual account. Likewise, public policies in the area have been based on the measurement of indicators for several years (the first e-government strategy is from 2008). The current strategy is called 2020-2022 Digital Government Strategy (EGD)¹¹⁷, and it defines goals for a large number of its initiatives and some of them are expressed in terms of indicators.¹¹⁸ The indicators included in **;Error! No se encuentra el origen de la referencia.** focus on achieving good public management practices within the sphere of information transmission, availability of services, user feedback and monitoring of cybersecurity systems, among other metrics. A second set of indicators presented in a second segment of **;Error! No se encuentra el origen de la referencia.** refers to the general results of the strategy measured in the e-government indices of international organizations such as the OECD and the United Nations. These metrics focus on quantifying the global objective of the Digital Government Strategy to transform the digital environment in Brazil to make it more intuitive, interactive and user-friendly.

One aspect that must be mentioned of the 2020-2022 EGD is that, unlike the previous strategy in force during the 2016-2019 period, there are no public information references to monitor the indicators of the strategy and the vast majority of indicators don't have short-term goals, but a single goal that must be achieved upon the conclusion of the strategy in 2022. Institutional mechanisms to monitor the strategy are not

¹¹⁷ *Estratégia de Governo Digital*.

¹¹⁸ Governo do Brasil, “Estratégia de Governança Digital” (April 30, 2020):
<https://www.gov.br/governodigital/pt-br/estrategia-de-governanca-digital>

mentioned either. It should be noted that these deficiencies could make it difficult for citizens and the institutions involved to monitor the progress of this public policy. It also represents an obstacle to making the necessary adjustments during the implementation of the strategy once unforeseen scenarios or effects arise that deviate from the original design of the program. It is useful to identify these areas of opportunity to correct them within an e-government monitoring and evaluation scheme.

Table 4.7: E-government management measurements

E-government management measurements	
Axis of the National Anti-corruption Policy of Mexico	<p>Axis 03: Promoting the improvement of public administration and points of contact between government and society.</p> <ul style="list-style-type: none"> • Priority 21. Encouraging inter-institutional collaboration and the exchange of information to allow the strengthening and simplification of points of contact between government and society, such as procedures, services, citizen safety, social programs, educational and health services, among others. • Priority 23: Promoting the improvement and simplification of institutional processes and the standardization of procedures and public services through the development of citizen evaluation systems and proactive transparency policies, in coordination with the National Regulatory Improvement System.
Priority of the National Anti-corruption Policy	
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	<ul style="list-style-type: none"> • Priority strategy 1.6.- Encouraging the adoption of practices and dynamics that foster a culture of governmental openness in the entities and dependencies of the APF, through measures of transparency and citizen participation in government activities and decisions, as well as mechanisms of social and technological innovation, from a citizen perspective. • Priority strategy 3.6. Promoting the transformation of the Federal Public Administration through the use of ICTs for the direct benefit of the people.

E-government management measurements	
Mexico Sources 1/2	<ul style="list-style-type: none"> • INEGI, National Census of Government, Public Safety and State Penitentiary System (Public Administration Module of the State, E-Government, Procedures and Services Section). • INEGI, National Census of Federal Government (Procedures and Services Module). • INEGI, National Census of Municipal and District Governments 2017 (Municipal or District Public Administration Module, Procedures and Services Section). • Mexican Government, Open Data Website • Ministry of Public Administration and National Commission for Regulatory Improvement, National Catalog of Procedures and Services by level of digitization. • Open Data Charter, <i>Open Up Guide Testing how to use open data to combat corruption in Mexico.</i>
Mexico Sources 2/2	
Case considered	<ul style="list-style-type: none"> • United Nations E-Government Development Index. • Brazil.

E-government management measurements

United Nations E-Government Development Index.

1. E-Government Development Index
$$\frac{1}{3} (\text{Online Services Index (normalized)} + \text{Telecommunications Index (normalized)} + \text{Human Capital Index (normalized)})$$
- A. Online services index (expert evaluation of government sites).
- B. Telecommunications Index.
Arithmetic average of five items per country:
 - Internet users (percentage of the population).
 - Landline phone subscriptions for every 100 people.
 - Cell phone subscriptions per every 100 people.
 - Wireless bandwidth subscriptions.
 - Fixed (wired) bandwidth subscriptions per every 100 people.
- C. Human Capital Index
Weighted average of four items per country:
 - Adult literacy (%) (1/3 of weighting).
 - School enrollment in primary, secondary and tertiary education (% of school-age students who attend school) (2/9 weighting).
 - Expected years of schooling (years that a young woman is expected to attend school) (2/9 of weighting).
 - Average years of schooling in adults (25 years or more) (2/9 weighting).

E-government management measurements	
Indicators (Digital Government Strategy of Brazil)	<ol style="list-style-type: none"> 1. Initiative 2.1: Proportion of digital public services with a satisfaction evaluation (Goal: 50% of digital public services). 2. Initiative 2.2: Average level of user satisfaction with public services (Goal: average evaluation of 4.5 on a scale of 5 as maximum satisfaction). 3. Initiative 2.3: Positive opinions on the usefulness of service information in the single website of the Brazilian government (Goal: 75% of positive opinions). 4. Initiative 5.1: Proportion of public services that provide digital payment (Target: 30% of public services). 5. Initiative 9.2: Public services that provide online notifications (Goal: 25%). 6. Initiative 11.1: Percentage of government platforms shared by users (Goal: 99%). 7. Initiative 11.2: Proportion of cybersecurity risks of government digital platforms that are monitored (Goal: 80%). 8. Initiative 16.6: Price reduction of ICT services from government providers (Goal: -20%). <p>International index indicators:</p> <ol style="list-style-type: none"> 1. Initiative 13.2: Government data availability component in the <i>OURdata Index</i> of the Organization for Economic Cooperation and Development (OECD). (Goal: 0.68 on a maximum scale of 1). 2. Initiative 13.3: Accessibility component of government data in the <i>OURdata Index</i> of the Organization for Economic Cooperation and Development (OECD). (Goal: 0.69 on a maximum scale of 1). 3. General purpose: To position Brazil as one of the top 15 countries in the United Nations E-Government Development Index.
Disaggregation	-
Reference	United Nations, <i>E-government Survey</i> . Brazilian Government, <i>Conheça as diretrizes da Estratégia de Governo Digital - 2020 a 2022</i> .
Data collection method	<ul style="list-style-type: none"> • International indices. • Administrative records.

E-government management measurements	
Period for which it is available	2022 (published soon).
Article(s) of the United Nations Convention against Corruption	<ul style="list-style-type: none"> • 9 (Public procurement and management of public finances). • 10 (Public Reporting). • 13 (Participation of society).

Source: Prepared internally

Estonian experience: e-government

One of the countries that has a robust e-government according to international indices is Estonia. 99% of public services in the country are available online.¹¹⁹ The Estonian system is cited in the Brazilian strategy reviewed in the previous section as a case of good practices of interoperability between different organizations and information systems. To a large extent this success lies in an integration layer called *X-Road*. It is estimated that *X-Road* saves 844 years in working hours each year,¹²⁰ which indicates that the commitment to e-government has proven to be efficient in the management of the public service as a whole. In the context of the 2014-2018 National Digital Strategy, Mexico held a Regional Workshop on Interoperability to adopt *X-Road*.¹²¹

The set of actions that Estonia has implemented in the last eight years in the field of e-government is described in the 2020 Digital Agenda for Estonia.¹²² The agenda explains that the governance of the strategy is the responsibility of a council called *E-Estonia*. The main responsibilities for its implementation fall on the Ministry of Economic Affairs and Communications,¹²³ which must report progress in the strategy, although there is a division of labor for some activities in which other government bodies participate.¹²⁴

Estonia's 2020 Digital Strategy includes several measures aimed at improving public management (**¡Error! No se encuentra el origen de la referencia.**) and that are relevant to the prevention of corruption. The first segment of these metrics is more focused on the implementation of actions to provide citizens with access to public services and to build the related infrastructure. A second segment of the indicators

¹¹⁹ E-governance academy, “e-Estonia: E-governance in practice”(Tallinn [EE]: E-governance academy, 2016), p.8.

¹²⁰ E-Estonia, “interoperability services”, <https://e-estonia.com/solutions/interoperability-services/x-road/>

¹²¹ Mexican Government, “Red Gealc” México Digital(August 27, 2018)
<https://www.gob.mx/mexicodigital/acciones-y-programas/red-gealc>.

¹²² 2020 Digital Agenda for Estonia.

¹²³ Majandus- ja Kommunikatsiooni-Ministeerium.

¹²⁴ Government of the Republic of Estonia, “2020 Digital Agenda for Estonia”,(2018), https://www.mkm.ee/sites/default/files/digitalagenda2020_final.pdf

presented refers to the feedback and use of these services by people in Estonia. An additional aspect about Estonia's strategy that is worth noting is the importance it attaches to communicating its achievements internationally (as reflected in some metrics included in the table). These promotion efforts seek to further contribute to the improvement of management in other countries based on Estonian standards.¹²⁵ This also contributes to the fulfillment of one of the objectives of the Convention: to facilitate and support international cooperation in the prevention and fight against corruption.

Table 4.8: E-Government Measurements

Measurement e-government management and results	
Axis of the National Anti-corruption Policy in Mexico PNA priority	<p>Axis 03: Promote the improvement of public administration and points of contact between the government and society.</p> <ul style="list-style-type: none"> • Priority 21. Encouraging inter-institutional collaboration and the exchange of information to allow the strengthening and simplification of points of contact between government and society, such as procedures, services, citizen safety, social programs, educational and health services, among others. • Priority 23: Promoting the improvement and simplification of institutional processes and the standardization of procedures and public services through the development of citizen evaluation systems and proactive transparency policies, in coordination with the National Regulatory Improvement System.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	<ul style="list-style-type: none"> • Priority strategy 3.6. Promoting the transformation of the Federal Public Administration through the use of ICTs for the direct benefit of the people.

¹²⁵ *Idem.*

Measurement e-government management and results	
Mexico Sources	<ul style="list-style-type: none"> • INEGI, National Census of Government, Public Safety and State Penitentiary System (Public Administration Module of the State, E-Government, Procedures and Services Section). • INEGI, National Census of Federal Government (Procedures and Services Module). • INEGI, 2017 National Census of Municipal and District Governments (Municipal or District Public Administration Module, Procedures and Services Section). • Mexican Government, Open Data Website • Ministry of Public Administration and National Commission for Regulatory Improvement, National Catalog of Procedures and Services by level of digitization. • Open Data Charter, <i>Open up Guide Testing how to use open data to combat corruption in Mexico</i>.
Comparative cases considered	Estonia.
Management indicators	<ol style="list-style-type: none"> 1. Number of countries in which Estonia has opened public services based on the same infrastructure (example based on X-road or electronic identity) (Target for 2020: 7 countries). 2. Proportion of users with high-speed internet (100 Megabytes per second) (Goal for 2020: 65% of the population). 3. Proportion (%) of electronic public services with common quality requirements (2020 Target: 95% of public services). 4. Proportion of government personnel with knowledge and experience in ICT (2020 Goal: 75% positive evaluation results on the subject). 5. Average time that clients spend on paperwork electronically (2020 Goal: Reduce time spent on digital paperwork by 20%).
Results indicators 1/2	<ol style="list-style-type: none"> 1. Proportion of people with e-identity who use this means of identification (Goal2020: 65% of the population). 2. Proportion (%) of people who know about digital public services Knowledge of public e-services (Goal2020: 90% of the adult population between 16 and 74 and 90% of entrepreneurs). 3. Proportion (%) of users satisfied with publicservices (2020 Goal: 85% among the adult population between 16 to 74 and 90% of entrepreneurs).

Measurement e-government management and results	
Performance indicators 2/2	<p>4. Presence of Estonian e-government (e-Estonia) in traditional media and social networks abroad (2020 Target 10,000 stories).</p>
Disaggregation	General population/entrepreneurs.
Reference	Ministry of Economic Affairs and Communications, <i>2020 Digital Agenda for Estonia</i> .
Data collection method	<ul style="list-style-type: none"> • Household and business surveys. • Administrative records. • International indices.
Period for which it is available	2013-2019.
Article(s) of the United Nations Convention against Corruption	<ul style="list-style-type: none"> • 9 (Public procurement and management of public finances). • 10 (Public Reporting). • 13 (Participation of society).

Source: Prepared internally

4.1.6. Prevention of money laundering (Article 14 of the Convention)

Money laundering is a conduct intrinsically related to activities and processes that seek to conceal illicit profits. As such, it is a threat to the financial system and investments. Furthermore, when money laundering manages to conceal the proceeds of illicit activities, it prevents governments from recovering stolen assets that are sometimes the product of corruption.¹²⁶ Consequently, in Chapter II, Preventive measures, the Convention includes an article (14) that establishes that States parties must take measures to prevent money laundering. Likewise, the prevention and identification of money laundering is important for the recovery of assets that are the result of corruption (see section on punishment and reparation of damage, sub-section on asset recovery). Finally, an effective system in this sense is also important to punish corruption offences. Sometimes it is easier for authorities to pursue money laundering offences than the underlying elements of corruption that are the source of the proceeds.¹²⁷

In Mexico, the issue of money laundering is present in the 2019-2024 National Development Plan, within the section "Eradicate corruption, waste and frivolity", through the creation of a specialized police force. The legal framework on money

¹²⁶ Financial Action Task Force, "What is money laundering?" *Money Laundering*, (2019), <https://www.fatf-gafi.org/faq/moneylaundering/>

¹²⁷ Jean-Pierre Brun, Larissa Gray, Clive Scott, Kevin M. Stephenson, *Asset Recovery Handbook: A guide for practitioners* (Washington DC: World Bank, 2013).

laundering complies with the Federal Law for the Prevention and Identification of Transactions with Resources of Illicit Origin (LFPIORPI), which came into force in 2013 and seeks to protect the financial system and the national economy through measures to detect and prevent the laundering of illicit profits. The LFPIORPI involves various institutions, such as banks, brokerage houses and credit unions, and requires them to submit various types of reports in compliance with Article 14 of the Convention. Mexico has been a part of international efforts by participating in the Financial Action Task Force (FATF), an intergovernmental body whose goals include establishing standards and promoting the effective implementation of legal, regulatory and operational measures to combat money laundering and the financing of terrorism, among other issues that threaten the international financial system.¹²⁸ One of the group's recommendations, which has permeated the systematization of money laundering-related information at the national level, is to generate risk assessments on this problem. As a consequence, in 2016 various agencies of the Federal Government,¹²⁹ the Federal Judiciary and the Bank of Mexico collaborated to generate the first National Risk Assessment (NRA) of money laundering and terrorist financing for Mexico, based on a diagnosis of threats, vulnerabilities and consequences. However, the FATF Mutual Evaluation Report on Mexico recognizes that the actions have not been sufficiently comprehensive or prioritized for an adequate allocation of resources at the different levels of government.¹³⁰

In terms of statistical information, the Financial Intelligence Unit (FIU) of the Secretariat of Finance and Public Credit began to report in December 2018 a time series of the results of its monitoring system of risk activities related to money laundering. The indicators measure the variation in suspicious activities in the financial system, as well as in transactions involving significant amounts that are monitored because they were carried out in cash or cashier's checks (Cash Operations Reports). In the same way, there is a record of the number of fund transfers and the currency in which incoming and outgoing foreign exchange operations are carried out in Mexico. This seeks to comply with and publicize the information related to recommendations 20-on the reporting of suspicious transactions- and 33- on the statistics of the efficiency and effectiveness of the ML/TF system - of the 40+9 FATF recommendations.¹³¹ This statistical report is considered to have strategic management information for the FIU, because the data can inform evidence-based decision-making to fight against money laundering.

As a comparison to the information reported for Mexico, Uruguay is a case with extensive information on the actions carried out to prevent money laundering. The

¹²⁸ United Kingdom Anti-Corruption Strategy 2017-2022. Year 2 Update, p. 12.

¹²⁹ They include the Secretariat of the Interior, the SHCP and the Prosecutor General's Office.

¹³⁰ International Financial Action Task Force and Financial Action Task Force of Latin America, *Anti-money laundering and anti-terrorist financing measures- Mexico, Mutual Evaluation Report*, (Paris [FR]: GAFI, 2018), p. 3.

¹³¹ Financial Action Task Force, *International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation* (Paris [FR]: FATF, 2012-2019), www.fatf-gafi.org/recommendations.html

Uruguayan Financial Information and Analysis Unit (UIAF), an institution within the structure of the Central Bank, is responsible for investigating suspicious transactions and has the power to freeze funds for up to 72 hours due to suspicions of money laundering and terrorist financing activities.¹³² Like the UIF in Mexico, in its annual Activity Report (available since 2007) the UIAF systematically collects information on the percentage variations of financial transactions and suspicious activities. As mentioned in the previous paragraph, these data provide a strategic idea of the magnitude of money laundering risks in order to prevent their occurrence. Added to this, there are the statistics of facts known to judicial authorities and the penalties imposed, which may be used to measure results in the detection and punishment of behaviors associated with corruption. However, it would be necessary to put these figures into context in an indicator - and not just presenting the data on sanctions alone - in order to generate a more robust measure to evaluate the fight against money laundering. Accessibility is another of the areas for improvement of the Uruguayan data, since they are not presented in an open format, but only in annual updates in text files.

Table 4.9: Money Laundering Risk Monitoring Measurements

Measurement: money laundering risk (ML)	
Axis of the National Anti-corruption Policy in Mexico	Axis 01: Fighting corruption and impunity
Priority of the National Anti-corruption Policy	Priority 3. Incorporating standardized and interoperable intelligence systems in public entities aimed at the prevention, detection, investigation and collection of evidence on administrative offences related to acts of corruption, derived from the implementation of the National Digital Platform.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Priority strategy 2.2. Establishing new administrative intelligence mechanisms to improve investigative processes on alleged irregular conduct, in order to gather conclusive evidence that allows sanctioning public officials involved in acts of corruption.
Mexico Sources	Financial Intelligence Unit of the SHCP, Documents, Financial Entities, Reporting Entities, reception and complaints.

¹³² Central Bank of Uruguay, "Financial Information and Analysis Unit - Presentation", *Money Laundering*, <https://www.bcu.gub.uy/Servicios-Financieros-SSF/Paginas/Lavado-de-Activos.aspx>

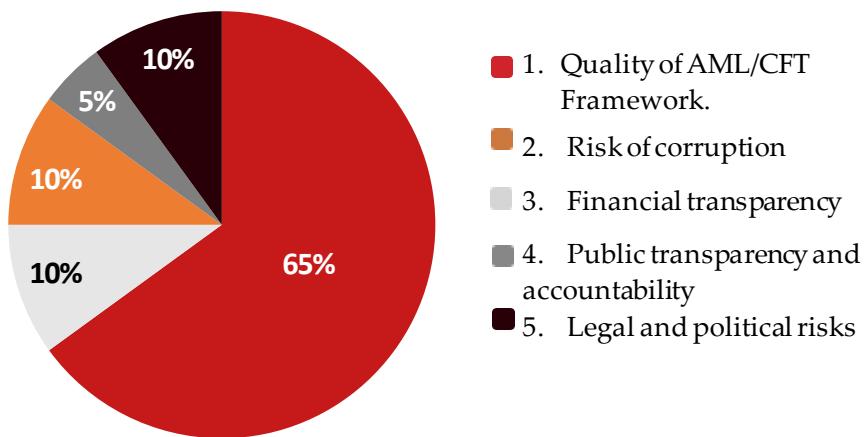
Measurement money laundering risk (ML)	
Comparative reference case	<ul style="list-style-type: none"> • Basel Institute on Governance (Anti-Money Laundering Index). • Uruguayan Financial Information and Analysis Unit.
Strategic management indicators (Uruguay)	<ol style="list-style-type: none"> 1. Variation of Suspicious Transaction Reports and Legal Investigations with respect to the previous year (%). 2. Variation in requests for judicial information with respect to the previous year (%). 3. Variation of requests for information from Foreign Financial Intelligence Units. 4. Variation of Suspicious Transactions by type of reporting entity (%). 5. Cash statements by calendar month. 6. Precious Metals Declarations by Calendar Month. 7. Declarations of monetary instruments by calendar month.
Results indicators	<ol style="list-style-type: none"> 1. Number of cases known to the authority. 2. Number of sanctions after inspections. 3. Ranking in Basel's Anti-Money Laundering Index (AML)
Disaggregation	By reporting entity (banks, fund transfer entities, financial services companies, brokerage houses).
Reference	<ul style="list-style-type: none"> • Central Bank of Uruguay, Annual Report and Activities. • Basel Institute on Governance, Basel Anti-Money Laundering Index (AML) (2013-2019).
Data collection method	<ul style="list-style-type: none"> • Administrative records (Uruguay). • Composite index (Basel Anti-Money Laundering Index (ALD)).
Article(s) of the United Nations Convention against Corruption	14, Prevention of money laundering.

Source: Prepared internally

The UIAF indicators have a dimension focused on the implementation of actions to monitor suspicious or risky activities, but they do not fully reflect the effectiveness of the prevention system. To do this, it would be convenient to include a metric that can synthesize the actions that were carried out and that is more focused on reflecting country results in the prevention of money laundering. A useful instrument for this

purpose is the Basel Anti-Money Laundering Index (AML)¹³³ which is generated by the Basel Institute on Governance, a non-profit organization.¹³⁴ The AML is an international ranking of more than 141 countries, including Mexico, which facilitates a comparative analysis. The Anti-Money Laundering Index is based on the result of adding five different sub-indices (“domains” for the AML methodology), whose weights in the final ranking are presented in **Graph 4.1**. The measurements included in the index are both quantitative and qualitative and it considers the information of many institutions that are a reference in the fight against money laundering. An example is the FATF Mutual Evaluation Reports, which are considered for the evaluation of the quality of the AML/TF legal framework (domain 1 of the AML). The Index is normalized on a scale from 0 to 10; the higher the score, the greater the AML/TF risk of the country. The measurement has been published annually since 2013 and the methodology used to calculate each of the five domains is public, making it a transparent tool for monitoring progress in the fight against money laundering from a prevention approach (for more information see **Graph 4.1**).

Graph 4.1: Weighting of the components of the Basel Anti-Money Laundering Index



Source: *Basel Institute on Governance, Basel AML Index Methodology.*

4.2. Detection and investigation of corruption

Corruption consists of a series of behaviors that often remain hidden due to the lack of incentives for the parties involved to admit their participation in them. Similarly, one of the most important obstacles for witnesses to report acts of corruption is that they may

¹³³ *Basel Anti-Money Laundering Index.*

¹³⁴ *Basel Institute on Governance.*

affect powerful interests. For this reason, it is essential to have measurements that facilitate the detection of the potential occurrence of acts of corruption and their investigation so that they are eventually punished after confirming the relevant responsibilities. For the above, it is relevant to assess two aspects. First, the measures adopted to facilitate reporting and to protect whistleblowers so that they can be sure that they will not suffer retaliation for reporting acts of corruption. Second, the fulfillment of the responsibilities of the institutions in charge of receiving complaints and investigating them. After corruption cases are detected, the expectation is that they will eventually be taken to the relevant judicial or administrative authorities.

4.2.1. Reporting and whistleblower protection system (Articles 8 and 33 of the Convention)

The U4 Anti-Corruption Resource Centre evaluation guide mentions that: "For investigations and prosecutions, the usual indicators used are complaints received, ratio of complaints relevant to corruption to overall complaints, cases investigated, time taken to investigate, cases closed or handed to prosecution, cases prosecuted, and sentences."¹³⁵ As shown in Chapter 5 on countries with anti-corruption strategies to combat corruption, statistics on cases of corruption in the criminal justice system are one of the most recurrent measures in public anti-corruption policies. Although complaints are commonly used to measure the detection of corruption cases based on the information of victims or witnesses of these events, the data on complaints from administrative records have a major disadvantage: in many countries most corruption cases are not reported to the authorities. The example of Mexico is illustrative of the above. According to data from INEGI's 2019 National Survey on Governmental Quality and Impact (ENCIG), only 5.1% of bribery experiences are reported. Therefore, it is important to create conditions that increase reporting by citizens and public officials (see Article 8 of the Convention).

In this sense, INEGI collects data on the existence of different complaint channels (specialized offices, websites, complaint boxes, among others) and the number of complaints and reports received through each of them. The Federal Government, through the SFP, has launched the "Internal and External Citizens who Report Corruption" program, which provides a platform to report acts of corruption anonymously. The program includes a series of whistleblower-related guidelines focused on guaranteeing their safety, although, since it is in an early stage, there are no quantitative indicators to measure the effectiveness of the implementation actions undertaken so far.

¹³⁵ *How to monitor and evaluate anti-corruption agencies: Guidelines for agencies, donors, and evaluators*, p. 12.

Republic of Korea: Whistleblower protection and incentives

As a comparison, there are countries that have introduced reporting and guidance systems using telephone lines or online resources, as well as measures to protect whistleblowers, their inner circle, and to provide assurances of anonymity.¹³⁶ The Republic of Korea carries out an annual systematization of data on complaints and protection of those who report acts of corruption and cases of public interest¹³⁷ based on the information collected annually by the Anti-Corruption and Civil Rights Commission (ACRC).¹³⁸ In addition, the ACRC provides incentives for reporting, such as rewarding whistleblowers whose information leads to the recovery or increase of public resources. The reward can be given by the State or requested by the reporting person (there is a maximum cap of 200 million South Korean won, approximately 168 thousand US dollars). It is worth noting that measures like these, risk becoming perverse incentives by encouraging people to make baseless allegations to obtain a reward. The Republic of Korea only provides rewards after the State successfully promotes public interest in a specific case, or after it succeeds in reducing its expenses or in recovering budget funds.¹³⁹

The performance of the ACRC can be measured through changes in requested protection measures, in terms of whether they have been accepted, refused, withdrawn or continue to be studied. This would indicate the ability of the Commission to protect whistleblowers. The ACRC also collects data on the type of protection measures granted, such as: physical protection measures, protection of the identity of the reporting persons or measures to mitigate sentences. The data collected by the ACRC shows an upward trend in the number of people who approach the Commission for advice on how to report acts of corruption and the number of cases reported by those who receive the status of *whistleblowers* either in relation to acts of corruption or violations of the public service code of ethics. However, complementary measurements of corruption and reporting levels obtained through surveys could better inform whether this trend is due to a better performance of the ACRC or only due to an increase in the incidence of corruption. As to the effectiveness of the reward program, the rewards and prizes granted to reporting persons represent only 8.5% of the value of the resources recovered by the government in the aggregate of the 11 years for which information is available.¹⁴⁰ The proportion of rewards is relatively small, reflecting how profitable the reporting strategy has been in the recovery of the proceeds of corruption.

¹³⁶ Anti-corruption and Civil Rights Commission, ACRC Korea Annual Report 2019 (July 8, 2020).

¹³⁷ Cases that endanger public health, safety, the environment or that affect consumer rights or fair competition, among other behaviors.

¹³⁸ *Anti-corruption and Civil Rights Commission*.

¹³⁹ ACRC Korea Annual Report 2019, p. 101.

¹⁴⁰ *Ibid.*, pp. 101-102.

Table 4.10: Protection measures and incentives for whistleblowers

Measurement protection and incentives for whistleblowers	
Axis of the National Anti-corruption Policy in Mexico	Axis 01: Fighting corruption and impunity
Priority of the National Anti-corruption Policy	Priority 6. Generating and executing standard processes at the national level for the protection of whistleblowers, reporting persons, witnesses, exposed public officials, experts and victims of acts of corruption.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration .	Priority strategy 1.5. Promoting and operating a System of Internal and External Citizens who Report Corruption to detect serious acts of corruption, as well as those related to bullying, sexual harassment and human rights violations, guaranteeing the confidentiality of the information provided, granting protection measures against retaliation and establishing follow-up actions to respond to the report.
Mexico Sources	INEGI's National Government Censuses, internal control and anti-corruption section according to government level and field (table on the channel through which complaints and reports were received). It is worth monitoring the system of the SFP, Internal and External Citizens who Report Corruption for the development of indicators in the future.
Comparative case considered	Republic of Korea- <i>Anti-corruption and Civil Rights Commission</i> (ACRC).
Performance indicators of the whistleblower protection system	<ol style="list-style-type: none"> 1. Number of reporting counseling services provided per year. 2. Monthly average of corruption reports. 3. Number of cases in which protection or cooperation measures were requested. 4. Distribution by type of response to the request (accepted, refused, withdrawn, under study). 5. Distribution of protection measures (physical protection, mitigation of sentences, prohibition of the application of advantages). 6. Number of cases of payment of rewards for reporting acts of corruption. 7. Total monetary benefits for corruption reports (KRW 1,000). 8. Total value of total rewards awarded to whistleblowers for their reports (KRW 1,000).

Measurement: protection and incentives for whistleblowers	
Disaggregation	-
Reference	Anti-corruption & Civil Rights Commission, <i>ACRC Annual (2008-2019)</i> Report.
Data collection method	Administrative records.
Years available	2002-2004 to 2019.
Article(s) of the United Nations Convention against Corruption	<ul style="list-style-type: none"> • 33, Protection of reporting persons. • 8 (4), Reporting.

Source: Prepared internally.

4.2.2. Specialized agencies for the investigation of corruption cases (Articles 30 and 36 of the Convention)

Noting the particularities of corruption cases and the political and economic interests that anti-corruption efforts can affect, many countries have chosen to implement specialized bodies in the justice system. According to the OECD, a specialized anti-corruption body is particularly useful when “structural or operational deficiencies within an existing institutional framework do not allow effective preventive and repressive actions against corruption”.¹⁴¹ Prosecution services and specialized investigation agencies are a measure contemplated under article 36 of the Convention, which establishes that, in order to fight corruption, the States Parties must have institutions with the necessary independence to tackle corruption through law enforcement. A legal provision like the above many times represents a condition *sine qua non* for the reports reviewed in the previous section can be investigated by the relevant authorities and, subsequently, to determine liability.

Several countries have introduced agencies with competence in the detection, investigation and prosecution of corruption offences.¹⁴² Mexico has followed this path with the recent creation of an independent Prosecutor General's Office constitutional under article 102, section A of the Constitution, which must have a Specialized Anti-corruption Prosecutor and another Prosecutor specializing in the matter of electoral crimes (whose powers include the investigation of electoral offences committed by public officials). The states of the country also have specialized prosecutors at the local level. The justification for this institutional design is the need for greater efficiency in

¹⁴¹ Organization for Economic Cooperation and Development, *Specialised anti-corruption institutions. Review of models: second edition* (Paris [FR]: OECD, 2013).

¹⁴² See *Specialised anti-corruption institutions. Review of models: second edition* “Law Enforcement type institutions”, pp. 79-114.

solving corruption cases, a concern for the current capacity of the prosecutor's offices and their degree of impartiality in these cases. In terms of metrics, the number of reports¹⁴³ and their investigation can be found in the information provided by INEGI's National Censuses of Justice Procurement at the federal and state level. To obtain specific information on corruption, the information must be filtered for the corruption offences contained in the Technical Standard for the National Classification of Crimes for Statistical Purposes.¹⁴⁴ This way it is possible to generate indicators to evaluate the work of the prosecutors, for example, the rate of specific investigation cases that were closed after being resolved.

Iraq's CoI results in the reception and processing of reports

As mentioned above, the creation of an environment that encourages reporting is relevant for the timely detection of corruption cases. A UNODC report in collaboration with UNDP and Iraqi national authorities analyzes the effects generated by the Commission of Integrity (CoI),¹⁴⁵ the main anti-corruption body in charge of investigating corruption in the structure of the Federal Government in the country. An analysis is carried out of the evolution over time based on different metrics of corruption reports. The data on reports of the CoI of Iraq is useful for strategic management by identifying the distribution of behaviors that become known to the relevant authority. Comparing these administrative records with data from corruption surveys is useful to know if the most frequent corrupt behaviors are those that are mostly known to the authorities.

The data also classifies the types of reports: *cases from reporting persons* and *criminal cases* according to the level of evidence in each type of report (see **!Error! No se encuentra el origen de la referencia.**). Ordinary reports refer to any report of acts of corruption made to the authorities; meanwhile, “cases from reporting persons” are those complaints that, *prima facie*, contain information supported by evidence. The *criminal cases* in which there is evidence to prosecute a crime are eventually turned over to an investigating judge. One of the key aspects of this classification is the anonymity of the reports. Anonymous reports are those that cannot be followed up through communication with the reporting person. The CoI considers that this type of report frequently lacks any concrete or legal evidence to justify subsequent actions.¹⁴⁶ The

¹⁴³ Which we recommend comparing with the data on the prevalence of acts of corruption obtained from surveys.

¹⁴⁴ The codes and offences included in the Technical Standard are the following: 080101) Improper exercise of public service, 080102) Abuse of authority, 080103) Bribery, 080104) Embezzlement, 080105) Illicit enrichment, 080106) Abuse of functions, 080107) trading in influence, 080199) Other offences due to acts of corruption, 0899) Not specified. The addenda are presented in category 0801) Crimes related to acts of corruption.

¹⁴⁵ *Commission of Integrity*

¹⁴⁶ UNODC-UNDP-Iraq-Central Statistics Office-Kurdistan Regional Statistical Office-Commission of Integrity “Corruption and integrity challenges in the public sector of Iraq: An evidence-based study” (UNODC,2013), pág. 48.

variation over time of the type of cases - and specifically the increase in the so-called *criminal cases*- serves as an indicator of the how trust in the anti-corruption authority to receive complaints has grown and provides a better basis for investigations; in other words, to better detect and investigate corruption cases. Another aspect related to the performance of the CoI is its ability to translate complaints into investigations that can be referred to jurisdictional bodies. In this sense, the increase in the radius of people and cases that are brought to a judge (indicators four and five of **Error! No se encuentra el origen de la referencia.**) in Iraq for the period between 2009 and 2011 reflects the effectiveness of the CoI in its investigative duties and to bring cases to justice.¹⁴⁷

Illustration 4.2: Classification of corruption reports by Iraq's Commission of Integrity



Source: Prepared from UNODC *Corruption and integrity challenges in the public Sector of Iraq: An evidence-based study*, p. 48. 48.

¹⁴⁷ *Ibid.*, pág. 50

Table 4.11: Measurements of reports of corruption in the criminal justice system

Measurement reports of corruption investigations	
Axis of the National Anti-corruption Policy of Mexico	Axis 01: Fighting corruption and impunity <ul style="list-style-type: none"> ● Priority 5. Promote the improvement and standardization, at the national level, of protocols and processes to report acts of corruption by citizens, controllers and social witnesses, and the competent internal control and inspection institutions. ● Priority 9: Strengthening the investigative capacities of the Prosecutor-General of the Republic and the states prosecutor's offices of corruption-related offences.
Priority of the National Anti-corruption Policy	<ul style="list-style-type: none"> ● Priority strategy 1.5. Promoting and operating a System of Internal and External Citizens who Report Corruption to detect serious acts of corruption, Promoting and operating a System of Internal and External Citizens who Report Corruption to detect serious acts of corruption, the confidentiality of the information provided, granting protection measures against retaliation and establishing follow-up actions to respond to the report. ● Priority strategy 2.2. Establishing new administrative intelligence mechanisms to improve investigative processes on alleged irregular conduct, in order to gather conclusive evidence that allows sanctioning public officials involved in acts of corruption.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration.	<ul style="list-style-type: none"> ● INEGI, National Census of Federal Justice Administration (Module 2: Law Enforcement). ● INEGI, National Census of State Justice Administration (Module 2. Law enforcement). ● INEGI, Administrative Registry of Justice Administration in Criminal Matters.
Mexico Sources	Iraq (Commission of Integrity -CoI)
Comparative case considered	

Measurement reports of corruption investigations	
Report indicators	<ol style="list-style-type: none"> 1. Proportion (%) of criminal cases out of the total corruption cases reported to the CoI (see Error! No se encuentra el origen de la referencia.) 2. Anonymous reports as a proportion (%) of the total corruption reports to the CoI. 3. Proportion (%) of corruption cases by type of conduct (bribery, embezzlement, trading in influence, etc.) 4. $\frac{\text{Persons brought before a judge for corruption cases}}{\text{Number of corruption cases reported}}$ 5. $\frac{\text{Corruption cases brought before a judge}}{\text{Number of corruption cases}}$
Disaggregation	-
Reference	UNODC-UNDP Iraq-Central Statistics Office-Kurdistan Regional Statistical Office-Commission of Integrity " Corruption and integrity challenges in the public sector of Iraq: An evidence-based study " (UNODC,2013), p. 48-51.
Data collection method	Administrative records
Years available	2009-2011
Article(s) of the United Nations Convention against Corruption	<ul style="list-style-type: none"> • 30, Prosecution, adjudication and sanctions • 36, Specialized authorities

Source: Prepared internally

Prosecution of corruption by an independent agency: Croatia

Another case of good practices at the international level, as highlighted by the Group of States Against Corruption of the European Union (GRECO)¹⁴⁸ is Croatia, one of the countries that has most successfully fought corruption through an independent agency which has been in charge of successful investigations. These measures are part of Croatia's quest to become a member state of the European Union, a status it achieved in 2013. To this end, the country introduced effective measures that revealed serious cases of corruption and convicted people who held high-level political positions at the time. For example, former Prime Minister Ivo Sanader was charged by the Specialized

¹⁴⁸ *Group of States Against Corruption.*

Agency for the Suppression of Corruption and Organized Crime (USKOK, per the Croatian acronym)¹⁴⁹ backed by 13,483 pieces of evidence. Although the sentence was overturned by the Constitutional Court, USKOK filed new charges and, once the defendant was found guilty again, the agency challenged to increase the sentence, which it achieved in 2019. The agency subsequently conducted an investigation that resulted in an additional bribery conviction for an additional six years in prison. This remarkable case is one of its many investigations against high-profile figures such as cabinet members, Ambassadors, the Armed Forces, as well as law enforcement officials and judges. In total, USKOK has prosecuted more than 2,000 people with a conviction rate of 95% of the cases.¹⁵⁰

It is worth delving into the powers and role that USKOK has played. USKOK is an anti-corruption agency. Its work has focused on crime investigation. To do this, it has used its legal powers to carry out special operations with methods that are not available to other agencies, always under judicial supervision.¹⁵¹ In addition, USKOK has been assisted by other anti-corruption institutions. In Croatia there is a police unit (PNUSKOK)¹⁵² under the structure of the Ministry of the Interior¹⁵³ that provides support when required in an investigation.¹⁵⁴ In addition, there are judicial bodies parallel to USKOK to fight corruption. These courts were formed in 2009 by teams of judges designed to handle the cases the anti-corruption agency presented. They sought to avoid vices detected in the ordinary courts related to jurisdiction, coordination and confidentiality in cases.¹⁵⁵

In order to evaluate efficiency in the management of USKOK cases, the Ministry of Justice reported indicators on the rates of conclusion of cases and the percentage change of the files pending resolution over time as part of the follow-up to a project between Croatia and the World Bank, (see **Error! No se encuentra el origen de la referencia.**). Although the information is not broken down for USKOK exclusively, the indicators presented could be especially useful when the information can be filtered by cases of corruption. Mexico, for example, is a country whose official statistical information has characteristics like these.

¹⁴⁹ Ured za suzbijanje korupcije i organiziranog kriminaliteta.

¹⁵⁰ Gabriel Kuris, "Cleaning House: Croatia mops-up high-level corruption 2005-2012", in *Innovations for successful societies* (Princeton University Woodrow Wilson School of Public and International Affairs, 2013) p. 15.

¹⁵¹ *Idem.*

¹⁵² Policijski nacionalni ured za suzbijanje korupcije i organiziranog kriminaliteta.

¹⁵³ Ministarstvo unutarnjih poslova.

¹⁵⁴ "Cleaning House: Croatia mops-up high-level corruption 2005-2012 ", p.9

¹⁵⁵ *Idem.*

Table 4.12: Efficiency measurements in specialized anti-corruption bodies

Measurement: efficiency in specialized anti-corruption bodies	
Axis of the National Anti-corruption Policy in Mexico	Axis 01: Fighting corruption and impunity
Priority of the National Anti-corruption Policy	<ul style="list-style-type: none"> • Priority 8. Generating evidence and technical inputs on the operation, capacities and performance of the entities in charge of the detection, investigation, gathering of evidence, determination, resolution and punishment of administrative misconduct and offences for acts of corruption, which produces administrative intelligence and improves the corresponding processes. • Priority 9. Strengthening the investigative capacities of the Prosecutor-General of the Republic and the states prosecutor's offices of corruption-related offences.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve the Public Administration	Priority strategy 1.7. Promoting systematic actions and coordination between the agencies and entities of the APF (and other public entities and anti-corruption bodies at the national and international level) that allow the implementation of effective mechanisms to fight corruption.
Mexico Sources	<ul style="list-style-type: none"> • INEGI, National Census of Federal Justice Administration (Module 2: Law Enforcement). • INEGI, National Census of State Justice Administration (Module 2. Law enforcement). • INEGI, Administrative Registry of Justice Administration in Criminal Matters.
Comparative cases considered	Croatia (Office for the Fight against Corruption and Organized Crime-USKOK).
Indicators	<ol style="list-style-type: none"> 1. Completion rate (Percentage of investigation cases concluded). 2. Percentage reduction in cases pending determination.
Disaggregation	-
Reference	World Bank, Justice Sector Support Project, Project documents, Complete Report in English .
Data collection method	Administrative records of the justice system.
Years available	2009-2016 (mid-2015).
Article(s) of the United Nations Convention against Corruption	36, Specialized authorities.

Source: Prepared internally

4.3. Punishment and reparation

The importance of sanctioning the conduct of corruption contemplated in Chapter III of the Convention lies in the fact that it fights impunity and strengthens the principles of legality and the rule of law that are necessary to create a cycle of prevention and combat against corruption. Sanctions represent a deterrent to avoid potential acts of corruption in the future.

The adjudication of legal responsibilities is also important so that remedial measures, defined as actions to compensate for the damage that corruption causes both to individuals and entities, can be applied. Article 35 of the Convention is considered especially relevant in this sense. It stipulates the right of victims to receive compensation for the damage caused as a result of an act of corruption. Asset recovery, provided for in Chapter V of the Convention, is also an essential part of achieving compensation for the damage caused by corruption. The Convention includes provisions that require States to cooperate with each other and assist each other in the return of assets resulting from corruption. As established in Article 53 subsection b), States must permit its courts to order those who have committed corruption offences to pay compensation or damages to another State Party that has been harmed by such offences. Finally, Article 57 of the Convention stipulates that States in control of assets resulting from corruption must give priority consideration to returning confiscated property to the requesting State Party, returning such property to its prior legitimate owners or compensating the victims of the crime.

4.3.1. Administrative sanctions (Articles 8 (6) and 30 (6-8) of the Convention)

Corruption encompasses a broad set of conducts, including illegal acts that are not considered in the criminal sphere as they are not considered serious enough, but which involve administrative sanctions. The Convention has provided for this type of sanction in its Article 8 (6), which mandates the States parties to take disciplinary measures in order to enforce compliance with the codes of conduct. Meanwhile, Article 30 (6-8) provides sanctions such as dismissal, suspension or reassignment of employment and even disqualification for a specified period for conducts contemplated in the Convention. The Working Group on Prevention of Corruption, a subsidiary body of the Convention, has gathered different experiences in the implementation of systems to make asset declarations and to declare conflicts of interest, which in some cases result in sanctions for the violation of these provisions.¹⁵⁶

¹⁵⁶ Conference of the States Parties to the United Nations Convention against Corruption, *Report on the 9th meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, Vienna, 5-7 September 2018* (2018), P. 7.

As explained in the section on the national legal framework in Mexico, administrative offences that are not serious are sanctioned by the internal control bodies of the different agencies. Meanwhile, any offences considered serious are investigated by the internal control bodies and are resolved by the Federal Court of Administrative Justice, which has a superior chamber and five regional chambers (art. 73, section XXIX subsection H of the Constitution and Law Organic of the Federal Court of Administrative Justice). The SFP's Registry of Sanctioned Public Officials is an example of the collection and dissemination of information on this type of conduct. That registry allows searches of public or private officials who have been sanctioned or disqualified for acts related to serious misconduct under the General Law on Administrative Liability. Additionally, INEGI's National Government Censuses that include the “Internal control and anti-corruption” section show the number of public officials, out of the total with the obligation to report it, who presented their declarations of conflict of interest, and of any sanctions imposed. This same source offers the number of public officials sanctioned in one year by type of sanction - warning, suspension of employment, charge or commission, dismissal, disqualification or other - for each government agency.

Administrative sanctions in Romania

At the international level, there are countries that report this data in work reports of the bodies in charge of the Public Administration in order to evaluate the management of these institutions. This seeks to guarantee accountability and the integrity of the officials; values that prevent their involvement in acts of corruption. One of these cases is that of Romania - presented in **¡Error! No se encuentra el origen de la referencia.** which, through its National Agency of Civil Servants (ANFP, per the Romanian acronym), specialized in Civil Service Career personnel, published a series of indicators for 2006 and 2007, to assess the implementation and degree of compliance with the Public Officials Law.¹⁵⁷ The indicators refer to the handling of complaints and violations of regulations by government personnel that result in administrative sanctions. Registration this information is a tool that is inserted in the context of a series of reforms that the country adopted since the beginning of the 21st century to make its Civil Service more efficient. This intends to improve the operation of the government and increase the degree of trust of society in the State. The ANFP's approach is to monitor the performance of public officials to identify which aspects of the implementation of comprehensive reforms of the public service require adjustments or actions to deepen competencies in certain issues. For example, data from 2007 indicate that most

¹⁵⁷ Agenția Națională a Funcționarilor Publici, “Report on the management of the civil service and the civil servants”(2006 & 2007), <https://bit.ly/3hTuMHn> & <https://bit.ly/3faaDLo>.

violations of administrative regulations are violations to the code of conduct and, to a lesser extent, non-compliance with the rules on conflicts of interest.¹⁵⁸

The statistics measure the performance of the disciplinary bodies after they are notified of potential violations to the codes of conduct in terms of studying, punishing or referring the complaints to criminal investigation areas. Statistics are also presented on the type of sanction measures applied (written warning, reduction of salary rights, suspension of promotion rights, assignment of a lower position, dismissal), and the legislation to which the identified violations correspond (code of conduct or rules on conflicts of interest). The indicators, however, have areas of opportunity regarding the transparency of the information, since the series presented only covers two years and the data is not presented in an open format.

Another issue that must be considered is the measurement of long-term impact. The indicators presented are not intended to reflect greater compliance with the provisions to which public officials are subject or the effectiveness in terms of repairing the damage. This requires metrics related to the degree of compliance with the codes of conduct, the presentation of declarations of conflicts of interest and the accuracy of the information in them. Based on the above, it may be convenient to also present data on the ANFP's management to establish controls focused on mitigating the most recurring risks associated with the public service.

Table 4.13: Measurements of administrative sanctions against public officials

Measurement: administrative sanctions against public officials	
Axis of the National Anti-corruption Policy in Mexico	Axis 01: Fighting corruption and impunity
PNA priority	<ul style="list-style-type: none">• Priority 1. Developing and executing strategic programs that promote coordination between the authorities responsible for responding to, investigating, gathering evidence on, determining, resolving and punishing serious and non-serious administrative offences.• Priority 8. Generating evidence and technical inputs on the operation, capacities and performance of the entities in charge of the detection, investigation, gathering of evidence, determination, resolution and punishment of administrative misconduct and offences for acts of corruption, which produces administrative intelligence and improves the corresponding processes.

¹⁵⁸ Agenția Națională a Funcționarilor Publici, “Report on the management of the civil service and the civil servants”(2007), p. 10.

Measurement: administrative sanctions against public officials	
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration.	<ul style="list-style-type: none"> • Priority strategy 1.2. Improving internal control to contribute to the fulfillment of the objectives and goals of the agencies and entities of the APF. • Priority strategy 2.3. Identifying and mitigating conflicts of interest from the perspective of the new public ethics and promoting the punishment of any public officials who fall into the behavior by the relevant authorities.
Mexico Sources 1/2	<p>INEGI's National Government Censuses, internal control and anti-corruption section by government level and field:</p> <ul style="list-style-type: none"> • National Federal Government Census (CNGF). • National Federal Public Safety Census (CNSPF). • National Census the Federal Penitentiary System (CNGSPSPE). • National Census of Government, Public Safety and State Penitentiary System (CNGSPSPE). • National Census of Municipal Governments and Territorial Districts of Mexico City (CNGMD).

Measurement: administrative sanctions against public officials	
Mexico Sources 2/2	<p>INEGI's National Government Censuses, internal control and anti-corruption section by government level and field:</p> <ul style="list-style-type: none"> • National Census of the State Legislative Branch (CNPLE) • National Census of the Federal Administration of Justice (CNIJE) • National Census of the Administration of Justice in the States (CNIJE) • National Census of Federal Human Rights (CNDHF). • National Census of State Human Rights (CNDHE). • 2019 National Census of Transparency, Access to Public Information and Protection of Personal Data at the Federal Level (CTAIPPDF). • National Census of Transparency, Access to Public Information and Protection of Personal Data at the State Level (CTAIPPDPE). <p>Sanctioned public officials:</p> <ul style="list-style-type: none"> • Ministry of Public Administration, Registry of Sanctioned Public Officials.
Comparative cases considered	Romania.
Indicators	<ol style="list-style-type: none"> 1. Proportional distribution of notifications sent to disciplinary bodies by status (application of sanction, investigation, classified, criminal investigation in progress). 2. Proportional distribution of notifications addressed to disciplinary commissions by type of public official involved (managers or administrative personnel). 3. Proportional distribution of disciplinary sanctions applied by type of public official (managers or administrative personnel). 4. Proportional distribution of the type of disciplinary sanctions applied (written warning, reduction of salary rights, suspension of promotion rights, assignment to a lower position, dismissal) 5. Proportional distribution by breached rule (code of conduct or conflict of interest).

Measurement: administrative sanctions against public officials	
Disaggregation	By quarterly periods for a year.
Reference	National Agency of Civil Servants, <i>Report on the Management of the Civil Service and the Civil Servants</i> (2006) y <i>Report on the Management of the Civil Service and the Civil Servants</i> (2007).
Data collection method	Administrative records.
Years available	2006-2007.
Articles of the United Nations Convention against Corruption	<ul style="list-style-type: none"> • 8 (6), Codes of conduct for public officials. • 30 (6-8), Prosecution, adjudication and sanctions

Source: Prepared internally

4.3.2. Criminalization and law enforcement (Chapter III of the Convention)

In the area of criminalization of acts of corruption, the 2019-2024 National Development Plan states that one way to fight corruption is to classify the offence of corruption as serious, which in Mexico means the defendants may be held under preventive detention ex officio. This provision came into being with a legal reform in April 2019, that established in article 19 of the Constitution that a judge can dictate preventive detention ex officio for corruption in the case of offences of illicit enrichment and abuse of functions.

Regarding the statistics at the national level, INEGI's National Government Censuses on Justice Administration at the state and federal levels provide aggregate information on the number of judicial processes for acts of corruption in a year, how many are resolved and what the sentences were. With the information available it is possible to calculate different indicators such as the conviction rate for the cases investigated for both the common jurisdiction and the federal jurisdiction, distinguishing between different offences of corruption. Additionally, the INEGI Administrative Registry of Justice Administration allows the monitoring of specific judicial files, as well as the processes to which the accused persons are subject from the time the case is brought before a judicial body until its conclusion, without compromising the protection of the personal data of those people. Although these instruments present the information for any type of crime, with the necessary filters the information can be sorted by corrupt

behaviors exclusively. All that needs to be done is to review the Technical Standard for the Classification of Crimes for Statistical Purposes.¹⁵⁹

Iraq: Report to UNODC based on information from the Commission of Integrity (CoI)

A case of good practice in measuring the performance of the bodies in charge of sanctioning corruption cases is that of Iraq. The report prepared by UNODC with other agencies that are presented in the specialized investigative agencies section of this document, includes a series of measurements compiled by the Commission of Integrity (CoI) that focus on the sanctioning of acts of corruption based on the statistics of cases presented before a judge. The indicators included in **;Error! No se encuentra el origen de la referencia.** reflect an improvement in performance in terms of the duration of corruption cases in the criminal justice system. In general terms, this improvement is reflected in the capacity to process more cases before the responsible authorities and to punish those responsible for the offences once they have been verified by a judge.

We advise reviewing the construction of the indicators presented in **;Error! No se encuentra el origen de la referencia.** and what each of them measures. First, the Iraqi authorities count the number of people convicted of corruption based on the number of people who are summoned in court. An increase in the indicator reflects the capacity of the justice system to resolve more cases than are admitted in a given year. Then it measures the number of defendants present at the time of the sentence and the number of sentences executed. This is important because it was identified in the baseline and in previous years that a considerable proportion of the defendants were not present at the time their sentence was handed down.¹⁶⁰ As for the sentences executed, this is the percentage of sentences ordered by a judge that were actually enforced.

Third, the report on Iraq disaggregates the information by type of conduct most frequently sanctioned, as well as by the hierarchical level of the public officials sanctioned. The results indicate that government employees in the highest positions (directors, ministers and candidates) who are summoned before a judge are convicted in a greater proportion than the rest of public employees.¹⁶¹ Finally, the rate of conviction with the presence of the sentenced person as a part of the criminal cases in the investigation stage is an indicator of the capacity of the criminal system to carry out the processes in accordance with the legal framework to punish criminals who are found guilty of proven acts of corruption.

¹⁵⁹ Available at the following link:

https://snieg.mx/DocumentacionPortal/Normatividad/vigente/Nomina_Tecnica_Delitos_con_Fines_Estadisticos.pdf.

¹⁶⁰ *Corruption and integrity challenges in the public sector of Iraq: an evidence-based study*, p. 51.

¹⁶¹ *Ibid.*, p. 57.

Table 4.14: Sanctions for corruption cases

Measurement: sanctions for corruption cases	
Axis of the National Anti-corruption Policy in Mexico	Axis 01: Fighting corruption and impunity
Priority of the National Anti-corruption Policy	<p>Priority 1. Developing and executing strategic programs that promote coordination between the authorities responsible for responding to, investigating, gathering evidence on, determining, resolving and punishing serious and non-serious administrative offences.</p>
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration.	<p>Priority strategy 2.2. Establishing new administrative intelligence mechanisms to improve investigative processes on alleged irregular conduct in order to gather conclusive evidence that allows sanctioning public officials involved in acts of corruption.</p>
Mexico Sources	<ul style="list-style-type: none"> • INEGI, National Census of Federal Justice Administration (Jurisdictional Bodies Module of the Federal Judicial Council). • INEGI, National Census of State Justice Administration (Module 2. Administration of Justice in Criminal Matters). • INEGI, Administrative Registry of Justice Administration in Criminal Matters.
Comparative cases considered	<p>Iraq- Administrative Statistics of the Commission of Integrity on Corruption.</p> <ol style="list-style-type: none"> 1. $\frac{\text{Persons convicted in corruption cases}}{\text{Persons summoned before a court for corruption cases}} \times 100$ 2. Proportion of defendants present at the time of sentencing (%). 3. Proportion of sentences executed (%). 4. Proportion (%) of people convicted by type of conduct (bribery, embezzlement, trading in influence, etc.). 5. $\frac{\text{Persons convicted in corruption cases}}{\text{Persons investigated in criminal corruption cases}} \times 100$ <ol style="list-style-type: none"> 6. $\frac{\text{Persons convicted in corruption cases present at sentencing}}{\text{Persons investigated in criminal corruption cases}} \times 100$ <ol style="list-style-type: none"> 7. $\frac{\text{Persons convicted in corruption cases who were present and whose sanction was not suspended}}{\text{Persons investigated in criminal corruption cases}} \times 100$
Indicators	

Measurement: sanctions for corruption cases	
Disaggregation	<ul style="list-style-type: none"> • By type of public employee (direct general or higher hierarchy, ministers, candidates). • By offence (bribery, embezzlement, trading in influence, etc.).
Reference	UNODC-UNDP Iraq-Central Statistics Office-Kurdistan Regional Statistical Office-Commission of Integrity <i>“Corruption and integrity challenges in the public sector of Iraq: An evidence-based study”</i> (UNODC, 2013), pp. 51-54.
Data collection method	Administrative records
Years available	2009-2011
Article(s) of the United Nations Convention against Corruption	30, Prosecution, adjudication and sanctions

Source: Prepared internally

4.3.2.1 Punishment of bribery of foreign public officials

The offer or request of a bribe is typically viewed as an act that is committed by individuals within the State they are citizens of. However, given the great mobility of economic resources globally today, it is not unusual to find cases in which bribes are offered or provided to public officials abroad. In order to sanction these acts in the country of the provider of the bribe, the OECD coordinated the signing and enactment of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions in 44 countries. Mexico is a party to the Convention, which was enacted in 1999. Similarly, article 16 of the United Nations Convention against Corruption includes the obligation to establish the offence of bribery of foreign public officials and officials of public international organizations. The same article stipulates that the States parties must also contemplate in their legislation the offence of passive bribery; which is equivalent to sanctioning the foreign public official of an international organization involved in these conducts. However, according to a Transparency International study of 46 countries and the special administrative region of Hong Kong - all of them global leaders in exports - three-quarters of the cases analyzed have taken limited, little or no action against international bribery.¹⁶² This same study identifies that most of the countries do not publish statistics on the application of sanctions for bribery in foreign territories. For most of the cases studied by Transparency

¹⁶² Transparency International, “Exporting corruption. Progress Report 2020: Assessing enforcement of the OECD Anti-bribery Convention”(Berlin [DE]: Transparency International, 2020), pp. 12-14.

International, the reports of the OECD Working Group on Bribery are the only source of official public data.¹⁶³

In the case of Mexico, the bribery of foreign public officials by Mexican nationals is sanctioned in article 222 bis of the Federal Criminal Code. These events must be reported to the relevant diplomatic representation of the country. In addition, in 2018 the SFP and the PGR (currently the Prosecutor General's Office) developed an International Anti-Bribery Protocol, which provides the tools to detect and prosecute these offences.¹⁶⁴ However, Mexico has not sanctioned cases or recovered assets derived from international bribery since the entry into force of the Convention.¹⁶⁵ There are four ongoing investigations of which information cannot be disclosed in order to protect the identity of those being investigated. However, the aforementioned Transparency International report confirms that other jurisdictions reveal more details about the irregularities investigated.¹⁶⁶ Additionally, a case has been concluded, which was not prosecuted by the authorities.¹⁶⁷ The Prosecutor General's Office has a database on international bribery cases that includes five cases involving Mexican nationals, available on the Federal Government's open data portal.¹⁶⁸ The information in said database is not detailed either, but it shows that three of the cases are in the investigation stage and two of them are under reservation (status assigned when the evidence is not sufficient for the investigation to proceed and it becomes a reserved or temporary file).

In terms of good practices in the measurement of bribery of foreign public officials, the OECD has a report that analyzes the 427 cases concluded as a result of the implementation of the Organization's Convention on the matter.¹⁶⁹ Said report shows statistics and indicators based on the characteristics of the cases of international bribery, their detection and investigation, and the associated sanctions and settlements. These indicators, which are presented in **¡Error! No se encuentra el origen de la referencia.**, can be used to identify the economic sectors and the most common motives for the bribery of foreign public officials; the profile of the people involved in these acts, and the average amounts of the bribes. In order to carry out a similar analysis for Mexico, the first thing is to ensure that the Convention is applied in specific cases.

¹⁶³ *Ibid.*, p. 47.

¹⁶⁴ Available at the following link: <https://www.gob.mx/sfp/documentos/protocolo-anticohecho>.

¹⁶⁵ “Exporting corruption. Progress Report 2020: Assessing enforcement of the OECD Anti-bribery Convention”, pp. 86-87

¹⁶⁶ *Ibid*, p. 86.

¹⁶⁷ Organization for Economic Cooperation and Development, “Mexico's Phase 4 Monitoring Report” (Paris [FR]: OECD, 2018), pp. 11-12.

¹⁶⁸ Prosecutor General's Office, “PGR International Bribery”, <https://datos.gob.mx/busca/dataset/international-bribery-of-pgr>

¹⁶⁹ OECD, “OECD Report on International Bribery. Analysis of the crime of bribery of foreign public officials” (Paris [FR]: OECD Publishing, 2015).

Table 4.15: Measurements of bribery of foreign public officials

Measurement: bribery of foreign public officials	
Axis of the National Anti-corruption Policy in Mexico	<ul style="list-style-type: none"> • Axis 01: Fighting corruption and impunity • Axis 04 Involving society and the private sector.
Priority of the National Anti-corruption Policy	<ul style="list-style-type: none"> • Priority 5. Promote the improvement and standardization, at the national level, of protocols and processes to report acts of corruption by citizens, controllers and social witnesses, and the competent internal control and inspection institutions. • Priority 36. Articulating collaboration schemes with business chambers and international organizations to promote the development and adoption of compliance policies and anti-corruption programs; as well as the generation and use of open data in the private sector, especially the MSMEs.
2019-2024 National Program to Fight Corruption Impunity, and to Improve Public Administration.	<ul style="list-style-type: none"> • Priority strategy 1.7. Promoting systematic actions and coordination between the agencies and entities of the APF (and other public entities and anti-corruption bodies at the national and international level) that allow the implementation of effective mechanisms to fight corruption. • Priority strategy 2.2.- Establishing new administrative intelligence mechanisms to improve the investigation processes on alleged irregular conduct, in order to have strong evidence to punishing public officials involved in acts of corruption.
Mexico Sources	Office of the Prosecutor General of the Republic <i>PGR international bribery</i> .
Comparative cases considered	The indicators refer to the States parties to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

Measurement: bribery of foreign public officials

<p>Indicators</p>	<ol style="list-style-type: none"> 1. Average number of years elapsed between the last criminal act and the sanction. 2. Number of cases of international bribery sanctioned by country. 3. Proportional distribution (%) of cases of international bribery by purpose (public procurement, customs procedures, other preferential treatment, favorable tax treatment, authorizations, licenses, access to confidential information, travel visas, unknown). 4. Proportional distribution (%) of international bribery cases by sector (mining/extraction, construction, transportation and storage). 5. Proportional distribution (%) of cases by company size (Large companies SMEs, unknown) 6. Ways in which companies detected and reported acts of international bribery in their commercial transactions (internal audit, FyA audit, whistleblower, IPO audit, training, among others). 7. Ways in which the authorities were informed of cases of international bribery (voluntary complaint, law enforcement, mutual legal assistance, among others). 8. Proportional distribution (%) of cases by type of sanction (civil/criminal fine, confiscation, incarceration, compliance program, security measures, suspended prison sentence, among others). 9. Percentage distribution of sanctions (by imprisonment or settlement). 10. Percentage distribution of people involved by position in the bribing company (management, non-management, agent or intermediary). 11. Proportion of bribes paid by public servant category (official of a State-owned company, customs official, health official, among others). 12. Bribes as a percentage of the value of the transaction (%). 13. Economic sanctions imposed as a percentage of the profits obtained as a result of the bribery (<50%, between 50 and 100%, between 100 and 200%, more than 200%).
<p>Disaggregation</p>	<ul style="list-style-type: none"> • Foreign public officials who received the bribe, foreign public officials who were promised, offered or gave bribes. • Economic sector (extraction, trade, administrative services).

Measurement: bribery of foreign public officials	
Reference	OECD, <i>OECD Foreign Bribery Report: An Analysis of the Crime of Bribery of Foreign Public Officials.</i>
Data collection method	<ul style="list-style-type: none"> • Administrative records. • OECD Evaluation Requests. • Transparency International progress reports.
Years available	Database of the OECD's <i>Working Group on Bribery in International Business Transactions (WGB)</i> , 1999-2018.
Article(s) of the United Nations Convention against Corruption	16. Bribery of foreign public officials and officials of public international organizations.

Source: Prepared internally

4.3.3. Forfeiture and recovery of assets (Articles 31, 51-57 of the Convention)

Asset recovery consists of the seizure and return of assets resulting from corruption to the States or other legitimate owners. Asset recovery is a key area for freeing up funds for sustainable development, consolidating the rule of law, and ensuring national security.¹⁷⁰ Likewise, to an increasing extent, asset recovery aims to repair the damage caused to the victims of crime through compensation.¹⁷¹ For these reasons, among others, the importance of asset recovery is recognized as a priority issue in the 2030 Agenda for Sustainable Development, specifically in target 16.4 of the SDGs.

Target 16.4 of the Sustainable Development Goals:

By 2030, significantly reduce illicit financial and arms flows, *strengthen recovery and return of stolen assets* and combat all forms of organized crime

Note: italics added for emphasis.

¹⁷⁰ Conference of the States Parties to the United Nations Convention against Corruption (2019) Resolution 8/9: Strengthening asset recovery to support the 2030 Agenda for Sustainable Development.

¹⁷¹ *Asset recovery handbook: a guide for practitioners*, p. 147.

In order to guarantee the strengthening of the recovery and return of assets, Chapter V of the Convention contains the first comprehensive framework on the subject¹⁷² by including prevention measures (art. 51), mechanisms available for asset recovery, as well as the legal basis for international cooperation for their eventual restitution (arts. 53-59). This includes the provisions governing mutual legal assistance between countries for that purpose.

To guide the effective implementation of Chapter V of the Convention, UNODC and the World Bank launched the Stolen Assets Recovery (StAR) Initiative in 2007.¹⁷³ The purpose of StAR is to support international efforts to end safe harbors for the concealment of funds resulting from corruption and to facilitate a systematic and timely recovery of stolen assets. Noting that this is a process that requires close international cooperation, StAR provides platforms for dialogue between the different institutions and organizations of the jurisdictions involved in these processes and establishes international standards on the matter. The information compiled by StAR includes one of special relevance for the purpose of identifying patterns and trends is the Asset Recovery Observatory¹⁷⁴, a database that tracks the efforts of law enforcement authorities to recover assets internationally that can be consulted remotely.¹⁷⁵ The database systematizes the information of more than 200 asset recovery cases that have been completed or are currently in process (including 10 events that involve Mexico). Resolution 8/9 of the Conference of the States Parties to the Convention encourages countries to cooperate in the collection of data, including the questionnaires sent by StAR. The resolution also urges States parties to voluntarily publish their responses to international asset recovery cases derived from acts of corruption in order to identify trends in asset recovery volumes and practices, promote transparency, and implement the 2030 Sustainable Development Agenda.¹⁷⁶

As to the implementation of the Convention in Mexico, the provisions on asset recovery were evaluated by two countries (Guatemala and Sao Tomé and Príncipe) in the second review cycle of the Convention, carried out in 2017. In said evaluation, the problem was recognized that Mexico did not have measures for other States parties to

¹⁷² Oficina de las Naciones Unidas contra la Droga y el Delito, *International Expert Meeting on the return of stolen assets*, “Experts discuss the return of stolen goods- good practices and challenges Addis Ababa, Ethiopia, 7-9 May 2019”, <https://www.unodc.org/unodc/en/corruption/meetings/addis-egm-2019.html> y Jesús Palomo Martínez, Judit Arvait, Isidoro Blanco Cordero, José Manuel Colodrás Lozano, Graeme Everest, Mariano García Fresno, Nico Geysen, Louise MacDonald, Marta María Matuszewska-Ceglarek, Álvaro Rico González-Novo, Verónica Rosendo Ríos, Ruth Tabernero Alonso, Jill Thomas, Barbara Vettori, Ana Vico Belmonte, David M. Wilson y Rafal Wozniak, *White Paper on Best Practices in Asset Recovery*. (Madrid [ES]: CEART,2012), pág. 3.

¹⁷³ *Stolen Asset Recovery Initiative*.

¹⁷⁴ *Asset Recovery Watch*.

¹⁷⁵ World Bank & UNODC, *StAR Asset Recovery Watch Database*, <https://star.worldbank.org/corruption-cases/?db>All>

¹⁷⁶ Conference of the States Parties to the United Nations Convention against Corruption (2019). Resolution 8/9: Strengthening asset recovery to support the 2030 Agenda for Sustainable Development.

file actions in Mexican courts in order to establish the ownership of assets acquired through the commission of offences. Nor did the legal framework at that time allow the enforcement of confiscation orders issued by foreign courts.¹⁷⁷ Another notable aspect discussed in the review of Mexican legislation is that asset recovery could only be applied at the federal level for the crime of illicit enrichment (Article 224 of the Criminal Code). According to the StAR manual on the matter, this crime is just one of the many criminal behaviors associated with corruption that could be subject to a strategy for the recovery of stolen assets.¹⁷⁸

Since the second cycle of review of the implementation of the Convention in Mexico, important changes have been made that are worth noting. The secondary law on asset forfeiture (National Law on Asset Forfeiture) was approved as a result of the constitutional reform of article 22 in 2019. Title Eight of the law, on international cooperation, is in compliance with several of the elements of the Convention and the recommendations for its implementation in Mexico. The National Law on Asset Forfeiture expands the catalog of criminal behaviors that are subject to this process. As of 2019, article 22 of the Constitution includes, among other offences, acts of corruption and offences committed by public officials as susceptible to this procedure. With this, one of the limitations of the national legislation for the effective implementation of Chapter V of the Convention was corrected.¹⁷⁹ **¡Error! No se encuentra el origen de la referencia.** presents the characteristics of the aforementioned asset forfeiture process, as well as confiscation and abandonment, two other processes that are relevant to asset recovery under Mexican law.

Table 4.16: Regulation on processes related to asset recovery for Mexico

Process	Description	Legal basis
Confiscation	It consists of impounding property that represents proceeds of a crime by means of a sentence of a judicial authority.	Article 40 of the Federal Criminal Code and articles 249 and 250 of the National Code of Criminal Procedures.

¹⁷⁷ Conference of the States Parties to the United Nations Convention against Corruption. Implementation Review Group. Review Cycle II for Mexico (2019). Summary, p. 10/12.

¹⁷⁸ *Asset recovery handbook: a guide for practitioners*, p. 44.

¹⁷⁹ Information provided by the Mexican Government in compliance with resolution 5/3 “Facilitating international cooperation in asset recovery” United Nations Convention Against Corruption, https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2014-September-11-12/Responses_NV/Mexico_SP.pdf

Process	Description	Legal basis
Abandonment	Refers to assets impounded by the authorities that, without being confiscated, their ownership or value is not claimed by any person, so they are forfeited to the Federal or a State government.	Article 41 of the Federal Criminal Code and article 231 of the National Code of Criminal Procedures.
Asset forfeiture	Loss of rights over an asset of illicit origin or use without consideration or compensation as decreed by a judgment of a judicial authority.	Articles 3 and 7 of the National Asset Forfeiture Law.

Source: Prepared internally from the cited legislation.

In addition to the issuance of the National Asset Forfeiture Law, one of the goals of the 2019-2024 National Development Plan is the strengthening of supervisory mechanisms such as the SFP and the ASF, and the reorientation of the work of the FIU of the Secretariat of Finance and Public Credit.¹⁸⁰ Simultaneously, the 2019-2024 National Program to Fight Corruption and Impunity and to Improve Public Administration establishes measures for a more efficient and timely appraisal of assets in possession of the State, and to prepare a registry of the property to be transferred that identifies its characteristics and the documents that support its disposal.¹⁸¹

Regarding asset recovery, the Prosecutor General's Office has the Impounded Assets Registry, which is the instrument for controlling the assets that agents of the Federal prosecution services seize in federal criminal proceedings. The information was published on the open data website of the federal government. However, at the time, the Open Data Working Group of the Office of the Attorney General of the Republic determined that it was not feasible to update and publish this information, so it cannot be consulted at the moment.¹⁸² Another institution that has a relevant role in asset

¹⁸⁰ Axis I. Politics and Government, Section "Eradicate corruption, waste and frivolity".

¹⁸¹ Priority Strategy 5.4.

¹⁸² More information on the reason this information ceased to be public can be found below: Office of the Attorney General of the Republic, "Annual Database of the Impounded Assets National Control Center (CENACBA)", <https://datos.gob.mx/busca/dataset/centro-nacional-de-control-de-bienes-asegurados-cenacba-anual/resource/c123a111-d1ea-40e0-ba6d-fe7a44bae28b>.

recovery is the Institute to Return What Was Stolen from the People (INDEP), a devolved body of the Federal Public Administration in the sector coordinated by the SHCP. INDEP is in charge of managing, selling and destroying assets resulting from illegal activities (including cases of corruption). To recover the value of forfeited assets, the institution conducts auctions and allocates the proceeds, among others, to the poorest communities in the country. INDEP publishes auction results in open data format. The information includes the details of the auctioned goods, their starting price and, for assets that are acquired, the sale price.

In the information available on the assets recovered by Mexico it can be seen that there are areas of opportunity in terms of publishing data in open format. One element that must be considered is that this information is sufficiently disaggregated to separate the assets resulting from acts of corruption from other illicit conducts contemplated in the National Asset Forfeiture Law. A similar good practice in this sense are the National Government Censuses, which allow the disaggregation of the information in the areas of reporting, prosecution and administration of justice by the type of conduct associated with a criminal event. After generating more complete information, it may be possible to contemplate the possibility of generating indicators to monitor and evaluate public policies on asset recovery. A good practice in this regard is that of the United Kingdom, which is presented in the next section. Likewise, the role of open data in contributing to the recovery of assets involved in illegal activities should be considered. For example, the FATF mutual evaluation report states that financial institutions in Mexico identify the final beneficiary only in a limited way.¹⁸³ This is a key area for asset recovery, as the beneficiaries of acts of corruption often use multiple people as intermediaries to make tracing their hidden assets more difficult.¹⁸⁴ A solution to this problem that is worth considering is the generation of open registries on the final beneficiaries of the companies that operate in a territory, that are interoperable with other registries of the State, such as that of public acquisitions.¹⁸⁵

United Kingdom (statistical bulletin on asset recovery) and Indonesia (international cooperation of the National Strategy for Corruption Prevention and Eradication)

The UK has taken a number of steps to facilitate asset recovery in more recent years that have been accompanied by useful measures to monitor this issue. In 2018, the Criminal Finance Act was reformed,¹⁸⁶ introducing important changes to two legal attributions of authorities. In the first place, it introduced Unexplained Wealth Orders (UWOs)¹⁸⁷, which compel individuals or companies to explain the sources of their assets when they

¹⁸³ *Anti-money laundering and counter-terrorist financing measures- Mexico, Mutual Evaluation Report*, p. 4.

¹⁸⁴ Open ownership & Global Witness, *Learning the lessons from the UK's public beneficial ownership register* (2017), p. Four.

¹⁸⁵ *Idem*.

¹⁸⁶ *Criminal Finance Act*.

¹⁸⁷ *Unexplained Wealth Orders*.

seem disproportionate to their income and there is suspicion that they are derived from an illicit source.¹⁸⁸ Second, the legislation provided Account Freezing Orders (AFOs)¹⁸⁹ for the first time, which prohibit payments or withdrawals from accounts when they contain the proceeds of crime or are used for the commission of offences. AFOs are not notified to the account holder when the notification would limit the effectiveness of said confiscation.¹⁹⁰ Additionally, the United Kingdom in 2016 became one of the first countries to publish a registry of the final beneficiaries of companies¹⁹¹ and encourages other countries to join similar initiatives globally.¹⁹² This makes it difficult for the natural person who ultimately owns or controls the assets or bank accounts resulting from corruption to conceal their profits.

In addition to the legal powers of the authorities to detect and hinder corruption, the UK documents asset recovery cases in detail and generates a database - the Joint Asset Recovery Database (JARD)¹⁹³ - as cases move through the different stages of the criminal justice system. The White Paper of the Centers of Excellence in Asset Recovery and Training (CEART)¹⁹⁴, a project funded by the European Commission, has recognized that JARD is a good practice in terms of monitoring investigations and prosecutions related to asset recovery.¹⁹⁵ This database is not available to the general public, only to individuals conducting financial, fiscal and law enforcement investigations in the UK (approximately 4,500 users).¹⁹⁶ JARD is not only used to monitor asset recovery, it is also a reference for jurisprudence and seeks to facilitate coordination between the institutions responsible for the different processes related to asset recovery.¹⁹⁷

Although JARD is not publicly accessible, part of the anonymized information it generates is presented in two information sources that have been published by the Home Office¹⁹⁸ since 2016: the statistical bulletins and the open-format database on recovery of assets. The information from JARD in these publications is complemented by some of the statistics collected by the Asset Recovery Incentivisation Scheme

¹⁸⁸ Home Office, *Asset Recovery Statistical Bulletin 2013/14-2018/19 England, Wales and Northern Ireland*, 13 September 2019, p. 8.

¹⁸⁹ *Account Freezing Orders*.

¹⁹⁰ *Asset Recovery Statistical Bulletin*, p. 8

¹⁹¹ The Register of Persons with Significant Control, (PSC). The information is available in JSON format files or as an API at the following address: http://download.companieshouse.gov.uk/en_psodata.html. To search for a specific record you can use the search engine: <https://beta.companieshouse.gov.uk/> For more information see *Learning the lessons from the UK's public beneficial ownership register*.

¹⁹² See *Open Ownership Register*, a global beneficial ownership register the UK is already a part of. Available at: <https://register.openownership.org/>

¹⁹³ *Joint Asset Recovery Database*.

¹⁹⁴ *Centers of Excellence in Asset Recovery and Training*.

¹⁹⁵ *White Paper on Best Practices in Asset Recovery*, p. 95.

¹⁹⁶ *Idem*.

¹⁹⁷ *Idem*.

¹⁹⁸ *Home Office*

(ARIS)¹⁹⁹ and, in recent years, by the National Crime Agency (NCA).²⁰⁰ This information allows any user to consult information on the amounts recovered by agency and year in the orders for the confiscation of proceeds of crime and confiscated cash²⁰¹ in England, Wales and Northern Ireland. From this information, a series of indicators are generated that are included in the annual statistical bulletins, which are presented in **;Error! No se encuentra el origen de la referencia..** They incorporate victim compensation as a way of repairing the damage caused by corruption, which, as mentioned before, has gained special relevance to the recovery of assets in recent years.²⁰²

It should be noted that, although the United Kingdom maintains an active cooperation with other countries for the recovery of assets that are intended to be laundered in its territory, the indicators it publishes do not allow disaggregating the information on the return of the assets or the mutual legal assistance provided to other countries. For this aspect of international cooperation, it is worth referring information from another country. The case of Indonesia- whose indicators are included in **;Error! No se encuentra el origen de la referencia.** - is a good practice of metrics on requests for mutual legal assistance for asset recovery and on subsequent reciprocal cooperation for the return of assets with other countries. For a greater degree of detail on the subject, please see the Indonesian case study included in chapter five of this document, which discusses the measurement of corruption within the framework of national anti-corruption strategies.

Table 4.17: Asset Recovery Measurement

Measurement Survey for the Monitoring of Public Expenditure on Education	
Axis of the National Anti-corruption Policy in Mexico	Axis 01 Fighting corruption and impunity
Priority of the National Anti-corruption Policy	<ul style="list-style-type: none"> • Priority 2. Ensuring coordination among the institutions in charge of detecting and investigating acts of corruption with the competent fiscal and financial intelligence authorities.

¹⁹⁹ *Asset Recovery Incentivisation Scheme*. Under this scheme, part of what is recovered by the institutions is destined to finance future work on the subject. This way, asset recovery agencies have greater incentives to achieve greater seizures and confiscations. See *Asset Recovery Statistical Bulletin 2013/14-2018/19 England, Wales and Northern Ireland*, p. 3.

²⁰⁰ *National Crime Agency*.

²⁰¹ The difference between confiscation orders and cash forfeiture is subtle but relevant. Confiscation orders refer to the seizure of the proceeds of crime after a conviction. And cash forfeiture refers to the legal power to secure and confiscate cash derived from proceeds of crime or that is destined to finance criminal activities. See *Asset Recovery Statistical Bulletin 2013/14-2018/19 England, Wales and Northern Ireland*, p. 6.

²⁰² *Asset recovery handbook: a guide for practitioners*, p. 147.

Measurement Survey for the Monitoring of Public Expenditure on Education	
	<ul style="list-style-type: none"> Priority 9. Strengthening the investigative capacities of the Prosecutor-General of the Republic and the states prosecutor's offices of corruption-related offences.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Priority strategy 5.4.- Allocating unproductive assets and companies, in the shortest time and with the greatest possible recovery, contributing to the austerity efforts and the strengthening of the rule of law with the best conditions of service to transferors and buyers.
Mexico Sources	<ul style="list-style-type: none"> Institute to Return What Was Stolen from the People: List of commercial events in progress (2019) Institute to Return What Was Stolen from the People: Result of commercial events (2020)
Comparative reference case	<p>UK, Home Office Indonesia, Government of Indonesia</p> <p>I. Confiscations and cash forfeiture</p> <ol style="list-style-type: none"> Amount of confiscations and cash forfeiture Proportional distribution (%) of confiscation or cash forfeiture Percentage change in the recovery of cash derived from a crime with respect to the beginning of the series $\frac{\text{recovered money } (t) - \text{recovered money } (t_0)}{\text{recovered money } t_0}$ <p>II. Use of funds from the Asset Recovery Incentive Scheme (ARIS)</p> <ol style="list-style-type: none"> Use of funds recovered by ARIS: <ul style="list-style-type: none"> for asset recovery work in the future, for crime reduction projects, for community projects, miscellaneous Proportion of recovered funds devoted to asset recovery work in the future (%) <p>III. Compensation to victims</p> <ol style="list-style-type: none"> Amount of confiscation orders intended to compensate victims Percentage change in confiscation orders for victims in the last year compared to the previous year
Indicators	

Measurement Survey for the Monitoring of Public Expenditure on Education	
	$\frac{(\text{Amount of confiscation orders intended for victims } (t) - \text{Amount of confiscation orders intended for victims } (t_0))}{\text{Amount of confiscation orders intended for victims } (t_0)}$ Indonesia (pillar 4. international cooperation and asset recovery) <ol style="list-style-type: none"> 1. Percentage increase in mutual legal assistance in criminal cases (requested and received) 2. Percentage of assets recovered in the country originating from corruption cases determined by a judicial authority.
Disaggregation	-
Reference	<p>United Kingdom Home Office: <i>Asset Recovery statistical bulletin: financial years ending 2014 to 2019 & Reporting force and agency data- assets recovered: September 2019</i>.</p> <p>Indonesia Government of Indonesia, <i>National Strategy for Corruption Prevention and Eradication (CPE). Long term (2012-2025) & Medium term (2012-2014)</i></p>
Data collection method	Administrative records (JARD, ARIS and NCA) - Administrative records (National Strategy for Corruption Prevention and Eradication, Indonesia)
Period for which it is available	<p>United Kingdom: 2013/2014 to 2018/2019 (fiscal year starting in April)</p> <p>Indonesia: Annual: 2012-2014 (medium term) Five-year: 2011-2014 to 2025 (long term)</p>
Article(s) of the United Nations Convention against Corruption	<ul style="list-style-type: none"> • 31 (freezing, seizure and forfeiture) • 51-59 (chapter V, asset recovery)

Source: Prepared internally

4.4. Oversight and control of expenditure (Articles 9 (2 and 3) and 13 of the Convention)

The capture, distribution and management of public resources through processes such as tax collection, budgeting and public accounting constitute the financial management

of the government.²⁰³ One of the most important dimensions of these management practices is based on how resources are dispersed to different areas according to objective priorities in order to provide goods and services that address public problems.²⁰⁴ As stipulated in Articles 9 and 13 of the Convention, transparency and accountability in the different stages of public finances (see **Error! No se encuentra el origen de la referencia.**) are key elements in the fight against corruption.



Source: Prepared internally from Article 9 of the Convention

The issue of transparent management of expenditures in accordance with the budget (stage 2 of budget management) is of such international importance that it is specifically present in indicator 16.6.1 of the Sustainable Development Goals (see box). The relevance of this indicator lies in the fact that it measures the ability of the State to spend on what was agreed in the first stage - budgeting - of the management of public finance.

Sustainable Development Goal Indicator 16.6.1:
 Primary government expenditures as a proportion of original approved budget, by sector (or by budget codes or similar)

In the case of Mexico, the quarterly spending reports to Congress and, above all, the Public Accounts report published by the Secretariat of Finance and Public Credit, show how consistent the government's spending is with the originally approved budget. In the reports generated since 1996, the information on the expenditure exercised and the approved expenditure - and its percentage variation - is disaggregated for each type of expenditure (programmable and non-programmable) administrative classification, economic classification, functional classification and other specific items, such as transfers to states and municipalities. This facilitates the monitoring of the degree of compliance with indicator 16.6.1 of the SDGs per the breakdown required by this international framework.

²⁰³ *La calidad del gobierno en las entidades federativas mexicanas: una propuesta conceptual y de medición*, p. 22.

²⁰⁴ *Ibid.*, p. 2.3

Meanwhile, the next stage of fiscal management at the federal level - supervision through accounting and auditing standards - is the responsibility of the Congress, which is the government branch in charge of overseeing the spending reported in the Public Accounts. Specifically, article 74 of the Constitution stipulates that the Chamber of Deputies is in charge of reviewing the Public Accounts, for which it has a specialized body known as the Superior Audit of the Federation. In order to comply with its legal mandate, the ASF audits a sample of public spending according to the level of risk of occurrence of irregularities or accounting errors. For example, for the 2018 Public Accounts, the sample consisted of about 50% of total federal public spending.²⁰⁵ The results of the audit are presented in the document "Report of the Results of the Superior Audit of the Public Accounts". The logic is the same at the sub-national level, since the states and municipalities present their Public Accounts to the state legislature, which has superior audit offices to carry out the inspection. It is worth mentioning that since 2015, article 79 of the Constitution establishes that the ASF is authorized to audit the resources that the Federal Government transfers to states and municipalities.

The Superior Audit Results Report is a lengthy document that can be complex for users not familiar with the subject. The results of the different audits carried out by the ASF since 2000 can be consulted in an accessible way in the *Public Audit Consultation System*, which publishes the actions promoted by the ASF to improve public expenditure, as well as their status. These actions include recommendations to guide the spending of government entities in order to make it more efficient, as well as actions focusing on the allocation of responsibilities such as the promotion of administrative sanctions before the control bodies of public entities, the Establishment of compensation responsibilities so that those responsible for any damages may compensate the public treasury and the reporting of acts to the prosecution services when there are suspicions of the commission of a crime. The information from the Public Audit Consultation System is disaggregated by state and allows the information to be downloaded in open data format as required by the user. The possibility of having the information from the audits and the actions promoted by an independent institution such as the ASF in a transparent way is a valuable input for accountability in public expenditure. Perhaps the only thing such a robust system still needs is the generation of regularly monitored indicators to provide a summarized follow-up of public spending and the sanctioning of illegal acts committed within the framework of this process.

The Public Expenditure Tracking Surveys (PETS) in Uganda

In terms of international experiences, audits carried out by other countries demonstrate the value of the information published by the SHCP and by the ASF to the fight against corruption. In the 1990s, Uganda was an iconic case of public spending review by applying a World Bank-driven monitoring methodology known as the Public

²⁰⁵ Superior Audit of the Federation, 2018 Public Accounts General Executive Report, p. 31.

Expenditure Tracking Surveys (PETS). The use of PETS focused on evaluating the management of public resources destined for schools and health clinics in Uganda. The PETS method for tracking public spending is very simple: a random sample of public service delivery points is chosen²⁰⁶ and a comparison is made of how much money and/or material resources were sent on average to the resource delivery units and the amounts earmarked by the central government treasury body.²⁰⁷ The use of PETS is especially useful in countries where there is no reliable information on public spending or where such information is not presented in a timely manner. Based on the findings of this methodology, “leaks” (lost funds) in public spending, possibly attributable to corruption, can be detected.²⁰⁸

For the specific case of Uganda, the amount of expenditure earmarked in the education budget that actually reached the schools was investigated in 1996. Based on a formula referencing the amount each student should receive according to the budget, it was found that only 26% of the education spending reached its destination (to see the formula of the indicator, see **Error! No se encuentra el origen de la referencia.**).²⁰⁹ Opacity prevailed in the rest of the expenditure and it could not be ruled out that acts of corruption were involved in the management of these resources. However, based on these data, Uganda carried out a set of actions to reform the public spending system. A new evaluation of spending on the education sector carried out seven years later (in 2002) by the World Bank researchers showed important improvements, since schools received 80% of the originally earmarked resources.²¹⁰

In the case of Mexico, the information published by the ASF is extremely useful for the second stage focused on correcting management aspects that are not working correctly. For that purpose, it would be convenient to execute the actions most frequently promoted by the ASF in indicators disaggregated by state and in different classifications of public spending. This must be accompanied with the design of indicators that synthesize what happens with the reports of illicit actions that arise from the control of public spending. The foregoing represents the basis of a diagnosis that permits adjustments aimed at avoiding the misuse of public resources and the evaluation of the follow-up to potential acts of misappropriation of funds identified by the supervisory authority in the exercise of the funds.

²⁰⁶ 250 schools and 110 health clinics were contemplated in the first Ugandan study. See Emmanuel Ablo and Ritva Reinikka, “Do budgets really matter? Evidence from public spending on education and health in Uganda”, *World Bank Research Working Paper 1926* (Washington DC: World Bank, 1998).

²⁰⁷ Geir Sundet, "Following the money: do Public Expenditure Tracking Survey matter?" U4 Issue 2008: 8 (Bergen [NO]: U-4 Anti-corruption Resource Center, 2008]), p. 9.

²⁰⁸ Miriam A. Golden and Lucio Picci, “Proposal for a new measure of corruption, illustrated with Italian data”, in *Economics and Politics*, vol. 17, No. 1 (2005), pp. 37-75.

²⁰⁹ “Do budgets really matter? Evidence from public spending on education and health in Uganda”.

²¹⁰ “Following the money: do Public Expenditure Tracking Survey matter?”, P. 9.

Table 4.18: Measurements of the monitoring of public expenditure in basic education

Measurement Survey for the Monitoring of Public Expenditure on Education	
Axis of the National Anti-corruption Policy in Mexico	Axis 03: Promote the improvement of public administration and points of contact between the government and society.
Priority of the National Anti-corruption Policy	Priority 22. Strengthening the evaluation mechanisms of the budgets under a human rights and corruption risk management approach.
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Priority strategy 3.5. Strengthening the mechanisms to identify strengths, opportunities, weaknesses, and threats in the budgets and promote the use of these findings in the design, operation, and measurement of results.
Mexico Sources	<ul style="list-style-type: none"> • Secretariat of Finance and Public Credit Public Account (1996-2019). • Superior Audit of the Federation, Public Audit Consultations System (2000-2018). • Superior Audit of the Federation, (2000-2018) Report on the Result of the Superior Audit of Public Accounts.
Comparative reference case	Uganda, Public Expenditure Tracking Surveys.
Indicators	$\frac{\text{Amount received by the government}}{\text{Number of students enrolled}}$ $\frac{\text{Amount assigned in the budget}}{\text{Students enrolled}}$
Disaggregation	<ul style="list-style-type: none"> • Urban/Rural. • Country region (Northwest, North, Northeast, East, Center, Southwest, West). • School District.
Reference	The World Bank, <i>Public Expenditure Tracking Survey in Education 2002</i> .
Data collection method	Analysis of school accounting from a random stratified sample.
Period for which it is available	Uganda: 1996; 2002.

Measurement Survey for the Monitoring of Public Expenditure on Education

- | | |
|--|---|
| Article(s) of the United Nations Convention against Corruption | <ul style="list-style-type: none">• 9 (sections 2. and 3.), Public procurement and management of public finances.• 13, Participation of society. |
|--|---|

Source: Prepared internally

4.5. Measurements of corruption levels

As mentioned in the methodology of this document, it is important to differentiate the measurements of public anti-corruption policies -which more related to management and impact in specific areas- from corruption levels. In this section we present metrics related to the second element. As mentioned before, corruption is difficult to measure for several reasons, such as its hidden nature, the high costs of reporting its occurrence, and its broad nature, which means that it encompasses multiple behaviors. However, there are methodologies and standards to quantify certain general forms of corruption. These metrics are especially useful to measure the global effect caused by the public policies discussed in the previous section. For evaluation purposes, measuring corruption levels is useful in order to examine long-term goals related to a sequence of improvements in the administration of the State and to the implementation of public actions to fight corruption. This makes it possible to define the strategic lines of public policies and to strengthen areas in which corruption-related problems are identified. Likewise, the metrics in this section are used to communicate concrete achievements in the fight against the problem of corruption.

However, there are risks in establishing a direct causality between the actions of different public anti-corruption policies and the measurement of corruption levels, since many factors converge in the magnitude of the latter and the direction of the effects is not always clear.²¹¹ For this reason, they must be used with caution, which implies taking into account the trajectory of these indicators in the long term and contextualizing the information with other political, economic and social factors.

4.5.1. Levels of corruption experienced by individuals and companies

Surveys that ask people about their experiences with acts of corruption make it possible to analyze and list actual situations of corruption, as well as to determine which sectors,

²¹¹ How to monitor and evaluate anti-corruption agencies: guidelines for agencies, donors and evaluations, pág.43.

agencies and groups of people are most vulnerable to these practices.²¹² For that reason, corruption surveys are one of the most useful instruments for generating measurements that help to develop public policies that attack the problem of bribery in a targeted manner. In order to have this information, the first step is to become apprised of the governmental procedures and the requirements for each of them. In this sense, the Mexican government, through CONAMER and SFP, established the National Catalog of Procedures and Services (CNTyS), which includes all the procedures and services at the federal, state and municipal levels. This registry provides a tool that publishes the stages of the interaction between government and citizens and the requirements to obtain any service in a single platform known as the National Single Service Window. As reviewed in the e-government section, the CNTyS also makes it possible to know the degree of digitization of each procedure.²¹³

Once knowledge about the services offered by the State has been gathered, corruption surveys are the best tool to estimate the prevalence of bribery, which represents the measurement of two of the indicators of the Sustainable Development Goals (SDG): 16.5 .1 and 16.5.2.²¹⁴ Said indicators contemplate bribery in proceedings for the year prior to the survey in question and estimate the results for two different subject pools: persons (indicator 16.5.1) and businesses (indicator 16.5.2). Mexico has surveys conducted by INEGI to measure both indicators. In the case of the prevalence of corruption in persons, the main source of information is the National Survey on Governmental Quality and Impact (ENCIG), which is carried out every two years (business corruption surveys are discussed later). Based on the data from these surveys, the prevalence of bribery in Mexico is comparable to the rates reported internationally by other countries that also collect their information under the recommended standards for indicator 16.5.1 of the SDGs. It is worth noting that the Inter-Agency and Expert Group on SDG indicators (IAEG-SDGs)²¹⁵ places indicator 16.5.1 as conceptually clear, with an established international methodology and available standards.²¹⁶ This means that Mexico has an instrument aligned with the best practices agreed by international experts on the matter for measuring the prevalence of corruption.

As shown in **Error! No se encuentra el origen de la referencia.**, corruption surveys are not only useful to find out the prevalence of bribery referred to in indicator 16.5.1 of the SDGs. This source of information can show which sectors of the government are most affected and which social groups are more likely to experience

²¹² *Elaboración y aplicación de estrategias nacionales de lucha contra la corrupción*, p. 20.

²¹³ According to the open data of the "Level of digitization of the procedures registered in the National Catalog of Procedures and Services" database, the parameters are: 1) Downloading forms, 2) information available, 3) submission of forms, 4) end-to-end services.

²¹⁴ For a broader discussion see the introduction to this document.

²¹⁵ *Inter-Agency and Expert Group on SDG indicators*.

²¹⁶ United Nations Statistics Division, *Tier classification for Global SDG indicators* as of 17 July 2020, <https://unstats.un.org/sdgs/iaeg-sdgs/tier-classification/>

bribery. Likewise, surveys on the bribery of persons frequently show the number of times in a reference period that a citizen has been involved in an act of bribery (incidence), as well as the -monetary or other- costs associated to such a request or offer. A particularly important aspect to fight bribery is knowing the response of the people. This can be estimated through indicators on the proportion in which these acts are reported and the reasons that lead citizens to refrain from reporting them, as well as their experiences when reporting a case of this type.

Surveys on experiences of corruption are commonly conducted by National Statistical Offices, such as the citizen safety survey²¹⁷ of the National Institute of Statistics (ISTAT, per the Italian acronym)²¹⁸ of Italy, which includes a module on corruption in the 2015-2016 edition. Other surveys have been carried out by national institutes in collaboration with international organizations such as UNODC. This is the case of the two editions of the Nigerian corruption survey (in 2016 and 2019)²¹⁹ and of a survey in the Western Balkans region developed with the same methodology in seven countries of the region in 2011.²²⁰ A project in the field of unofficial statistics is the Global Corruption Barometer of Transparency International, which collects the proportion of people involved in bribery in different regions. Although the methodology allows international comparisons and has multiple editions, the sample size of the Global Corruption Barometer in each country is smaller than that conventionally used to collect official data in a survey.²²¹ A relatively small sample size can be problematic to disaggregate information for specific social groups and to be representative at different geographic levels.

The set of the most relevant estimates of corruption experiences is presented in ;Error! No se encuentra el origen de la referencia.. A relevant area of opportunity for the surveys contained therein (with the exception of the one carried out by Transparency International) is their limited frequency. Corruption surveys by the Italian National Statistics Institute and UNODC in the Balkan region have been carried out only once and the Nigerian project - also carried out by UNODC- twice. A limited frequency is the case for most of the international corruption surveys identified in a comprehensive study conducted in 2018 by the UNODC-INEGI Center of Excellence.²²² In comparison,

²¹⁷ Sicurezza dei cittadini.

²¹⁸ Instituto Nazionale di Statistica.

²¹⁹ UNODC, *Corruption in Nigeria: patterns and trends. Second survey on corruption as experienced by the population* (Vienna [AT]: UNODC, 2019); UNODC, *Corruption in Nigeria. Bribery: public experience and response* (Vienna [AT]: UNODC, 2017).

²²⁰ The survey was carried out by Albania, Bosnia and Herzegovina, Croatia, Kosovo, Montenegro, Serbia and the Republic of North Macedonia. Statistical authorities were involved to a greater or lesser extent in the process in most of the countries. See UNODC, *Corruption in the Western Balkans: Bribery as experienced by the population* (Vienna [AT]: UNODC, 2011).

²²¹ See for example Transparency International, *Global Corruption Barometer: Latin America and the Caribbean 2019: Citizens' Views and Opinions of Corruption*. (Berlin [DE]: Transparency International, 2019).

²²² Center of Excellence in Statistical information on government, crime, victimization and justice (2018), *Critical review of existing practices to measure the experience of corruption*, (Mexico City: UNODC), p. 24.

ENCIG has been carried out every two years since 2011 with a similar methodology in each edition, which allows the levels of corruption to be monitored periodically. For this reason, and as is the case with the control of public expenditure, it is safe to say that the corruption measurement practices in Mexico represent a good practice at the international level.

Table 4.19: Measurements of experiences of corruption among citizens

Measurements of experiences of corruption among citizens	
Axis and priority of the National Anti-corruption Policy (PNA) in Mexico	Cross-sectional.*
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Cross-sectional, although particularly important for: Priority strategy 4.3. Promoting the improvement and simplification of institutional processes and the internal regulatory framework that regulates them, with actions that support the proper use of funds, the fulfillment of goals and the elimination of margins of discretion.
Mexico Sources	<ul style="list-style-type: none"> • INEGI National Survey on Governmental Quality and Impact (2011, 2013, 2015, 2017, 2019), Section VIII Corruption. • Ministry of Public Administration National Catalog of Procedures and Services.
Comparative reference case	<ul style="list-style-type: none"> • Italy (ISTAT). • Nigeria (Support to Anti-Corruption in Nigeria). • Western Balkans (UNODC). • Global (107 countries). Transparency International. Global Corruption Barometer.
Indicators	<p>Occurrence of bribery</p> <ol style="list-style-type: none"> 1. Prevalence of bribery: Proportion of people (%) who had contact with public officials who asked them for money, favors or gifts (conventionally last 12 months). 2. Proportion of people (%) who know someone (friends, family, colleagues) who was asked for money, favors, or gifts in exchange for goods and services. 3. Percentage distribution by the type of personnel who requested the bribe (doctors, teachers, administrative personnel, policemen, among others). 4. Average number of bribes or proportional distribution of the number of bribes (1, 2, 3, 4, 5 or more). <p>Value of the bribe</p> <ol style="list-style-type: none"> 1. Percentage distribution by type of bribe granted or requested (cash, in kind, exchange of favors). 2. Amount paid in one year per bribe (for cash bribes).

Measurements of experiences of corruption among citizens	
	<p>Bribery report</p> <ol style="list-style-type: none"> 1. Proportion (%) of people with bribery experiences who reported it to the authorities. 2. Percentage distribution of reasons for not reporting a bribe (common practice, it would be useless, fear of retaliation, lack of a clear channel to report).
Disaggregation	<ul style="list-style-type: none"> • Italy: Regional, government sector, geographic area, population size. • Nigeria: States (36 sub-national entities), bribery payers/non-bribery payers, urban/rural area and gender of those who bribed. • Western Balkans: Country (7), Urban/Rural, Sex • Transparency International: By age, government sector.
Reference	<ul style="list-style-type: none"> • Istituto Nazionale de Statistica (Italy) <i>Corruption in Italy: The citizen's point of view</i>. • UNODC, <i>Corruption in Nigeria: Patterns and Trends, Second survey on corruption as experienced by the population</i> • UNODC, <i>Corruption in Nigeria. Bribery: public experience and response</i>. • UNODC, <i>Corruption in the Western Balkans: Bribery as experienced by the population</i>. • Transparency International, <i>Global Corruption Barometer</i>.
Data collection method	<p>Random sampling household survey:</p> <ul style="list-style-type: none"> • Italy: Mainly by phone. ** • Transparency International is mostly face-to-face with exceptions in some countries. • Nigeria, face-to-face surveys. • Western Balkans: Face-to-Face Surveys.
Period for which it is available	<ul style="list-style-type: none"> • Italy: 2015/2016. • Nigeria: 2016 and 2019. • Western Balkans: 2010. • Comparative study of Transparency International: 2004-2019.
Article(s) of the United Nations Convention against Corruption	5, Preventive anti-corruption policies and practices.

* It is considered that experiences of corruption are the result of the priorities of the actions and programs of the PNA. Given this cross-sectional nature, we consider that it would be wrong to associate them with a specific and unique priority axis or strategy.

** The Italian survey considers families as units of measurement in contrast to the rest, which use individuals as the unit of measurement

Source: Prepared internally

Corruption surveys among citizens only capture administrative corruption in government procedures; that is to say, the most frequent and smallest in magnitude. This limitation is due to the fact that most people don't have personal experiences with cases of large-scale corruption that involve political and business elites doing fraudulent public acquisitions or trading in influence in well-organized networks of corruption. One of the ways to remedy this deficiency is by conducting surveys with companies or businesses to capture information about their business practices, their interaction with the government and their participation in public procurement.²²³ Furthermore, businesses are a relevant public for the generation of statistics due to their weight in the economy and because, in the case of transnational companies, they are a relevant agent in the bribery of foreign public officials. For this type of survey, the person in charge of responding is often an executive or the person who owns the business.²²⁴ The selection of respondents should also give preference to people in the company with the highest probability of contact with the public administration.²²⁵ The aforementioned indicator 16.5.2 of the SDGs is obtained from the information on bribery experiences in the last year. In the case of Mexico, the measurement of the prevalence of corruption in companies is derived from two INEGI programs: The National Survey on Business Victimization (ENVE) - a biennial survey carried out on four occasions - and the National Survey of Regulatory Quality and Government Impact on Companies (ENCRIGE) that has a survey corresponding to 2016.²²⁶

At the international level, various international organizations have carried out surveys among companies in order to find out the prevalence of bribery in this sector. The *Manual on Corruption Surveys* has five different tools of this type:

- the World Bank's Enterprise Surveys
- the Flash Eurobarometer 374: Businesses' attitudes towards corruption in the EU
- Business, Corruption and Crime in the Western Balkans²²⁷ by UNODC
- Crime Against Business in Europe: A Pilot Survey by the European Commission, Gallup and Transcrime.

²²³ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 21.

²²⁴ UNODC, UNDP and Center of Excellence in Statistical Information on Government, Crime, Victimization and Justice UNODC-INEGI, *Manual on Corruption Surveys* (Vienna [AT], 2018), p. 109.

²²⁵ *Idem*.

²²⁶ Additionally, there is an ENCRIGE 2019 with measurements in Mexico City companies.

²²⁷ The study covers the following countries: Albania, Bosnia and Herzegovina, Croatia, Kosovo, Montenegro, Serbia and the Republic of North Macedonia (same States as in the citizen corruption survey).

- the World Bank's Business Environment and Enterprise Performance Survey

Most of these surveys allow the information to be disaggregated in order to know in which companies bribery of authorities is most likely to occur according to the size of the firm, the economic sector in which it is classified and the regions of the country in which it operates. As in surveys aimed at the general public, corruption surveys of companies allow us to measure other aspects related to the levels of this phenomenon. An example is the incidence of corruption: the number of times that companies have been involved in a bribe. It is also possible to calculate the amounts commonly paid as bribes, which are significantly higher than those paid by the citizens. The main indicators can be reviewed in **¡Error! No se encuentra el origen de la referencia.** An interesting exploration is that of UNODC's survey in the Western Balkans. This instrument includes measurements on corruption between companies. This type of corruption occurs when company personnel is bribed in order to ensure commercial transactions without the intermediation of public authorities.²²⁸ It is estimated with questions similar to those used for bribes paid to the authorities, although referring to illicit conduct between companies: prevalence of bribery disaggregated by economic sectors and company size, type of bribe granted, purpose, and that rate it is reported to the authorities. Corruption between companies is an issue that could be incorporated in Mexican instruments such as ENVE or ENCRIGE to provide a more complete diagnosis of acts of corruption.

As in the case of citizen corruption surveys, Mexico has the ENVE as a privileged source to monitor the indicators of corruption levels in companies every two years since 2012. In contrast, similar instruments at the international level such as the UNODC survey in the Western Balkans or the Flash Eurobarometer 374 only have one edition, which limits their usefulness for monitoring and evaluating bribery between companies based on time series.

Table 4.20: Measurements of experiences of corruption in companies

Measurements of experiences of corruption in companies	
Axis and priority of the National Anti-corruption Policy (PNA) in Mexico	Cross-sectional.*
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Cross-sectional, although particularly important for: Priority strategy 4.3. Promoting the improvement and simplification of institutional processes and the internal regulatory framework that regulates them, with actions that support the proper use of funds, the fulfillment of goals and the elimination of margins of discretion.

²²⁸ UNODC, *Business, corruption and crime in the Western Balkans* (Vienna [AT]: UNODC, 2013).

Measurements of experiences of corruption in companies	
Mexico Sources	<ul style="list-style-type: none"> National Survey on Business Victimization-ENVE (2012-2018), Main Questionnaire, VI. Corruption National Survey on Regulatory Quality and Government Impact on Enterprises-ENCRIGE (2016 and 2019 for Mexico City), Section IX Corruption.
Comparative reference case	<ul style="list-style-type: none"> <i>Business attitudes towards corruption in the EU</i> from Flash Eurobarometer 374 (28 European countries) World Bank's <i>Enterprise Surveys</i> (139 countries) Study Business, Corruption and Crime in the Western Balkans (7 countries in the region) <i>The Crime Against Business in Europe: A Pilot Survey</i> by the European Commission, Gallup and Transcrime
Indicators 1/2	<p>Occurrence of bribery</p> <ol style="list-style-type: none"> Prevalence of bribery: Proportion of companies which had contact with public officials and paid a bribe or were asked for a bribe in the period of reference (conventionally 12 months). Average number of bribes paid in the last year. Proportion (%) of public transactions in which the payment of a gift was requested. Type of public official who requested or received the bribe (public officials in departments such as tax, public works, inspection, municipal, customs, police, among others). Distribution of the reasons for bribery (to speed up processes, to receive preferential treatment, no explicit purpose, to receive privileged information, among others). <p>Value of the bribe</p> <ol style="list-style-type: none"> Percentage distribution by type of bribe granted or requested (cash, in kind, exchange of favors, others). Value of the gift as a percentage of the value of the contract. Average amount of cash bribes. <p>Corruption report</p> <ol style="list-style-type: none"> Proportion (%) of businesses with experiences of bribery that reported it to the authorities.
Indicators 2/2	

Measurements of experiences of corruption in companies	
Disaggregation	<p>2. Percentage distribution of the reasons for not reporting a bribe (it is a common practice, it would be useless, fear of retaliation, lack of a clear channel to report).</p> <p>Corruption between companies</p> <ol style="list-style-type: none"> 1. Prevalence of bribery between companies: Proportion of companies (%) that give gifts, favors or pay extra money to secure a business transaction. 2. Percentage distribution by type of bribe granted or requested from another company (cash, in kind, exchange of favors, others). 3. Percentage distribution of the reason to grant or request the bribe (winning a contract, securing better prices, agreement to compete in a public tender, among others). 4. Proportion (%) of companies with experiences of bribery with another company that reported it to the authorities <ul style="list-style-type: none"> • Eurobarometer: Country (28), economic sector • World Bank: Country, region, type of procedure or public service (public contracts, payment of taxes, permits/licenses) • UNODC: economic sector, country (seven countries considered), number of employees by category, Urban/Rural population, number of branches, type of ownership (private, State, formerly State-owned), participation of foreign private capital (Yes/No) • European Commission-Gallup-Transcrime: Country (20),
Reference	<ul style="list-style-type: none"> • World Bank, <i>Enterprise Surveys y Business Environment and Enterprise Performance Surveys</i> • Flash Eurobarometer 374, <i>Business attitudes towards corruption in the EU</i> • UNODC, <i>Business, corruption and crime in the Western Balkans: The impact of bribery and other crime on private enterprise</i> • European Commission-Gallup-Transcrime, <i>The crime against enterprises in Europe: A pilot survey</i>
Data collection method	Random sampling business survey: The way in which the information is collected is as follows: (UNODC face-to-face, European Commission, Gallup and Transcrime telephone and online, Eurobarometer, telephone and for World Bank surveys, face-to-face).

Measurements of experiences of corruption in companies	
Period for which it is available	<ul style="list-style-type: none"> • Flash Eurobarometer: 2013 • UNODC Study on Countries in the Western Balkans: 2013 • World Bank: 2006-2019 • European Commission/Gallup/Transcrime: 2013
Article(s) of the United Nations Convention against Corruption	5, Preventive anti-corruption policies and practices.

* It is considered that bribery-related experiences of corruption are the result of the priorities of the actions and programs of the PNA. Given the cross-sectional nature of the perception of corruption, we consider that it would be wrong to associate them with a specific and unique priority axis or strategy.

Source: Prepared internally

4.5.2. Perception of corruption

The measurement of corruption through perceptions of its existence began with Transparency International's 1995 Corruption Perceptions Index (CPI), which represented one of the first general and comparable measurements of this phenomenon.²²⁹ As a result, the CPI has a long annual historical series that allows evaluating the evolution of perceptions of corruption since 2012.²³⁰ Another advantage of the IPC is that it has an internationally standardized methodology, which allows comparisons to be made for 180 countries in the most recent edition (2019). However, it is important to specify that the CPI is not a direct measurement of the level of corruption, but a composite index based on 13 surveys and evaluations prepared by 12 institutions. Each of these sources of information collects the opinions of experts and company executives on corruption in the public sector for a specific country.²³¹ Using the information of these sources, the result of each one is standardized in a score that ranges from 0 (more perceived corruption) to 100 (less perceived corruption). Then a minimum of three standardized measures per country are added, and an average is obtained that consists of the CPI score and a measure of uncertainty according to the variation in the measurements considered.²³² With the results, they build a ranking that

²²⁹ Mireille Razafindrakoto & François Roubaud, "The Governance, Peace and Security modules of the Strategy for the Harmonisation of Statistics in Africa (GPS-SHaSA): development of an innovative statistical survey methodology" UMR 225 IRD - Paris-Dauphine dt 2015-20.

²³⁰ Due to a change in methodology, previous results are not comparable. See Transparency International, *Corruption Perceptions Index 2019, Frequently asked questions*,

https://images.transparencycdn.org/images/2019_CPI_SourceDescription_EN-converted-merged.pdf

²³¹ Transparency International, *Corruption Perceptions Index 2019, Full source description*,

https://images.transparencycdn.org/images/2019_CPI_SourceDescription_EN-converted-merged.pdf

²³² Transparency International, *Corruption Perceptions Index 2019, Frequently asked questions*,

https://images.transparencycdn.org/images/2019_CPI_SourceDescription_EN-converted-merged.pdf

classifies countries according to the level of corruption perceived in the public sector.²³³ Both the ranking and the CPI score included in **¡Error! No se encuentra el origen de la referencia.** are measures of the perception of corruption that, together with others, can contribute to the monitoring of an anti-corruption strategy. Likewise, by mixing different sources of information, the CPI reduces the bias that each source has when considered in isolation. However, several cons of using composite indices to measure have been identified. The evaluations of those who respond to instruments like this may correspond to a shared belief about corruption in the country or to the perception that the least developed countries are the most corrupt.²³⁴

Surveys are another commonly used method to measure perceptions of corruption, in addition to composite indices such as the CPI. According to the count carried out by the UNODC-INEGI Center of Excellence, there are more than 90 instruments to measure corruption at the international level that use surveys to collect perceptions on the subject. Most ask household members or individuals contacted by other means, and, to a lesser extent, company representatives and public officials.²³⁵ These surveys are often carried out in several countries by international non-governmental organizations, so they are not classified as official statistics. They contain measurements of how frequent they consider corruption is, how much do they consider it is justified, and the role of the authorities in fighting or perpetuating it. The Center of Excellence counted the surveys aimed at citizens, public officials, and companies and found there are more than 90 instruments to measure perceptions of corruption.²³⁶ Some of the most representative indicators and sources of information are presented in **¡Error! No se encuentra el origen de la referencia.**

However, measurements based solely on perceptions create a limited view of corruption²³⁷ and are often limited in validity, as perceptions of corruption can deviate significantly from reality.²³⁸ Consequently, it is not recommended that they are used as the only source to measure corruption levels. However, there are reasons why these types of metrics can be useful to analyze specific aspects of corruption and why it is worth using them to monitor and evaluate a strategy. These reasons include:

1. Perception surveys serve to measure the degree to which corruption is considered a priority on the public agenda in relation to other issues.
2. These instruments may reflect the belief that corruption is widespread, which may contribute to normalizing this type of behavior. This should

²³³ *Idem.*

²³⁴ *Critical review of existing practices to measure the experience of corruption*, p. 16.

²³⁵ *Critical review of existing practices to measure the experience of corruption*, p. 14.

²³⁶ *Ibid.*, p. 10.

²³⁷ What explains corruption perceptions? The dark side of political competition in Russia's regions”, p. 148.

²³⁸ Dilyan Donchev and Gegerly Ujhelyi “What do corruption indices measure?” *Economics & Politics* Vol 26 No. 2 (July 2014), pp. 309-331.

be avoided, because normalizing corruption can reduce the costs of engaging in acts of corruption.²³⁹ A testament to this is that one of the main reasons stated in different surveys to refrain from reporting acts of corruption is that it is considered a common practice.²⁴⁰

In order to take advantage of the information provided by the corruption perception surveys and to compensate for its limitations, several countries and international organizations have chosen to combine them in the same instrument with modules on experiences of corruption.²⁴¹ According to the search carried out by the UNODC-INEGI Center of Excellence for instruments to measure corruption, the surveys that measure both perceptions and experiences of corruption are the most common form of tools to measure corruption.²⁴²

This is the case with INEGI's instruments to measure corruption. The Governmental Quality and Impact Survey (ENCIG), the National Survey on Business Victimization (ENVE), and the Quality and Regulatory Impact Survey in Companies (ENCRIGE) that measure experiences of corruption in people and in companies, include questions on aspects related to perception similar to those we have referred to previously at the international level: how widespread corruption is, how corrupt an authority is considered (governments, congresses, autonomous bodies, law enforcement agencies, political parties), as well as the extent to which corruption affects business. Likewise, the National Survey on Police Standards, Training and Professionalization (ENECP), conducted among police officers at the federal, state and municipal levels during 2017, includes questions on the perception of corruption in internal reporting mechanisms. As previously stated, both the ENCIG and the ENVE have been applied systematically with a similar methodology. Consequently, these instruments are comparable in time, which favors monitoring efforts. Another advantage is that, due to their large sample size, they allow the information to be disaggregated by states, by different social groups and by economic sectors. These elements mean that Mexico has measurements of perceptions of corruption that are good practices when evaluated under international standards.

Table 4.21: Measurements of perceptions of corruption (citizens, companies and experts)

Measurement: perceptions of corruption among citizens, companies and experts	
Axis and priority of the National Anti-corruption Policy (PNA) in Mexico	Cross-sectional.*

²³⁹ *Ibid.*, P. 149.

²⁴⁰ See *Business, corruption and crime in the Western Balkans*, p. 36

²⁴¹ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, pp. 21-22.

²⁴² *Critical review of existing practices to measure the experience of corruption*, p. 7.

Measurement: perceptions of corruption among citizens, companies and experts

2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Cross-sectional.*
Mexico Sources 1/2	<ul style="list-style-type: none"> • INEGI, National Survey on Governmental Quality and Impact, ENCIG (2011, 2013, 2015, 2017, 2019) Section III. Perception of Corruption. • INEGI, National Survey on Business Victimization, ENVE (2012, 2014, 2016, 2018), Section III Institutional performance.
Mexico Sources 2/2	<ul style="list-style-type: none"> • INEGI, National Survey of Regulatory Quality and Government Impact on Companies, ENCRIGE (2016), Section III. Perception. • INEGI, National Survey on Police Standards, Training and Professionalization, ENECAP (2017). Section V, Relationship with the institution, command and colleagues.
Comparative reference case	<ul style="list-style-type: none"> • Transparency International Corruption Perception Index, 180 countries. • <i>Bribe Payers Index</i>, Transparency International, 28 leading exporting countries. • <i>Gallup World Poll</i>, Gallup, 129 countries. • <i>Business attitudes towards corruption in the EU</i>, Flash Eurobarometer 374 (28 European countries).

Measurement: perceptions of corruption among citizens, companies and experts

	<p>Composite perception indices</p> <ul style="list-style-type: none"> • Corruption Perception Index, an index composed of surveys and consultations with experts and companies for a specific country. • Position (1-180) of a country in the ranking derived from the Corruption Perceptions Index. • <i>Bribe Payers Index</i>, Index obtained by asking executives of transnational companies "How much do firms with offices in that country (country for which the index is calculated) get involved in bribery in this country (the country of the respondent)?" The index is subsequently normalized on a scale from 0 (they always engage in acts of corruption) to 10 (they never engage). <p>Perception survey indicators</p> <ol style="list-style-type: none"> 1. Proportion of people or companies (%) with the perception of corruption as a generalized conduct in the government. 2. Proportion of people or companies (%) that consider that corruption is widespread among specific government personnel/institutions (government in general, congressmen, judges, police, political parties, among others). 3. Perception of the frequency of corruption in public procurement according to companies (% who believe that corruption in public procurement prevented their company from winning the tender). 4. Proportion of companies (%) that believe that an act of corruption by persons or companies would be reported to
Indicators 1/2	<ul style="list-style-type: none"> • Corruption Perception Index: Country. • <i>Bribe Payers Index</i>: Country. • Eurobarometer: Country (28), economic sector. • <i>Gallup World Poll</i>, Country.
Disaggregation	<ul style="list-style-type: none"> • Transparency International, <i>Corruption Perceptions Index</i> • Transparency International, <i>Bribe Payers Index</i> : 1999, 2002, 2006, 2008 and 2011 • Flash Eurobarometer 374, <i>Business attitudes towards corruption in the EU</i>. • Gallup, <i>Gallup World Poll</i>
Data collection method	

Measurement: perceptions of corruption among citizens, companies and experts

Period for which it is available	<ul style="list-style-type: none"> • Composite indices through surveys and questionnaires for businessmen/women and experts (Transparency International). • Random sample surveys (citizenship/households, businesses) (For Gallup, mix of telephone and face-to-face) • Corruption Perception Index: 1995-2018. • <i>Bribe Payers Index</i>: 1999-2011. • Flash Eurobarometer 374: 2013. • <i>Gallup World Poll</i>: 2005/2006-2020.
Article(s) of the United Nations Convention against Corruption	5, Preventive anti-corruption policies and practices.

* It is considered that bribery-related experiences of corruption are the result of the priorities of the actions and programs of the PNA. Given the cross-sectional nature of the perception of corruption, we consider that it would be wrong to associate them with a specific and unique priority axis or strategy.

Source: Prepared internally

4.5.3. Trust in institutions

The study of corruption has shown that it has a reciprocal relationship with trust. When a state has high levels of mistrust among its population, corruption is estimated to be higher in measurements of both perception and experience, which, in turn, causes high levels of mistrust among people. For this relationship to occur, Eric Uslaner argues that there is a sequence of effects in which variables such as socioeconomic inequality intervene.²⁴³ A similar relationship has been identified with levels of political trust; in other words, a robust mutual causal relationship between trust in public institutions and the corruption perceived in them,²⁴⁴ especially for public security and justice institutions (police, the judiciary).²⁴⁵

This relationship between corruption and trust has been explored for Mexico. Although no evidence of a relationship between corruption and interpersonal trust has been found, a link has been found between an increase in the perception of corruption

²⁴³ Eric M. Uslaner, “Trust and corruption revisited: how and why corruption and trust and corruption shape each other” *Qual Quant* 47 (2013), pp. 3603-3608.

²⁴⁴ Stephen D. Morris and Joseph L. Klesner, “Corruption and trust: the theoretical considerations and evidence from Mexico” in *Comparative Political Studies* Vol. 43 No. 10 (2010), pp. 1258-1285.

²⁴⁵ *Ibid.*, p. 1263.

and trust in institutions or political trust.²⁴⁶ Since these studies have shown that the relationship is close, the measurement of institutional trust can be a by-product - as well as a cause - of the reduction in corruption levels. Building institutional trust is not an easy and immediate task when it is fed back with a suspicion of corruption. However, without trust in the institutions, the citizens would have only a minor role in the fight against corruption, which, in turn, would complicate the fulfillment of the goals in this subject.²⁴⁷ Therefore, maintaining a measurement of institutional trust with a long-term perspective could prove to be a positive byproduct of the efforts carried out in the various anti-corruption areas presented in this report.

In Mexico there are several projects that have been in charge of providing metrics on institutional trust broken down by a series of public bodies such as the Federal, State or Municipal Government, autonomous constitutional bodies, deputies, senators, judges, and others. The National Survey on Political Culture (ENCUP) carried out by the Secretariat of the Interior had five editions between 2001 to 2012, and three of them were carried out by INEGI (2001, 2003 and 2008). Additionally, *the Country Report on the quality of citizenship in Mexico* carried out by the National Electoral Institute, includes a dimension on "Values" where it shows the results of a survey that covers, among other topics, interpersonal trust and trust levels in 24 institutions, nine of them public.²⁴⁸ One limitation for monitoring purposes is that the survey has only been conducted once, in 2013. Meanwhile, the Survey on Governmental Quality and Impact (ENCIG) conducted biennially by INEGI includes questions about trust in public institutions.²⁴⁹ Likewise, as previously presented, ENCIG includes questions on perceived and experienced corruption, making it an ideal source of information for comparison with the levels of trust in public institutions.

Additionally, INEGI has the National Survey on Victimization and Perception of Public Safety (ENVIPE) and the National Survey on Urban Public Safety (ENSU), which measure the levels of trust in public security institutions (different police forces, prosecutors, judges, the Army and the Navy). The findings of ENVIPE are representative of the general population in the case of the ENSU, they are representative of the urban population. In addition to surveys aimed at citizens, the Survey on Business Victimization (ENVE) questions *business representatives* about their level of trust in

²⁴⁶Ibid and Organization for Economic Cooperation and Development/Inter-American Development Bank/Economic Commission for Latin America, "Economic Outlook for Latin America 2018: Rethinking institutions for development "(Paris [FR]: Éditions OECD, 2018), p. 256.

²⁴⁷Ibid., P. 1276.

²⁴⁸Deputies, political parties, police, judges, municipal government, state government, federal government, Federal Electoral Institute (currently the National Electoral Institute) and the Army.

²⁴⁹Although the names are not the same in all cases, the ENCIG consults institutions that are very similar to those included in the Country Report, and adds others such as public universities, public hospitals, Human Rights commissions, the National Guard, the Navy, the prosecution services and autonomous or devolved bodies.

ten institutions responsible for providing public security and justice.²⁵⁰ An advantage of these instruments is that their frequency is higher than that of other projects mentioned above. ENVIPE provides results on trust annually since 2011 and ENSU since the third quarter of 2016. ENVE has had biennial editions since 2012. The possibility of exploring perceptions about the bodies in charge of public safety is relevant because they tend to register high rates of perceived corruption and general distrust of the government.²⁵¹ Similarly, specialized literature mentions that projecting an image of justice has a positive influence on security tasks.²⁵²

At the level of international standards for the measurement of trust in institutions, the Organization for Economic Cooperation and Development (OECD) has synthesized various instruments developed in member countries of the Organization (although many of the projects are carried in other countries not included in the OECD synthesis).²⁵³ In these instruments, a representative sample of the population is usually consulted about trust in the government in general, the police, and the legal system in a similar way as INEGI surveys do. Some countries - as identified in the Hong Kong case study - carry out a study of the trust and a performance evaluation of the agency in charge of fighting corruption. Three of the surveys included in the OECD systematization (the World Gallup Poll, the World Values Survey and the Latinobarometer) include information for Mexico. The survey with the longest time series is the World Values Survey, with coverage from 1981 to 2018 on issues of political trust.

Of the seven sources of information listed in the aforementioned OECD registry, most are carried out by international organizations, so they are not part of government statistics. However, their coverage of different countries with the same methodology is wide, so they facilitate international comparisons. These projects tend to have a longer coverage in terms of time than that of the surveys in Mexico, especially the ENCUP - which is not highly updated - and the survey of the *Country Report on the Quality of Citizenship*, which has only been carried out once. However, the sample size of global surveys is usually smaller than that of INEGI surveys. Consequently, based on these sources of information, the disaggregation of trust by social groups is less accurate and they do not allow valid estimates to be made at the level of sub-national entities.

²⁵⁰ The institutions included in ENVE's questions on trust are: the municipal traffic police, the municipal preventive police, state police, federal police, ministerial or judicial police, prosecution services or state attorneys' offices, the Office of the Prosecutor General (currently Attorney General of the Republic), the judges, the Army and the Navy.

²⁵¹ Bo Rothstein, "Creating trust from above: social capital and institutional legitimacy" in *European for Political Research Joint Sessions of Workshops* (April 2000).

²⁵² Thomas Abt, *Bleeding out: The Devastating Consequences of Urban Violence - And a Bold New Plan for Peace in the Streets* (New York [NY]: Basic Books, 2018).

²⁵³ Online paper by Santiago González and Smith, "The Accuracy of Measures of Institutional Trust in Household Surveys: Evidence from the OECD Trust Dataset" OECD Statistics Working Papers, 2017/04 (Paris [FR]: OECD Publishing, 2017), www.oecd.org/std/OECD-Trust-Dataset.xlsx

Therefore, for the issue of institutional trust, Mexico has robust sources of information when compared with international instruments of public opinion that obtain similar information. In the future, the issue that must be monitored is the selection of the available indicators that emerge from these tools for monitoring purposes.

Table 4.22: Institutional Trust Measurements

Measurement: institutional trust	
Axis and priority of the National Anti-corruption Policy (PNA) in Mexico	Cross-sectional.*
2019-2024 National Program to Fight Corruption and Impunity, and to Improve Public Administration	Cross-sectional.*
Mexico Sources	<ul style="list-style-type: none"> • INEGI National Survey on Governmental Quality and Impact-ENCIG (2017 and 2019), Section XI: Trust in institutions. • INEGI National Survey on Urban Public Safety (quarterly measurement September 2016-March 2020), Section I Perception of public safety. • INEGI National Survey on Victimization and Perception of Public Safety-ENVIPE (2011-2019), Section V. Institutional performance. • National Survey on Business Victimization-ENVE (2012, 2014, 2016 and 2018), section III Institutional performance. • National Survey on Political Culture-ENCUP (2001, 2003, 2005, 2008, 2011) Section IV Trust in institutions. • INE, Country Report on the Quality of Citizenship, Section V. Values and Quality of Citizenship.
Comparative reference case	<p>Global (35 countries) OECD Trust dataset Compilation of the results of periodic surveys for 35 countries:</p> <ul style="list-style-type: none"> • <i>Gallup World Poll</i>. • Eurobarometer. • <i>World Value Survey</i>. • <i>European Social Survey (ESS)</i>. • <i>European Quality Life Survey (EQLS)</i>. • Latinobarometer. • <i>Statistics in Income and Living Conditions of the European Union (EU-SILC)</i>.

Measurement: institutional trust	
Indicators	<p>1. Proportion of people (%) who trust specific institutions (government, police, judges, prosecutors, political parties, congressmen, among others) by category (Likert scale).</p> <p>2. Proportion of people who trust the justice system/legal system as a whole by category (Likert scale).</p> <p>3. Proportion of people who trust the political system by category (Likert scale).</p> <ul style="list-style-type: none"> • <i>Gallup World Poll</i>: country. • Eurobarometer: country. • <i>European Social Survey</i>: country. • <i>World Values Survey</i>: age, status of being in charge of someone, head of household by income, autonomy index, country/region, employment status, educational level, marital status, post-materialist index, region in which the interview was conducted, income scale, employment sector, sex, city size, social class, age at completion of studies. • <i>European Quality of Life Survey (EQLS)</i>: age group (18-24, 25-34, 35-49, 50-64, 65+), employment status (employed, unemployed), income (income quartiles from lower to higher 1,2,3,4), sex (men women). • Latinobarometer: religious affiliation, age at completion of studies, age of the interviewee, education of the head of the family, marital status, number of people in the household, occupation, occupation of the head of the family, occupation of the active head of the family (type of employment), country, religion, sex of the interviewee. • <i>European Union Statistics on Income and Living Conditions (EU-SILC)</i>: country, age group, sex, educational level, income quantile, ownership status of the house they live in, degree of urbanization (high, medium and low) and type of housing (number of people living in a home and relationship between them).
Disaggregation	
Reference	OECD, Trust Dataset .
Data collection method	Random sampling surveys of the general public.
Period for which trust measurements are available (according	<ul style="list-style-type: none"> • <i>Gallup World Poll</i>: 2005/2006-2020. • Eurobarometer: 2003-2015 (Annual). • <i>European Social Survey</i>: 2002-2012 (Biennial). • <i>World Values Survey</i>: 1999/2004 to 2010/2014 (Five-Year).

Measurement: institutional trust	
to the OECD database)	<ul style="list-style-type: none"> • <i>European Quality of Life Survey: 2007/2008 and 2011/2012).</i> • Latinobarometer: 2002-2016 (Annual). • <i>European Union Statistics on Income and Living Conditions (EU-SILC): Specific module in 2013.</i>
Article(s) of the United Nations Convention against Corruption	5, Preventive anti-corruption policies and practices.

* Institutional trust is considered to be the result of the priorities of the actions and programs of the PNA and the National Program to Fight Corruption and Impunity, and to Improve Public Administration. Given the cross-sectional nature of trust, we consider that it would be wrong to associate them with a specific and unique axis, priority or strategy.

Source: Prepared internally

4.5.4. Future research agenda on anti-corruption levels

As reviewed in this section, personal surveys have been used to estimate corrupt behaviors such as bribery, levels of perception of corruption, and measures of institutional trust. Additionally, corruption surveys have been used to collect data on attitudes towards behaviors such as nepotism and/or cronyism in the public and private sectors and vote buying, and to estimate their frequency. Different methodological standards have been established and applied to measure these phenomena, in order to prevent a respondent who was involved in this type of behavior from not admitting the event out of fear of the social rejection associated with these behaviors.²⁵⁴ An innovation for estimating corruption-related behaviors such as vote buying and voter intimidation on Election Day is the list experiment in random sample surveys. Using the list experiment, it is possible to calculate the prevalence of these behaviors without knowing the involvement of the person consulted.²⁵⁵

It is expected that new methodologies will emerge and others will evolve in the coming years to measure the different behaviors encompassed in the concept of corruption. This is an objective endorsed by resolution 8/10 of session 8 of the Conference of the States Parties to the Convention held in 2019. This resolution mentions the importance of having an international statistical framework to measure corruption that is based on objective methodologies and reliable data sources, and

²⁵⁴ *Manual on Corruption Surveys*, Annex I, pp. 135-146.

²⁵⁵ In the list experiment, a control group and a treatment group are assigned a card with a list of the same behaviors except for one option (for example, giving a gift or a favor in exchange for the vote). The respondents are asked *in how many* of these behaviors they have been involved. Once the results are obtained, the difference in the averages of both groups is the magnitude attributable to the behavior of interest. See Ezequiel González-Ocantos, Chad Kiewiet de Jonge, Carlos Meléndez, David Nickerson and Javier Osorio, "Carrots and sticks: Experimental evidence of vote-buying and voter intimidation in Guatemala" in *Journal of Peace Research* Vol. 57 No. 1 (December 2019), pp. 46-61.

addresses the importance of having various indicators and approaches for exhaustive evaluations.²⁵⁶ The same resolution 8/10 on the measurement of corruption asks the United Nations Office on Drugs and Crime to continue developing methodologies for the generation of proposals that consolidate the broad framework for measuring corruption. This must be based on a consultation and close coordination scheme with the United Nations Statistical Commission and with the States Parties.²⁵⁷

²⁵⁶ Conference of the States Parties to the United Nations Convention against Corruption, *Report of the eighth session of the Conference of the States Parties to the United Nations Convention against Corruption, held in Abu Dhabi, December 16-20, 2019, Resolution 8/10 Measurement of Corruption*, p. 42

²⁵⁷ *Idem.*



Measurement frameworks for anti-corruption strategies

5

5. Anti-corruption strategies

This chapter presents the experiences of eight cases that have triggered different actions from an integral perspective around the prevention of and the fight against corruption: Egypt, Hong Kong, Indonesia, Italy, Latvia, Peru, United Kingdom and Singapore.²⁵⁸ The approach of these countries is different from that of chapter four, which focused on particular corruption-related issues, since it focuses on addressing various causes and consequences based on their effects on corruption. In the case studies presented, public agencies, civil society organizations and the private sector collaborate in a cross-sectional manner, each with specific tasks and roles. In six of the countries (Egypt, Indonesia, Italy, Latvia, Peru and the United Kingdom), the implementation and evaluation of the national strategy, sometimes referred to as *national policy or national plan against corruption*, has a planning element whose compliance is regularly monitored by the specialized anti-corruption agency. Some countries such as Egypt, Peru or the United Kingdom go further and incorporate governance mechanisms that interpret monitoring data and the progress of any actions implemented. This is a privileged space for the evaluation process in which it is decided whether the strategy shall continue as originally designed or whether any adjustments are made in areas that show certain weakness. Additionally, as noted in the UNODC practical guide for the preparation and implementation of anti-corruption strategies, there are cases that do not have a strategy document to carry out anti-corruption policies.²⁵⁹ This applies to the Hong Kong and Singapore cases presented below, which carry out permanent actions derived from the legal powers of the anti-corruption agency in which the agency coordinates with different sectors of society.

Following the framework of UNODC's National Anti-Corruption Strategies: A Practical Guide for Development and Implementation for each case study, an analysis is made of the inclusion of measurements that allow verifying both the implementation of the strategy and its results in the fight against corruption. On the one hand, the implementation indicators refer to the monitoring of the management of the programs, the activities required to achieve the desired results.²⁶⁰ On the other hand, the indicators that focus on results take into account the changes generated in the policies, with a particular interest in their contribution to the reduction of corruption.²⁶¹ Both are considered important, without their adequate implementation the expected results cannot be achieved. Meanwhile, the evaluation of results provides feedback on the value

²⁵⁸The cases are listed and presented in alphabetical order.

²⁵⁹*National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 2.

²⁶⁰Kuala Lumpur Statement on Anti-Corruption Strategies (2013), see “Evaluation v. Programme Management”.

²⁶¹*National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 46

of the implementation and should be one of the main elements to adjust its components. This is particularly important in an issue such as corruption, in which information to fight against it is limited and in which the situation is very particular in each case.²⁶² Article 5 of the Convention refers to the obligation of the States parties to apply coordinated and effective anti-corruption policies, whose relevance is periodically evaluated. Compliance with this article is achieved using strategies based on indicators to strengthen anti-corruption efforts, such as those reviewed below.

Each of the cases follows the same structure. First, it discusses the context and background of public policies prior to the strategy that currently governs the fight against corruption. Secondly, it addresses the contents of the strategies of each country and the mechanisms and institutions that guarantee their implementation, as well as the way in which the information on the progress and the results of the actions is made available to the public. The importance of having an information publication mechanism lies in that it allows institutional learning, makes information transparent and promotes citizen participation.²⁶³ Third, it lists the indicators or measurements used to quantify the implementation and the results and the impacts generated by the different strategies. The chapter offers a critical analysis of both, the design of these strategies and the validity of the metrics for measuring progress and specific aspects are taken up to feed Mexico's Corruption Monitoring and Evaluation Model.

5.1. Egypt: National Anti-Corruption Strategy 2019-2022

i. Strategy background

In Egypt, there is a National Anti-Corruption Strategy whose strategic planning covers the period between 2019 and 2022 that was prepared by a set of institutions working together in the National Coordinating Committee for the Prevention and Combating of Corruption (NCCPCC).²⁶⁴ A direct antecedent of the strategy is the 2014-2018 National Anti-Corruption Strategy. The diagnosis of the 2014-2018 strategy considers corruption as the main impediment to the efforts to promote human development in Egypt²⁶⁵ and it sought to follow up on Egypt's international commitments, which adopted the Convention in 2005 and the Arab Convention Against Corruption in 2014. The central point of this first anti-corruption strategy was for all parties involved in the anti-

²⁶² *Ibid.*, p. 52.

²⁶³ *Ibid.*, p. 57.

²⁶⁴ *National Coordinating Committee for the Prevention and Combating of Corruption*.

²⁶⁵ Sub-National Coordinating Committee For Preventing and Combating Corruption, *2014-2018 National Anti-corruption Strategy*, p. 4.

corruption system to concentrate efforts to promote the principles of integrity, transparency and accountability and to have a role to fulfill this common objective.²⁶⁶

The 2019-2022 strategy finds coincidences with the previous strategy in terms of its execution scheme (both follow the same sequence of execution policies, responsible actors, monitoring and performance indicators). However, the new strategy incorporates a solid knowledge base by incorporating the lessons learned in the previous strategy synthesized in five aspects:²⁶⁷

1. The main actions carried out for the implementation of the strategy.
2. The general positive outcomes resulting from issuance and implementation of the strategy.
3. The positive practices implemented for the objectives of the strategy.
4. The main challenges that emerged during the implementation of the first phase of the strategy.
5. The reasons why some of the actions were not implemented and ways to overcome them.

This balance mainly lists the actions implemented, although those that were not carried out due to limitations in terms of resources, due to inadequacies in the regulatory framework or because greater coordination was required between the responsible institutions are also mentioned. Challenges and pending issues that were considered for the 2019-2022 strategy are also mentioned.

ii. Key elements of the strategy

The national strategy currently carried out by Egypt consists of nine strategic axes (see illustration 5.1). For each strategic axis, there is a set of public institutions and sectors of society (such as the media or non-governmental organizations) responsible for implementation and another set in charge of monitoring it.

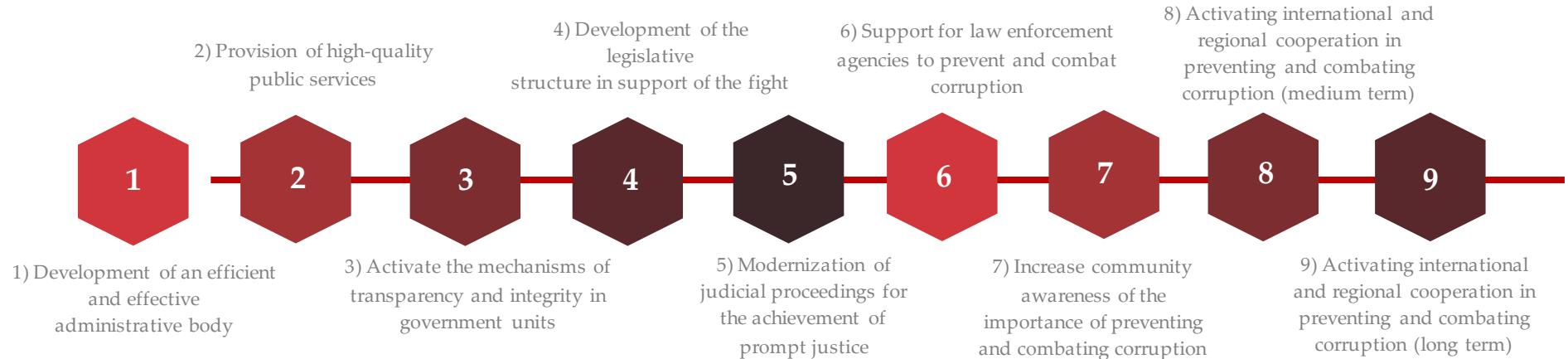
Similarly to the time frame proposed by the UNODC National Anti-Corruption Strategies: A Practical Guide for Development and Implementation,²⁶⁸ the implementation of the Egyptian strategy is articulated in short-term (two-year) and medium-term (four-year) goals. A series of government processes are proposed for each of the axes (between four and ten per strategic axis). This approach intends to reduce the limitations in the strategy in a timely manner, and to allow decisions to be made expeditiously if they are failing to work.

²⁶⁶ *Idem.*

²⁶⁷ NCCPCC, 2019-2022 *Egyptian National Anti-Corruption Strategy*:

²⁶⁸ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*. P. 36

Illustration 5.1: Strategic axes of Egypt's 2019-2022 National Anti-Corruption Strategy



Source: Prepared internally from the 2018-2022 Egyptian National Anti-corruption Strategy.

The strategy has a flexible approach by allowing the modification or addition of lines of action, and performance indicators other than those initially proposed as a result of new findings in opinion polls or specialized studies. We'd like to highlight the importance of not only following up on the approval of suggested regulatory measures, but also monitoring their de facto entry into force. To this end, there are plans to establish an annual monitoring and implementation mechanism managed by the Technical Secretariat of the NCCPCC.²⁶⁹

iii. Measurements/indicators used in the monitoring and evaluation of the strategy

As mentioned above, each of the axes in the National Anti-Corruption Strategy has government processes that are tied to short- or medium-term indicators. The content of the indicators is focused on government management good practices that reduce opportunities for corruption and involve civil society to a large extent. Many of the indicators are related to the implementation of good government management practices in areas such as transparency of government information, improvements in the management of public service personnel, and digitization of public procedures. Likewise, regulatory indicators measure the adoption of specific legislation, the creation of basic institutional mechanisms to implement actions and the publication of planning instruments such as plans and programs, to improve the operation of the governmental apparatus. Rather than focusing on implementation actions, these types of indicators point to the creation of a favorable legal and regulatory framework to fight corruption. In terms of measurement, Egypt places an emphasis on what the Office of the United Nations High Commissioner for Human Rights (OHCHR)²⁷⁰ calls structural indicators, which correspond to "the adoption of legal instruments and the existence or creation of basic institutional mechanisms [...] Structural indicators help to capture the acceptance, intention and commitment of the State to apply measures in accordance with its obligations."²⁷¹ Although the term is originally intended for the field of Human Rights, it can be applied to anti-corruption indicators that measure the development and adoption of guides, standardized information, curricular tools, or the proposal and approval of anti-corruption regulations and legislation.

Finally, the strategy emphasizes training activities for the modernization of public administration and raising awareness about the importance of preventing and combating corruption. For the fulfillment of this last set of indicators, the recommendation is to collaborate with civil society and religious organizations.

Although the indicators cover a wide number of topics, there are areas of opportunity in terms of their construction. This has to do with the fact that several of

²⁶⁹ *Ibid.*, p. 28.

²⁷⁰ *Office of the United Nations High Commissioner for Human Rights*

²⁷¹ *Office of the United Nations High Commissioner for Human Rights, Human Rights Indicators: A Guide to Measurement and Implementation* (New York and Geneva: United Nations, 2012), pp. 38-39.

the indicators are not contextualized, they only measure the number of activities carried out, such as training sessions carried out or legal changes approved. It should also be noted that to date there is no publication on the monitoring of the indicators or the implementation of the Egyptian strategy. One of the recommendations made to Egypt in the second cycle of review of the implementation of the Convention is to strengthen the quantitative reporting of the National Anti-Corruption Strategy as part of the monitoring, evaluation and supervision mechanism.²⁷²

5.2. Hong Kong: Permanent strategy of the Independent Commission against Corruption (ICAC)

i. Background

As a special administrative region that is part of the People's Republic of China, Hong Kong is subject to the Asian country's international commitments on anti-corruption matters, including the ratification of the Convention in 2006. However, using a broad strategy to fight against corruption predates the approval of this instrument. Corruption was considered a serious problem in Hong Kong during the 1970s, so in 1974 an independent anti-corruption institution was introduced, the Independent Commission Against Corruption (ICAC)²⁷³ which replaced the local police in this task.²⁷⁴ The ICAC Commissioner reports directly to the Chairman of the Executive Council and the Government of the Hong Kong Special Administrative Region; In other words, it enjoys a wide degree of independence from other law enforcement institutions, which means that the performance of its departments is not subject to interference from other public powers. ICAC has contributed substantively to achieving positive results in different corruption indicators generated by the Commission itself and in international measurements on the matter.²⁷⁵ Similarly, the Commission has been recognized by subject-matter experts as a successful model²⁷⁶ and has been emulated in some respects by other anti-corruption agencies such as the Indonesian Corruption Eradication Commission.²⁷⁷ The strategy pursued by the ICAC is based on intense civic participation and has had broad support from society, having succeeded, among other

²⁷²Conference of the State Parties to the United Nations Convention Against Corruption, Implementation Review Group, Review of implementation of the United Nations Convention against Corruption, Executive Summary: EgyptCAC/COSP/IRG/2019/CRP.15, p. 8.

²⁷³ *Independent Commission Against Corruption*.

²⁷⁴ Independent Commission Against Corruption, *ICAC 2019 Annual Report*, p. 5

²⁷⁵ *Ibid.*, pp. 9-10.

²⁷⁶ See 2019 Annual Report; *Corrupt cities: a practical guide to cure and prevention* and Soefie Arjon Schütte, "Against the odds: Anti-corruption reform in Indonesia", *Public administration and development* 32 (2012), pp. 38-48.

²⁷⁷ Soefie Arjon Schütte, "Against the odds: Anti-corruption reform in Indonesia", *Public administration and development* 32 (2012), pp. 39 and 42.

commendable actions, in sanctioning corruption cases involving high-ranking politicians.²⁷⁸

ii. Key elements of the strategy

Since its inception in 1974, the ongoing anti-corruption strategy carried out by ICAC in Hong Kong has been based on three functional pillars:

1. Investigation of corruption cases (Operations Department).
2. Prevention of corruption (Corruption Prevention Department).
3. Linking with the community (Community Relations Department).²⁷⁹

In terms of operational capacity, in 2019 the Commission had 1,501 officers: 170 in the administration branch (11.3%), 1,076 (71.7%) in the Operations Department (investigation of corruption), 180 in the Community Relations Department (12%) and 75 in the Corruption Prevention Department (5%).²⁸⁰ For each of the three pillars, there are advisory committees composed of 12 to 16 members from different sectors of the community who oversee the work of the ICAC.²⁸¹

The Operations Department is in charge of the first pillar, the investigation of corruption cases reported to the authority by the people of Hong Kong. Anyone who has a complaint about a corruption case in the public or private sector can report it to the ICAC, either anonymously or identifying themselves, at their choice. Subsequently, the ICAC investigates and makes a recommendation to prosecute the crime and impose sanction measures. Then, the Attorney General and the judicial system decide whether the persons accused in the ICAC investigation should be prosecuted.²⁸² The officers of the Operations Department also have the powers to make arrests and, at the suggestion of their advisory committee, may refer cases to the relevant public agency of the employee to consider the imposition of administrative or disciplinary sanctions in less serious cases.²⁸³

Second, the Corruption Prevention Department is organized into specialized thematic groups in areas such as public procurement, law enforcement, integrity in the civil service, and public works.²⁸⁴ Each group is in charge of making recommendations and giving follow-up to prevent corruption in a set of public departments and agencies. The work of the Corruption Prevention Department places great importance on

²⁷⁸ *Corrupt cities: a practical guide to cure and prevention*, pp. 19-25.

²⁷⁹ See Independent Commission Against Corruption, *Annual Report by the Commissioner of the Independent Commission Against Corruption 1974*.

²⁸⁰ *ICAC 2019 Report*, p. 22

²⁸¹ *2019 Annual Report*, “Reports of ICAC Advisory Committees”.

²⁸² Shang Ying, “Regime and curbing corruption”, *China Review Vol. 4 No. 2 (Fall 2004) Special Issue on: Corruption in China*, p. 112.

²⁸³ *ICAC 2019 Annual Report*, “Reports of ICAC Advisory Committees”, p. 11

²⁸⁴ *ICAC 2019 Annual Report*, p. 59.

mitigating risks through collaboration with private sector companies operating in Hong Kong. This collaboration is reflected in that any private person or organization outside the sphere of government can request a consultation from the Corruption Prevention Advisory Service (CPAS).²⁸⁵ In response to the request, this branch of the ICAC provides technical advice and training to mitigate said risk. The Corruption Prevention Department also provides technical assistance to companies with foreign operations on how to avoid acts of corruption and how to establish a good reputation. One of the goals of these recommendations is to prevent bribery of foreign public officials.²⁸⁶

Third, the Commission's Community Relations Department is in charge of informing the general public about corruption and the alternatives for reporting this type of conduct. In addition, it carries out outreach activities by conducting television and radio conferences and campaigns. In turn, within the structure of the Department there is the Hong Kong Business Ethical Development Center (HKBEDC),²⁸⁷ which consists of an advisory committee made up of representatives from six of the main chambers of commerce. This center provides consulting services on codes of conduct, training courses, newsletters, among others. Since 2010 the Department of Community Relations has carried out an annual household survey²⁸⁸ to monitor attitudes and experiences related to corruption among the public, and to hear the reports of this type of behavior and the evaluations of the ICAC's work by citizens.²⁸⁹

The monitoring and evaluation of the different actions of the ICAC is carried out by two means of public reporting. The first is the series of annual reports that are published online. In these reports, each division of the ICAC presents, among other things, statistical information related to its functions and lists its achievements. In the annual reports, the advisory committees of each department also have a section where they assess the anti-corruption actions carried out during the year from an independent perspective with respect to the Commission.²⁹⁰ Having independent evaluations distinguishes Hong Kong from the other cases examined in this section and is considered a good practice in the development and implementation of anti-corruption strategies.²⁹¹ The second reporting to report monitoring and evaluation information is the Hong Kong local government data site. In this site users can download information from the ICAC in open data format for a chosen timeline. This maximizes the accuracy

²⁸⁵ *Corruption Prevention Advisory Service*.

²⁸⁶ *ICAC 2019 Annual Report*, p. 73.

²⁸⁷ *Hong Kong Business Ethics Development Center*.

²⁸⁸ The results of the most recent survey can be found at: Independent Commission Against Corruption, *Findings of the 2019 survey*, <https://www.icac.org.hk/en/survey/finding/index.htm>

²⁸⁹ The survey was conducted annually by telephone from 1992 to 2009.

²⁹⁰ See *Reports of ICAC Advisory Committees, 2019 Annual Report: Operations Review Committee, Corruption Prevention Advisory Committee and Citizens Advisory Committee on Community Relations*.

²⁹¹ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 51.

of the information and facilitates its processing by anyone interested in the subject (*Data Portal, datasets Independent Commission Against Corruption*).

iii. Measurements/indicators used in ICAC's monitoring and evaluation

The information that is periodically reported in the annual reports includes indicators by functional area of the ICAC that are presented below. The Operations Department records the means of submission of corruption reports, as well as the number of people who have been investigated or reprimanded (when it is not in the public interest to pursue a crime) since 1974. The Operations Monitoring Committee also lists the number of cases referred to public institutions for the imposition of disciplinary or administrative sanctions. To monitor performance in the previous year, the ICAC website publishes the percentage variation of the recently completed year with respect to the previous one (2019 vs. 2018 at the time of writing this text). It makes a comparison of the following aspects:

- number of corruption complaints received,
- the number of prosecutions started and
- the result of the cases, broken down by the type of sanction imposed.

The ICAC's annual activity report also keeps track of the distribution of the duration of corruption cases prosecuted by the Operations Department by category (less than one month, two months, three months, among others). It also includes the time it took to resolve cases in the last year that were admitted in previous years. This set of indicators, presented in **¡Error! No se encuentra el origen de la referencia.**, quantifies the effectiveness of the ICAC in completing the investigation of the cases that are submitted to it and the result of the proceedings before the courts for the recently completed year compared to the previous one. To see a broader period than that of the recently completed year, the open data portal publishes time series since the founding of the Commission in 1974.

Table 5.1: Hong Kong Corruption Investigation Area Measurements

Department	Indicators	Calculation
Indicators of ICAC's Operations Department	<p>Percentage change ($\Delta\%$) in the number of corruption reports:</p> <p>Estimate of: total complaints, complaints in the government sector, in the private sector and in public bodies.</p>	$\frac{(Corruption\ reports\ received^{(t)} - Corruption\ reports\ received^{(t-1)})}{(Corruption\ reports\ received^{(t-1)}} \times 100$

Department	Indicators	Calculation
	Percentage distribution (%) of the cases by time taken to conclude the investigation (less than a month, less than two months, less than three months up to 2 years and more). Disaggregated by cases admitted in the last year, and cases solved in the last year that were admitted in previous years.	
	Percentage change ($\Delta\%$) in the number of people prosecuted.	$\frac{(Persons\ investigated\ of\ corruption_{(t)} - Persons\ investigated\ of\ corruption_{(t-1)})}{(Persons\ prosecuted\ of\ corruption_{(t-1)})} \times 100$
	Percentage change ($\Delta\%$) in the number of completed corruption prosecutions.	$\frac{(Corruption\ investigations\ completed_{(t)} - Corruption\ investigations\ completed_{(t-1)})}{(Corruption\ investigations\ completed_{(t-1)})} \times 100$
	Percentage change ($\Delta\%$) in the number of people found guilty.	$\frac{(Persons\ convicted\ of\ corruption_{(t)} - Persons\ convicted\ of\ corruption_{(t-1)})}{(Persons\ convicted\ of\ corruption_{(t-1)})} \times 100$
	Percentage change ($\Delta\%$) in the number of people formally reprimanded for acts of corruption.	$\frac{(Persons\ reprimanded\ for\ corruption_{(t)} - Persons\ reprimanded\ for\ corruption_{(t-1)})}{(Persons\ reprimanded\ for\ corruption_{(t-1)})} \times 100$
	Percentage change ($\Delta\%$) in the number of recommendations to impose administrative/disciplinary sanctions on government officials.	$\frac{(Officials\ who\ it\ is\ recommended\ to\ sanction_{(t)} - Officials\ who\ it\ is\ recommended\ to\ sanction_{(t-1)})}{(Officials\ who\ it\ is\ recommended\ to\ sanction_{(t-1)})} \times 100$

Source: Prepared internally from *Report corruption figures 2019: Corruption complaints & Prosecutions* and ICAC Annual Report 2019 Annex 3 & 4.

Second, the Corruption Prevention Department reports a series of yearly deliverables to assist in the prevention of corruption in both public and private organizations. The data presented makes a recount of the implementation of various actions: number of reports of recommended measures to attack corruption in public agencies, the number of

specific cases in which assistance was provided in the preparation of regulations or the implementation of systems and procedures in public entities.

They also collect statistics on the service provided to companies through the hotline and the number of people who received corruption prevention training (see **¡Error! No se encuentra el origen de la referencia.**). However, an important area of opportunity for these statistics is to contextualize this information in order to provide the degree of fulfillment of previously set goals and objectives. Another important aspect is that the statistics of the Corruption Prevention Department lack a measurement of effects or results, so it is not possible to know the extent to which the activities carried out by this area of the ICAC have strengthened a culture of integrity or generated ownership of the anti-corruption practices taught to the participants.

Table 5.2 : Measurements in the area of corruption prevention

Department	Indicators
ICAC's Corruption Prevention Department	Number of reports on corruption risks and recommended measures for improving systems in government departments.
	Number of "customized" assistance to public bodies.
	Number of consultancies given to private organizations by the <i>Corruption Prevention Advisory Service</i> (CPAS).
	Number of consulting services provided to private sector entities.
	Number of people in the public and private spheres trained in the prevention of corruption.

Source: Prepared internally from the *ICAC Annual Report 2019, Chapter 05 Corruption Prevention Department*.

The Community Relations Department monitors attitudes towards corruption through its annual survey, which consists of a series of comparable measurements since 2010, which are included in **¡Error! No se encuentra el origen de la referencia.**.²⁹² The results of the 2019 survey show the lowest levels of tolerance towards corruption (89% express total intolerance towards corruption) and the highest rate of reports of acts of corruption they became aware of (81.9%) since the start of the time series. In relation to the prevalence of bribery, only 1.6% of the respondents have experienced an episode of corruption in the last 12 months.

²⁹² Independent Commission Against Corruption, *ICAC Annual Survey 2019: Executive Summary*.

When asking the respondents about the performance of the ICAC, it seeks to attribute to some extent the effects generated on corruption to the implementation of actions carried out by the Commission. ICAC's work is usually well evaluated, since 76.3% consider it effective and 96.3% say that the Commission deserves their support. The collection of this information is supported by recommended methodological standards (see sections 4.5.1- 4.5.3 in this document). Therefore, the ICAC survey should be recognized as a good practice carried out systematically to probe corruption perceptions and experiences. A series of comparable metrics of the trust and performance of the Commission from the point of view of the citizens over time can be deduced from this.

Table 5.3 : ICAC Annual Survey Measurements

Area	Indicators
Annual ICAC Survey Indicators	<p>Attitudes towards corruption in Hong Kong</p> <ol style="list-style-type: none"> 1. Average tolerance score for corruption on a scale of 0 to 10. 2. Proportion of respondents (%) who would report a case of corruption if they became aware of it. 3. Proportion of respondents (%) by how common they perceive corruption to be in Hong Kong (not common/rare, very common/somewhat common). <p>Awareness about the problem of corruption</p> <ol style="list-style-type: none"> 1. Proportion of respondents (%) who consider that keeping Hong Kong free from corruption is important for the development of the city (very important/somewhat important, not very important/not at all important). 2. Proportion of respondents (%) and their expectation of the situation of corruption for the following year (improves/worsens, remains the same). <p>Assessment of the ICAC by the public</p> <ol style="list-style-type: none"> 1. Proportion of respondents (%) who consider the work of the ICAC to be effective. 2. Proportion of respondents who support the work of the ICAC (% who consider it deserves their support). 3. Proportion of respondents (%) who have seen or heard information about the ICAC in the past 12 months. <p>Corruption experiences and reports</p> <ol style="list-style-type: none"> 1. Proportion of respondents (%) who have had a personal experience of corruption in the past 12 months. 2. Proportion of respondents (%) with an experience of corruption who reported it to the ICAC. 3. Proportion of respondents (%) whose friends or family have had an experience of corruption in the past 12 months.

Source: Prepared internally from *ICAC Annual Survey 2019: Executive Summary*.

5.3. Indonesia: National Strategy for Corruption Prevention and Eradication

i. Strategy background

The fight against corruption saw an important boost in Indonesia with the creation in 2002 of an independent agency to fight the problem: The Commission for the Eradication of Corruption (KPK, per the Indonesian acronym).²⁹³ The beginning of operations of the KPK was not spontaneous, it was preceded by years of planning and cooperation by reformists in government, civil society, donors, and international actors.

The KPK draws on some aspects from the Hong Kong ICAC as a model,²⁹⁴ such as the fact that it has powers to investigate acts of corruption both in the public and private spheres, and the strategy based on the pillars of investigation, prevention and community relations. However, unlike the latter, the Commission for the Eradication of Corruption has powers in the area of law enforcement. The Commission's actions have been complemented by a judicial authority specially designed to fight corruption (the *Tipikors* courts). The *Tipikors* courts were established in the same year the KPK was founded and have exclusive jurisdiction to resolve the cases presented by the Commission.

Additionally, the Commission has competence to appoint the judges who participate in these courts that specialize in corruption cases.²⁹⁵ The Commission for the Eradication of Corruption and the *Tipikors* courts were important to put the anti-corruption issue on the agenda and achieved significant progress in areas related to criminal justice. The Commission achieved a 100% conviction rate in its first 13 years of existence²⁹⁶ and has imposed sanctions in notorious cases on both members of the government and the opposition.²⁹⁷ According to experimental evidence based on game theory published in a specialized journal, the Indonesian population shows high levels of rejection of corruption and a propensity to sanction these acts ,compared to other countries in the Southeast Asian region and Oceania.²⁹⁸ Similarly, according to a Transparency International survey, the Indonesian population shows the highest levels of “empowerment” - the belief that ordinary people can make a difference in the fight

²⁹³ Komisi Pemberantasan Korupsi

²⁹⁴ “Against the odds: Anti-corruption reform in Indonesia”, p. 39.

²⁹⁵ Ortun Merkle, *Transparency International Anti-Corruption Helpdesk Answer*, “Indonesia: Overview of corruption and anti-corruption”(Berlin [DE]: Transparency International, 2018), p. 14.

²⁹⁶ *Ibid*, p. 3.

²⁹⁷ “Against the odds: Anti-corruption reform in Indonesia”, p. 45.

²⁹⁸ Lisa Cameron, Ananish Chaudhuri, Nisvan Erkal and Lata Gangadharan, “Propensities to engage in and punish corrupt behaviour: Experimental evidence from Australia, India, Indonesia and Singapore”, in *Journal of Public Economics* 93 (2009), pp. 843-851.

against corruption - in the region.²⁹⁹ It cannot be ruled out that the actions of the KPK and the Indonesian National Strategy described below have contributed to achieving these positive results.

In terms of the design document of the anti-corruption strategy, between 2004 and 2009, Indonesia had the National Action Plan for the Eradication of Corruption³⁰⁰, which focused on prevention through the improvement of public services. This first strategy also focused on the law enforcement in five sectors prone to irregularities: business licenses, taxes and customs, land registration, law enforcement, as well as employment and labor regulation.³⁰¹ Then, in 2012, came the approval of the current anti-corruption framework: the National Strategy for Corruption Prevention and Eradication.³⁰² The strategy is coordinated by an inter-institutional group made up of the KPK, the National Development Planning agency (*Bappoco*, per the Indonesian acronym),³⁰³ the Ministry of the Administrative Structure and Bureaucratic Reform (Kemenpan RB) and the Ministry of Interior Affairs (*Kemendagri*), among other actors.³⁰⁴

ii. Key elements of the strategy

The National Strategy for Corruption Prevention and Eradication is composed of lines of action in the medium term (2012-2014) and in the long term (2012-2025), in line with the timeline of UNODC's practical guide for the development and implementation of national anti-corruption strategies.³⁰⁵ The design of the national strategy is focused on harmonizing and coordinating actions around the same vision of government, civil society and the business world.³⁰⁶ It is worth noting that, among other objectives, Indonesia's national strategy seeks to implement in the national legislation the different clauses of the United Nations Convention against Corruption, ratified by Indonesia in 2006, as well as the recommendations of the Implementation Review Mechanism of the Convention.³⁰⁷ The national strategy is built around six pillars included in illustration 5.2 . Each of the pillars has a diagnosis, an objective, challenges to consider and indicators of success. The priority activities of each pillar of the strategy are divided into those that must be implemented in the medium term or in the long term. A platform

²⁹⁹ Transparency International, "People and corruption: Asia Pacific. Global Corruption Barometer "(Berlin [DE]: Transparency International, 2017), p. 24.

³⁰⁰ *National Action Plan on Corruption Eradication*.

³⁰¹ Transparency International, "Open data and the fight against corruption in Indonesia" (Berlin [DE]: Transparency International, 2017), p. 11.

³⁰² *National Strategy for Corruption Prevention and Eradication*

³⁰³ *Kementerian Perencanaan Pembangunan Nasional Republik Indonesia*.

³⁰⁴ "Indonesia: Overview of corruption and anti-corruption".

³⁰⁵ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 36.

³⁰⁶ *National Strategy for Corruption Prevention and Eradication*, p. 12.

³⁰⁷ *Ibid.* "Strategy 3: Harmonizing legislation ", p. 18.

was designed to monitor them. It reports the degree of progress of each action, which is followed by a verification.

To evaluate the achievement of the objectives, the indicators of the strategy have specific five-year goals until 2025 for the long-term objectives and an annual monitoring until 2014 for the medium-term goals. The follow-up of the implementation and the evaluation is the responsibility of the National Development Planning agency (*Bappenas*), which makes quarterly and annual reports in this regard.³⁰⁸

Illustration 5.2: Pillars of Indonesia's Anti-Corruption Policy



Source: Prepared internally from the National Strategy for Corruption Prevention and Eradication.

iii. Measurements/indicators used in the monitoring and evaluation of the strategy

The evaluation of the impact of the National Strategy for Corruption Prevention and Eradication is based on eight medium- and long-term indicators that reflect a multiplicity of factors associated with corruption. Each of the indicators has a baseline and quantitative goals for the relevant period.³⁰⁹ These indices include objective and subjective measurements in which both public officials and the general public are consulted. Each global impact indicator of the strategy is described below:

³⁰⁸ Ministry of National Development Planning/National Development Planning Agency, *National Strategy for Corruption Prevention and Eradication (CPE) / National Strategy on CPE 2012-2025; 2012-2014*, https://www.unodc.org/documents/indonesia/programme/PaparanStranas_english.pdf

³⁰⁹ Annex 01 and 02 National Strategy on Corruption Prevention and Eradication 2012-2014 and 2012-2025.

- 1. Corruption Perception Index (CPI):** It is an index generated by Transparency International that aggregates the results of 13 surveys of international experts and company executives on the perception of corruption in a country for a specific year. The results are expressed on a scale from 0 (higher perception of corruption) to 100 (lower perception of corruption) and in a country ranking based on this score.³¹⁰
- 2. Legislative harmonization:** The percentage of compatibility of Indonesian regulations with the ratification of the Convention.
- 3. Corruption Prevention Index:** It is an index prepared by the World Bank that is composed of two elements:
 - i. Perceptions of the extent to which public power is used for personal gain, including small and large-scale corruption, as well as the “capture” of the state by elites and private interests (*Control of Corruption*).
 - ii. The ease of conducting business without obstacles in a country (*Ease of Doing Business - EoDB ranking*), such as those associated with negligence from the authorities.
- 4. Corruption Law Enforcement Index:** It is a composite and weighted index of five measures that reflect the percentage of cases that reach each of the following stages of the criminal justice system:
 - complaints of corruption that reach the preliminary investigation stage (10% weighting of the Law Enforcement Index),
 - preliminary investigations that become investigations (20%),
 - investigations that become court proceedings (30%)
 - sentencing rate (30%),
 - effective sentencing rate (10%).
- 5. Compliance with recommendations:** Percentage of compliance with the recommendations of the Implementation Review Mechanism of the Convention.
- 6. Asset recovery:** Percentage of asset recovery from assets confiscated in court decisions.

³¹⁰ Although the Corruption Perception Index is not considered as linked to one of the six pillars of the national strategy, the strategy document repeatedly mentions the change in its levels to assess the general progress of corruption. See Government of Indonesia, *National Strategy of Corruption Prevention and Eradication Long Term (2012-2025)* and *medium term (2012-2014)*, https://www.unodc.org/documents/indonesia/publication/2012/Attachment_to_Perpres_55-2012_National_Strategy_Corruption_Prevention_and_Eradication_translation_by_UNODC.pdf

7. **Anti-corruption Behavior Index:** It is an index obtained from a survey of the population that measures the extent of corrupt practices in society. The index reflects two types of data: statistics of perception and statistics of experiences of corruption such as bribery, extortion and nepotism. The formula is presented below.

Anti-Corruption Behavior Index Formula

$$\text{IPAK (Anti-Corruption Behavior Index): } \frac{\sum w_i \sum x_i}{\sum w_i}$$

Normalization on a scale from 0 to 5

$$\text{Index (0 to 5): } \frac{5 \times \text{IPAK (1-4)} - 5}{3}$$

$$\frac{\sum w_i}{\sum w_i}$$

Explanatory note: 1. $\sum w_i$ equals the average percentage of tolerance of corruption according to the results of the survey.

2. $\sum x_i$ represents the weighting by the corresponding socio-demographic group to ensure that the indicator is representative.

In the scale, results closer to 5 indicate a lower tolerance of corruption.

Source: Statistics Indonesia, *Anti-Corruption Behavior Index (ACBI) by Dimension, 2012-2015*

8. **Stakeholder Satisfaction Index:** The Stakeholder Satisfaction Index measures the degree of effectiveness in the reporting of information of interest to monitor the National Strategy for Corruption Prevention and Eradication. Two variables are taken into account:

- i. the degree to which the National Strategy report is used,
- ii. the timely publication of the reports required by said policy.

Each one of the six pillars recovers some of the goals of these indicators to evaluate the success of the component in the medium (3 years) and in the long term (14 years). The indicators include follow-up measurements of both the implementation and the results and impacts achieved. Pillars III) legislative harmonization and VI) reporting mechanism are measured through the implementation of good regulatory practices and the implementation of a strategy monitoring scheme. The rest of the pillars, I) Prevention of corruption II) Administration of Justice, III) International cooperation and V) Education and anti-corruption culture, are evaluated through compliance with the

result indicators that quantify governance levels, corruption levels and tolerance to corruption among citizens and public officials.

The indicators have a baseline and specific goals, many of them retrieve information collected under international standards and cover a wide variety of issues related to the fight against corruption. A positive aspect is that, unlike other anti-corruption strategies, the indicators used by Indonesia are not limited to measuring progress in the implementation of good practices on the subject of government management. The prevention and eradication of corruption is evaluated according to different approaches to the levels of corruption. Noting that changes in international indices do not occur suddenly, the strategy adopts a long-term perspective that projects that the goals will be reached in 14 years. However, one area of opportunity is accessibility to data monitoring. According to an assessment by Transparency International, access to Indonesian anti-corruption databases remains limited.³¹¹ The difficulty of constantly monitoring the data, suggests that it would be beneficial to have a platform to verify compliance with the annual and five-year goals.

The first pillar of corruption prevention is related to good management practices for the improvement of public services that make it possible to avoid behaviors such as bribery. The challenges faced by the authorities are related to habits that exist in the public administration, the difficulty in reporting negligence - *whistleblowing* - in public services, as well as the fact that the granting of licenses depends to a large extent on interactions between people, increasing opportunities for corruption.³¹² To measure this pillar, the results use two sub-indicators of the Corruption Prevention Index (**N o se encuentra el origen de la referencia.**) discussed at the beginning of this subsection. The higher the score, the more transparent and free of corruption government processes are.

Table 5.4 : Pillar One Measurements, Corruption Prevention

Goal of pillar 1, corruption prevention: Minimize opportunities for corruption in governance and in the public through corruption-free public services.		
Pillar of the National Strategy	Concept	Indicator
Prevention	The extent to which public power is used for personal gain, including small and large-scale corruption, as well as the “capture” of the state by elites and private interests.	World Bank Corruption Control Index (CoC).

³¹¹“Open data and the fight against corruption in Indonesia”, p. 5.

³¹² *National Strategy of Corruption Prevention and Eradication*, p. 15.

	Ease of starting a business.	EoDB ranking (World Bank).
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Source: Prepared internally from the *National Strategy for Corruption Prevention and Eradication, Chapter II Strategy, Strategy 1: Prevention*.

The objective of pillar two, administration of justice, has to do with seeing corruption cases complete the judicial process in a transparent manner and in accordance with criminal law. The effectiveness of these punitive actions is translated into measurements of the resolution of cases throughout the different stages of the criminal justice system, which are synthesized in the Law Enforcement Index. The five sub-indicators of this index, one for each stage, are presented in **¡Error! No se encuentra el origen de la referencia..**

Table 5.5 : Pillar Two Measurements, Law Enforcement

Goal of pillar 2, law enforcement: Completing corruption cases consistently and in accordance with applicable laws to restore public trust in fair and transparent law enforcement.		
Pillar of the National Strategy	Concept	Indicator (formula)
Law enforcement	Preliminary investigation stage (10% weighting in the Law Enforcement Index).	$\frac{(\text{Corruption reports that become investigations})}{(\text{Total corruption reports})} \times 100$
	Investigations (20% weighting).	$\frac{(\text{Pre-investigaciones que se convierten en investigaciones})}{(\text{Total corruption reports})} \times 100$
	Prosecutions (30% weighting).	$\frac{(\text{Investigaciones de corrupción que se convierten en acusaciones})}{(\text{Total investigaciones})} \times 100$
	Conviction rate (30% weighting).	$\frac{(\text{Acusaciones de corrupción que se convierten en condenas})}{(\text{Total acusaciones de corrupción})} \times 100$
	Effective sentences (10% weighting).	$\frac{(\text{Condenas efectivas de corrupción})}{(\text{Total fallos finales})} \times 100$

Source: Prepared internally from the *National Strategy for Corruption Prevention and Eradication, Chapter II Strategy, Strategy 2: Law enforcement*.

One of the diagnoses that emerges from the National Strategy for Corruption Prevention and Eradication is that the different pieces of corruption-related legislation in Indonesia are not completely consistent and there is overlap between them.³¹³ To achieve this, the strategy considers the United Nations Convention against Corruption and its review mechanisms as an essential tool to have an adequate legal framework for law enforcement.³¹⁴ This process of incorporating the relevant obligations of international treaties and conventions into the national legal system is known as “domestication”.³¹⁵ Indonesian authorities translate the objective of legislative harmonization into quantitative indicators by assessing the degree to which the provisions of the Convention are applicable and binding in the Indonesian legal framework. The main input to carry out this evaluation are the recommendations of the review cycles of the Implementation Review Mechanism of the Convention (**¡Error! No se encuentra el origen de la referencia.**).³¹⁶

Table 5.6 : Measurements of Pillar Three, Legislative Harmonization

Goals of pillar 3, legislative harmonization:		
Pillar of the National Strategy	Concept	Indicator
Legislative harmonization	Improving legislation on corruption in Indonesia to provide a solid foundation for the National Strategy.	Percentage of compliance with the recommendations of the review cycles of the Implementation Review Mechanism of the Convention.

Source: Prepared internally from the *National Strategy for Corruption Prevention and Eradication, Chapter II Strategy, Strategy 3: Harmonizing legislation*.

The fourth pillar of Indonesia's national strategy is international cooperation and the recovery of assets from corruption cases. International cooperation is especially focused on collaborating in cases of extradition of offenders and recovering and returning financial assets resulting from corruption. Progress in terms of international cooperation

³¹³ *National Strategy for Corruption Prevention and Eradication*, p. 18.

³¹⁴ *Idem*.

³¹⁵ *Asset Recovery Handbook: a guide for practitioners*, p. 170.

³¹⁶ Indonesia has undergone two implementation review cycles. The first consisted of reviewing chapters III and IV of the Convention (reviewers Uzbekistan and the United Kingdom) and was carried out in 2011, while the second, carried out in 2017, dealt with the provisions of chapters II and V (reviewers Yemen and Ghana).

is monitored and evaluated by measuring the number of requests for mutual legal assistance and extradition requests actually carried out, those requested by Indonesia and also those requested from the country by other governments. This means that Indonesia has adopted a mutual cooperation approach in which both the assistance provided and the response of the country to requests from other countries are evaluated.

Performance in asset recovery actions is quantified from the assets recovered and deposited in the public treasury with respect to the total assets confiscated under legal resolutions as a result of corruption. An increase in both indicators, extradition and asset recovery, is a sign of a greater degree of compliance with the principles of international cooperation contained in Chapter V of the Convention.

Table 5.7: Measurements of Pillar Four, International Cooperation and Asset Recovery

Goal of pillar 4, international cooperation and asset recovery: Increasing the percentage of recovery of assets to remedy losses of the State through the improvement of international cooperation, especially through requests for assistance in criminal matters that refine the coordination and capacity of specialized agencies.		
Pillar of the National Strategy	Concept	Indicator
International cooperation	Increase in the degree of cooperation at the international level.	Percentage increase in mutual legal assistance in criminal cases (requested and received).
		Percentage increase in extradition cases (requested and received).
	Asset recovery.	Percentage of national or foreign assets recovered, originating from cases resolved by a judicial authority.

Source: Prepared internally from the *National Strategy for Corruption Prevention and Eradication, Chapter II Strategy, Strategy 4: International cooperation and asset rescue of corruption cases*.

The fifth pillar of Indonesian strategy involves promoting anti-corruption education and culture. The importance of this area lies in the fact that the strategy associates corruption with a lack of integrity of the perpetrators and with a somewhat lax culture, which facilitates the occurrence of these behaviors.³¹⁷ The participation of citizens and the establishment of alliances with educational networks, universities and evaluation centers in anti-corruption matters is central to generating an atmosphere in which there are social sanctions against corrupt behaviors.

³¹⁷ *National Strategy for Corruption Prevention and Eradication*, p. 21.

Even though it is hard to isolate the effects of the measures in this regard, the strategy estimates the results based on the Anti-Corruption Behavior Index; a weighted and standardized average (see the beginning of the section for the index calculation formula) in which a higher score represents a higher internalization of the values.³¹⁸

Table 5.8: Measurements of Pillar Five, Education and anti-corruption culture

Goal of pillar 5, education and anti-corruption culture: Empowering each individual to make ethical decisions with integrity, as well as creating a culture of zero-tolerance towards corruption. To this end, the public is expected to play an active role in the prevention and eradication of corruption.		
Pillar of the National Strategy	Concept	Indicator
Education and anti-corruption culture	The development of a society with a culture of integrity.	Perception-based anti-corruption behavior index. Experience-based anti-corruption behavior index.

Source: Prepared internally from the *National Strategy for Corruption Prevention and Eradication, Chapter II Strategy, Strategy 5: Education and anti-corruption culture*.

The sixth pillar of the Indonesian national strategy deals with the fulfillment of actions related to the Convention and the integration of documents to follow up on the implementation. This seeks to correct the lack of a mechanism available to national anti-corruption institutions in Indonesia to easily transmit information on the implementation of the Convention, both internally and to the public.³¹⁹ To this end, a person is appointed to compile, report and publish, from the corruption prevention and eradication platforms, key information on the activities of different agencies related to the Convention and its Review Mechanisms. This information is reflected in the Stakeholder Satisfaction Index (described in the list of indicators at the beginning of this section), which consists of two sub-indicators included in **Error! No se encuentra el origen de la referencia..** A higher level of Stakeholder Satisfaction means that the information needs and reports related to the evaluation of the national strategy, including the implementation of the Convention, have been monitored and fulfilled as planned.³²⁰

³¹⁸ For more information see Badan Pusat Statistik, Politik dan Keamanan, Metodologi Survei Perilaku Anti Korupsi (SPAK) [Policy and security, anti-corruption behavior survey methodology], <https://www.bps.go.id/pencarian.html?searching=korupsi&yt1=Search>

³¹⁹ *National Strategy for Corruption Prevention and Eradication*, p. 22.

³²⁰ *Ibid.*, p. 2.3

Table 5.9 : Measurements of Pillar Six, Implementation of Corruption Eradication Mechanisms

Goal of pillar 6, corruption eradication mechanisms: To have periodic reports on the implementation of the UNCAC, and the provisions and activities of the National Strategy for Corruption Prevention and Eradication in Indonesia. The approach involves meeting the obligations related to the recommendations of the Implementation Review Mechanism of the Convention.		
Pillar of the National Strategy	Concept	Indicator
Report of actions implemented to eradicate corruption	The information needs as well as reports related to the development of the policy and the evaluation of the progress of the strategy are available.	Use of the reports of the national strategy. Punctuality in the publication of reports on the prevention and eradication of corruption, including the implementation of the Convention and the achievements derived from it.

Source: Prepared internally from the *National Strategy for Corruption Prevention and Eradication, Chapter II Strategy, Strategy 6: Reporting mechanisms of implementation of corruption eradication.*

5.4. Italy: 2019-2021 Triannual Plans for the prevention of corruption and for transparency

i. Plan background

Since 2012, Italy has an independent authority specialized in the prevention of corruption known as the National Anti-corruption Authority (ANAC, per the Italian acronym)³²¹. The ANAC promotes transparency in public administration in all areas of management, including oversight of public procurement and the performance of public officials. In addition, it seeks to prevent corruption through a network of collaboration with public administrations, which increases coordination between government agencies and, in turn, seeks to make processes more efficient, faster and reduce costs.

ANAC's services are divided into two parts, one related to public procurement and the other to the fight against corruption and transparency.³²² In terms of

³²¹ Autorità Nazionale Anticorruzione. Enrico Carloni, “El sistema de la lucha contra la corrupción en Italia. Características, tendencias y problemas abiertos”, *Revista de Estudios de la Administración Local y Autonómica* (September 2017), p. 1.

³²² ANAC, “Our mandate”,

<http://www.anticorruzione.it/portal/public/classic/MenuServizio/ENG/Ourmandate>.

transparency and the fight against corruption, the National Anti-corruption Authority is also the institution in charge of drafting and implementing the National Anti-corruption Plan. There have been four National Anti-Corruption Plans for the years 2013, 2016, 2017, 2018 and 2019. The Plan is the guidance with which public institutions prepare and adopt their own Triannual Plans for the prevention of corruption and for transparency (PTPCT, per the Italian acronym).³²³ The plans take on the notion of corruption prevention contained in Chapter II of the Convention, which was ratified by Italy in 2009.³²⁴ Each institution is responsible for adapting its codes of conduct and plans for the prevention of corruption and for transparency, while the ANAC is responsible for supervising that the adaptation is carried out effectively.³²⁵

The evaluation of a sample of 557 institutions in the 2016 National Anti-corruption Plan carried out by ANAC together with the University of Rome Tor Vergata indicates that the design of anti-corruption measures in accordance with ANAC guidelines has increased over time. From 24.8% of adoption and publication of the corruption prevention plans by the institutions in the 2013-2015 triennium, the percentage rose to 89.4 in 2016-2018.³²⁶ However, it was identified that in 2016, approximately half of them didn't have a monitoring system and only 19% of the institutions mentioned the use of verifiers or indicators in monitoring the Corruption Prevention and Transparency Plan.³²⁷

ii. Key elements of the anti-corruption policy

As mentioned above, the National Anti-corruption Plan (PNA) is a guidance document for the implementation of corruption prevention and transparency legislation. The current PNA is from 2019 and the Triannual Plans for the prevention of corruption and for transparency of each institution are taken from it. Those plans are in force for the 2019-2021 period, but they must be adapted by January 31 each year.³²⁸ Italy has a decentralized anti-corruption system in which each institution is responsible for taking pertinent measures to prevent these behaviors. The foregoing is justified to the extent that the different conditions and risks have led to the decision not to have a standardized Three-Year Plan for the public administration.³²⁹ However, this does not imply that

³²³ *Piano Triennale di Prevenzione della Corruzione e della Trasparenza*

³²⁴ Autorità Nazionale Anticorruzione, *Deliberan. 1064 from November 13, 2019, Piano Nazionale Anticorruzione 2019*, p. 10.

³²⁵ Conference of the States Parties to the United Nations Convention against Corruption, *Country Review Report of Italy: Review by the United States of America and Sierra Leone of the implementation by Italy of Chapter II (articles 5-14) and Chapter V (articles 51-59) of the United Nations Convention against Corruption for the review cycle 2016-2021*, p. 44.

³²⁶ National Anticorruption Authority, *Final approval of the 2017 Follow up to the National Anti-corruption Plan*, p. 3.

³²⁷ *Ibid.*, p. 4-5.

³²⁸ *Piano Nazionale Anticorruzione 2019*, p. 27.

³²⁹ *Ibid.*, P. 17.

there are common guidelines in terms of the preparation, supervision and methodology for the plans prepared by the corresponding institutions.

The Head of Corruption Prevention and Transparency (RPCT, per the Italian acronym)³³⁰ is the person in charge of the preparation of the three-year plan for Transparency and for the Prevention of Corruption. The RPCT must be part of the relevant institution to ensure that the plan takes into account its needs and particularities. When an institution does not present the three-year plan, its transparency plan or its code of conduct, ANAC fines the Head of Corruption Prevention and Transparency as a sanction.³³¹ There is no penalty, however, associated with the quality of the measures contained in the three-year plan.³³² In addition to generating a three-year plan, the functions of the RPCT consist of monitoring said plan, verifying its annual adaptations, and reporting the results of the implementation in an annual report.³³³ This monitoring mechanism involves evaluating the level of compliance with the corruption risk management measures (which are explained below) according to the time frame defined by each institution. To do this, the RPCT may request information to corroborate that the information contained in the self-assessments of the Three-Year Plan is accurate.³³⁴

In methodological terms, the National Anti-corruption Plan defines that each of the plans must include a *corruption risk management* component. This risk management consists of three central macro-processes:

- context analysis (internal and external),
- risk assessment (identification, analysis and weighting) and
- risk treatment (identification and scheduling of prevention measures).³³⁵

The analysis of the external context consists of diagnosing the degree to which the environment in which an institution operates favors the occurrence of corruption, while the analysis of the internal context consists of mapping management processes and synthesizing the organizational structure of the institution.³³⁶ The risk assessment stage consists of identifying the risks of corruption, their causes, the levels of exposure to risk in the processes of each administration, and the weighting of those that are a priority for an intervention with corrective or preventive measures (which constitutes the risk treatment). To quantify said risk, the ANAC mandates the use of a methodology based on the probability of occurrence and the size of the impact of an act of corruption. The mathematical representation of the risk calculation is as follows:

³³⁰ *Responsabile della Prevenzione della Corruzione e della Trasparenza.*

³³¹ *Country Review Report of Italy*, p. Four.

³³² *Piano Nazionale Anticorruzione 2019*, p. 23.

³³³ *Country Review Report of Italy*, p. 32.

³³⁴ ANAC, *Allegato I, Indicazioni metodologiche per la gestione dei rischi corrutivi*, p. 48.

³³⁵ *Ibid.*, P. 5.

³³⁶ *Ibid.*, p. 10.

$$\text{Corruption risk} = \text{Likelihood of occurrence} \\ (1 - 5 \text{ levels}) \times \text{Impact of the risk if it occurs (2 levels)}$$

Each institution weights the probability of occurrence based on five qualitative levels: very low, low, medium, high and very high. The impact of corruption is thus classified according to its effect on the administration in terms of quality, continuation of the processes and in terms of its impact on the *key actors* who receive public services (citizens, users, businesses). The impact is estimated in two categories: high and very high (considering that corruption always has a considerable effect). ³³⁷ The risk treatment of each institution must meet five requirements:

1. including specific measures that are not too general,
2. neutralizing the cause of the risk,
3. the solution must be sustainable in economic and organizational terms,
4. adapting to the characteristics of the organization and
5. taking into account any risk that is not addressed for the generation of more robust measures in the future.³³⁸

For the stages of context analysis and risk identification (level of exposure), we recommend the use of external data and sources as quantitative support for a global evaluation that is qualitative in nature.³³⁹ Each risk treatment measure must have monitoring indicators and goals at the discretion of the responsible institution. The indicators can verify the implementation (carried out/not carried out) or be quantitative (number of measures implemented) or qualitative (e.g., assessment of the quality of a product according to pre-established guidelines).³⁴⁰

iii. Measurements/indicators used in the monitoring and evaluation of the plan

The National Anti-Corruption Authority has the function of supervising that the institutions develop their anti-corruption planning and is in charge of its own. As identified in the previous section, the ANAC establishes the methodology that the rest of the agencies must follow in the preparation of their own Tri-annual Corruption Prevention and Transparency Plans. As explained in the previous section, the Tri-annual Corruption Prevention and Transparency Plans have great flexibility and allow each responsible entity to oversee adapting the strategy to the context of the particularities it

³³⁷ *Ibid.*, 42-43.

³³⁸ *Ibid.*, p. 14.

³³⁹ *Ibid.*, p. 10.

³⁴⁰ *Ibid.*, p. 43.

faces. However, the risk treatment must include a series of minimum elements, such as:³⁴¹

- baseline for January 2019,
- implementation phases and periods,
- indicator,
- expected result (quantitative goal) and
- unit responsible for implementation

Since 2019 there is a platform for collecting information on the PTPCT within the ANAC site. However, only the Heads of Corruption Prevention and Transparency have access to it.³⁴² Therefore, there is no public access platform that concentrates the information of the three-year plans of the different institutions.

However, an example of the type of indicators for measuring corruption in Italy is found in the ANAC's own 2019-2021 Triennial Plan for the prevention of corruption and for transparency, as it is a reporting subject that has the obligation to present its plan according to the established guidelines, in which its own RPCT must be directly involved. The indicators included cover a wide range of topics, including the authority's code of conduct, declarations of conflicts of interest, staff turnover, protection of internal whistleblowers, awareness raising and outreach, among others (a total of 17 topics, each with its own set of indicators). Most of the indicators of the National Anti-corruption Authority focus on verifying the implementation of a managerial activity (e.g., implemented/not implemented) to reduce corruption risks. Many of the expected results involve the implementation of a standard or the approval of a norm, but they are divided into several stages in order to improve the monitoring of each activity. It also includes some indicators of coverage of personnel-related measures, although they are less frequent. **¡Error! No se encuentra el origen de la referencia.** presents an example of the indicators of the discipline measurements applied for conflict and interest risk-management based on the declarations submitted by ANAC staff. The indicators focus on the verification of the declarations of interest presented and the regulatory update in three stages.

³⁴¹ ANAC, *Piano Triennale di Prevenzione della Corruzione e della Trasparenza Dell'A.N.A.C. Triennio 2019-2021*, p. 25.

³⁴² Piano Nazionale Anticorruzione 2019, p. 28.

Table 5.10 : Indicators in the Triannual Plan for the prevention of corruption and for transparency of Italy

Discipline measurements of conflicts of interest: reporting and response obligation			
Implementation status (2019)	Implementation stages	Indicator	Expected result
In progress	Verification of declarations by ANAC personnel. Semi-annual follow-up.	Number of declarations of conflict of interest verified out of the total declarations submitted in the semester.	100%
To be implemented	Verification of the declarations of newly hired personnel. Monitoring of the activity carried out on the occasion of the semi-annual report.	Number of verified declarations out of the total declarations of conflict of interest submitted in the semester.	100%
To be implemented 1/2 To be implemented 2/2	Development of a procedure for the correct management of declarations of conflict of interest that is consistent with the new code of conduct.	Elaboration of the procedure and review of the currently used model.	Communicating the new process to all staff.

Source: Prepared internally from ANAC, 15. *Misure di disciplina del conflitto d'interesse: obblighi di comunicazione e di astensione*, pp. 33-34.

In short, the Triannual Corruption Prevention and Transparency Plans have great flexibility and allow each responsible entity to adapt the strategy to its own context. These plans include clear guidelines in terms of the diagnosis that should be made to design preventive measures against corruption, and of the specific tasks of preparation and supervision by the RPCT. One of the implications of this model is that there is no

mechanism to guarantee that the quality of the plans and the validity of their measurements is homogeneous

Additionally, it is considered that the measurement of results and impact to generate adjustments is not particularly useful to be replicated by the Corruption Monitoring and Evaluation Model in Mexico. In the Italian experience there are no clear and general guidelines to measure results and impact on the prevention of corruption in a comparative way between the different plans. This may represent a challenge to quantify the evolution of corruption at a *macro* level, beyond that of each institution. In turn, this implies a challenge in terms of the information inputs that are used to adjust different public policies based on quantitative evidence. Taking this limitation into account, the Italian model is considered useful when the intention is to verify the adoption and implementation of a public policy in a context in which this process is carried out in a decentralized manner by different agencies.

5.5. Latvia: Operational Strategy of the Bureau for the Prevention and Fight against Corruption 2020-2022 and Guidelines for the Preventing and Tackling Corruption 2015-2020

i. Background of the strategy and the guidelines

Latvia is a country in Eastern Europe that gained independence in 1989, shortly before the Soviet Union dissolved. The United Nations Convention against Corruption entered into force in Latvia in 2006 and the anti-corruption work carried out by this European country has been evaluated through cooperation mechanisms in collaboration with the World Bank and the Program to Support Emerging Democracies in Central and Eastern Europe -PHARE-of the European Union³⁴³, among other initiatives.³⁴⁴ The institution in charge of coordinating the authorities for the implementation of anti-corruption strategies and guidelines, and of monitoring compliance with political party financing regulations is the Corruption Prevention and Combating Bureau (CPCB).³⁴⁵ The CPCB began operations in 2002 under the authority of the Latvian Council of Ministers and had 152 employees at the beginning of 2020.³⁴⁶ Unlike other anti-corruption agencies included in this chapter, the Bureau has powers to monitor law enforcement actions on the financing of political parties.³⁴⁷ Since 2004, the Bureau has articulated the prevention and fight against corruption based on two instruments: one focused on planning and the other on management. The first National Strategy to Prevent and Combat Corruption 2004-2008³⁴⁸ defined the main objectives and principles of a public policy on the matter, as well as the solutions that should be implemented to achieve these goals. Meanwhile, the Guidelines for the Prevention and Fight against Corruption 2009-2013³⁴⁹ assigned tasks to different actors who had to coordinate to comply with the established deadlines. For these two strategies, the CPCB was in charge of monitoring, facilitating the coordination of the program and reporting progress to the Latvian Council of Ministers. As mentioned in the UNODC practical guide for the preparation and application of anti-corruption strategies, supplying the information to a

³⁴³ Poland and Hungary: Assistance for the Restructuring of the Economy (PHARE).

³⁴⁴ Corruption Prevention and Combating Bureau, *Progress and results in the field of corruption prevention and combating*, 9 December 2004,

[https://www.knab.gov.lv/en/knab/news/5726progress_and_results_in_the_field_of_corruption_prevention_and_combatin g.html](https://www.knab.gov.lv/en/knab/news/5726progress_and_results_in_the_field_of_corruption_prevention_and_combating.html)

³⁴⁵ *Corruption Prevention and Combating Bureau*. On the functions of the CPCB see *Guidelines for the corruption prevention and combating 2015-2020*, p. 8.

³⁴⁶ Corruption Prevention and Combating Bureau, *Operational Strategy of the Corruption Prevention and Combating Bureau 2020-2022*, p. 32.

³⁴⁷ *Ibid.*, p. 3.

³⁴⁸ *National Strategy for Corruption Prevention and Combating 2004-2008*.

³⁴⁹ *Guidelines for the Corruption Prevention and Combating 2009-2013*.

central body such as the Bureau is positive for accountability before higher State bodies such as the Council of Ministers.³⁵⁰

ii. Elements of the strategy and the guidelines

The current public policy to fight corruption is contained in the document on Guidelines for the Preventing and Fighting Corruption 2015-2020 (hereinafter the guidelines),³⁵¹ which provide a diagnosis of the status of corruption prevention and the fight against corruption, define five sub-objectives (listed below), courses of action to achieve them, and management indicators and effects. The next inter-institutional planning instrument - which will be in force between 2021 and 2025 - is expected to continue with the guidelines currently in force to a large extent, although the document currently is being developed.³⁵² The planning instrument for 2015-2020 is accompanied by two specific tools to articulate the actions of the CPCB: the 2018-2019 and 2020-2022 Operational Strategies for the Corruption Prevention and Combating Bureau, which define priorities only for the CPCB, the activities, performance indicators and the quantitative goals that were expected from it.³⁵³ Every year since 2018, the CPCB has published a report in which it compares the original goal set out in the relevant Operational Strategy with the results achieved.³⁵⁴ This enables the monitoring of the Bureau's performance, fosters transparency and promotes accountability.

Although the CPCB has a leading role in the Latvian anti-corruption strategy, it is not solely responsible for the achievement of the goals. Latvia promotes the decentralization of the fight against corruption, so that each institution is responsible for prevention tasks through internal control systems.³⁵⁵ According to the guidelines, there are five main sub-objectives to be achieved, which are summarized in **¡Error! No se encuentra el origen de la referencia.** As the main party in charge of preventing and combating corruption, the objectives of the guidelines are accompanied by the actions described in the CPCB Operational Strategy 2020-2022. Therefore, the illustration includes the mandate present in both documents. As can be seen, the strategy has a comprehensive approach when addressing issues in various public policy areas. There is a prevention approach in seeking to improve government management and promoting awareness of the problem of corruption among the citizens. There are also actions to fight corruption through the sanction of the abuse and illicit use of power by public

³⁵⁰ National Anti-Corruption Strategies: A Practical Guide for Development and Implementation, p. 58.

³⁵¹ Guidelines for the Corruption Prevention and Combating 2015-2020.

³⁵² Operational Strategy of the Corruption Prevention and Combating Bureau 2020-2022, p. 2. 3.

³⁵³ Corruption Prevention and Combating Bureau, Legislation, Policy documents,
<https://www.knab.gov.lv/en/legislation/policy/>

³⁵⁴ See KNAB, "Report: Operations of the Corruption Prevention and Combating Bureau in 2018",
https://www.knab.gov.lv/upload/2019/gada_parskats_2018_en.pdf and KNAB, "Report: Operations of the
Corruption Prevention and Combating Bureau in 2019",
https://www.knab.gov.lv/upload/2020/knab_gada_parskats_2019.pdf.

³⁵⁵ Guidelines for the corruption prevention and combating 2015-2020, p. 8.

officials and, in an aspect that stands out with respect to other strategies reviewed in this chapter, by the political parties, in terms of their financing and spending.

Illustration 5.3 : Priority areas of the Operational Strategy of the Latvian Corruption Prevention and Combating Bureau



1. Ensure public administration's policy of human resource management that excludes motivation for corruptive activities: Improvement of the public administration's human resource management, thus promoting ethical principles and reducing the risks of corruption and conflicts of interest. This includes the review of the declarations of conflict of interest from the CPCB



2. Strengthen independent internal control systems: The creation and improvement of control systems seeks to limit cases of corruption or financial fraud in the municipal, public and private sectors. This implies evaluating and mitigating risks and encouraging the implementation of anti-corruption measures in the private sector as well.



3. Reduce the public tolerance towards corruption: Promotion of a zero tolerance to corruption in society in general. To this end, it seeks to strengthen reporting processes by improving the *whistleblower* protection system and providing information to society in cases of violation of the law. This objective is framed by the CPCB's strategy of training two main audiences, public officials and the young.



4. Ensure inevitability of penalties for offences related to the abuse of official power and for unlawful use of the power: For this purpose, it provides the imposition of proportional, effective and dissuasive sanctions that seek to combat behaviors such as money laundering, bribery of foreign officials and the promotion of asset recovery and the work of corruption prevention institutions. The Bureau accompanies these processes with the investigation of offences.



5. Limiting the power of money in politics: The Bureau is in charge of verifying compliance with electoral financing regulations. In order to achieve the above, one of the objectives of the Latvian government is to increase transparency in the financing of political parties and to promote the involvement of society in the public policy development process.

Source: Prepared by the author from the *Guidelines for the corruption prevention and combating 2015-2020, pp. 32-22 and the Operational Strategy of the Corruption Prevention and Combating Bureau 2020-2022, pp. 9-22*.

As the authority in charge of supervising the implementation of the 2015-2020 guidelines, the CPCB is responsible for coordinating and measuring the performance of the actions in the document. Therefore, the Bureau compiles information from the other agencies and submits a midterm and a final evaluation of the guidelines to the Council

of Ministers. The latter is expected to be completed in November 2021.³⁵⁶ It is worth noting that many of the indicators taken into consideration to measure performance are broken down into municipal units of government in Latvia, which is in keeping with one of the recommendations for the design and content of anti-corruption strategies of the Kuala Lumpur Statement on the subject.

iii. Measurements/indicators used in the monitoring and evaluation of the Guidelines

Each of the five areas included both in the Bureau's operational strategy and in the guidelines for preventing and fighting corruption correspond to a series of indicators. The operational strategy indicators are related to the goals that are mainly the responsibility of the Bureau. Meanwhile, the guidelines focus on the indicators of results or effects that make it possible to evaluate the achievements of all the institutions involved in preventing and fighting corruption in Latvia. Below is the description of this second set of indicators, which is broader in scope and has a greater relationship with aspects that may be useful for the development of a platform that compiles information from different official sources such as MOSEC in Mexico. These indicators had a baseline based on information from a few years prior to 2015 and were updated at three different times during the period of the guidelines (2015, 2017 and 2020). The first sub-objective on human resources management is evaluated from the perspective of *three public policy results* (**Error! No se encuentra el origen de la referencia.**). The indicators refer to the management of public personnel in terms of their working conditions - salary, training - and the knowledge they have to reduce the risks of corruption they face.

Table 5.11 : Measurements of the human resources management sub-objective to deter acts of corruption

Sub-objective 1: Ensure public administration's policy of human resource management that excludes motivation for corruptive activities	
Policy result A1: The remuneration of public officials is not considered a cause that promotes corruption	<ul style="list-style-type: none">• Government effectiveness quality index (metrics of the quality of the public service, the civil service, its independence from political power, and the quality of policy development and implementation).• Percentage of public officials who consider that low wages trigger corruption in state and municipal institutions.

³⁵⁶ Guidelines for the Corruption Prevention and Combating 2015-2020, p. 127.

Sub-objective 1: Ensure public administration's policy of human resource management that excludes motivation for corruptive activities

Result of policy A2: The management of human resources ensures a good disposition of the staff	<ul style="list-style-type: none"> • Increase in the proportion (%) of public officials familiar with anti-corruption requirements. • Proportion of public institutions (%) that have open and transparent personnel selection processes.
Public policy result Knowledge of anti-corruption requirements.	<ul style="list-style-type: none"> • Number of people trained in anti-corruption issues in sessions organized by the CPCB or in events financed by the European Union. • Number of trainers who were trained in anti-corruption educational events.

Source: Prepared internally from the *Guidelines for the corruption prevention and combating 2015-2020, 7. Policy Results, Activity Results and Performance Indicators for Achieving such Results*, pp. 114-120.

The second sub-objective refers to the creation of internal control systems. Compliance is globally evaluated from indicators on the implementation of control schemes and training granted both in public institutions and in private companies (row three of **Error! No se encuentra el origen de la referencia.**). Meanwhile, performance is evaluated through two international measures: The World Bank's Control of Corruption indicator and Transparency International's Corruption Perception Index. Changes in the public perception that public institutions are fair in relation to corruption and the perceived change in the fight against low-scale corruption are also considered. Last, it considers the percentage of institutions that meet the highest control systems standards in state and municipal institutions, based on a specialized evaluation.

Table 5.12 : Measurements of the sub-objective of strengthening internal control systems

Sub-objective 2: Create and improve an independent internal control system to limit cases of corruption or defrauding of financial resources, including the EU and other foreign financial resources, in the public, municipal or private sector.

Policy result A3: Corruption Control Index	<ul style="list-style-type: none"> • Transparency International's Corruption Perception Index (score). • World Bank Corruption Control Index.
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Sub-objective 2: Create and improve an independent internal control system to limit cases of corruption or defrauding of financial resources, including the EU and other foreign financial resources, in the public, municipal or private sector.

Policy result A4:

An efficient internal control system in state and municipal institutions

- Increase in the proportion (%) of respondents who consider that public institutions are very or somewhat fair in terms of corruption.
- Increase in the proportion (%) of respondents who consider that there has been a slight or considerable decrease in low-scale corruption.

Public policy result

Improvement in the quality of internal control systems

- Percentage of municipal and state institutions who had their internal control systems evaluated and reduced corruption risks.
- Increase in the percentage of municipalities and public capital companies in which anti-corruption processes have been implemented.
- Percentage increase in the number of commercial companies that have been trained in the implementation of anti-corruption processes.

Source: Prepared internally from the *Guidelines for the corruption prevention and combating 2015-2020, 7. Policy Results, Activity Results and Performance Indicators for Achieving such Results*, pp. 114-120.

The third sub-objective of the guidelines refers to actions to reduce tolerance towards corruption in society. One of the indicators - which is presented in the third row of the **¡Error! No se encuentra el origen de la referencia.** - refers to the implementation of social anti-corruption campaigns, although said measurement is not contextualized nor does it provide a measurement of the target audience or the intended effect. The rest of the indicators are well constructed to measure the effect generated by public actions through opinion polls. This approach could be useful to measure the training and education actions monitored by the Corruption Monitoring and Evaluation Model in Mexico. The monitoring of these metrics reveals key aspects about tolerance towards corruption among the general public and about which segment of the population justifies its occurrence as something inevitable. The indicators for this sub-objective include a measure of the prevalence of bribery by reporting the percentage of the population that has made unofficial payments to resolve matters in public institutions in the last two years. This measurement is aligned with the international standards described in the section “Levels of corruption experienced by individuals and companies” of this document, which mainly serve to approximate the indicator of the Sustainable Development Goals 16.5.1

Table 5.13 : Measures to reduce public tolerance of corruption

Sub-objective 3: Reduce public tolerance of corruption	
Result of public policy A5: Reduction of tolerance of corruption	<ul style="list-style-type: none"> Decrease in the proportion of respondents (%) who admit being willing to pay a bribe. Decrease in the proportion of people (%) who have made an unofficial payment to resolve matters in a public institution.
Result of public policy A6: Growth in trust in the performance of the public administration	<ul style="list-style-type: none"> Decrease in the proportion of respondents (%) who believe that things cannot be solved without a bribe. Decrease in the number of respondents (%) who consider that the bureaucracy forces them to pay bribes.
Public policy result	<ul style="list-style-type: none"> Number of social anti-corruption campaigns.

Source: Prepared internally from the *Guidelines for the corruption prevention and combating 2015-2020, 7. Policy Results, Activity Results and Performance Indicators for Achieving such Results*, pp. 144-120.

The fourth area in which goals are sought through the articulated action of the Latvian State has to do with sanctioning the abuse of power or its illicit use by public officials. As illustrated in the indicators of **Error! No se encuentra el origen de la referencia.**, this sub-objective starts with seeking to reduce cases that extend for over two years, and the number of sanctions imposed on private sector institutions for corruption. It also considers attitudes towards the fight against corruption and the indicator of the proportion of people willing to report these events is drawn from the section on corruption experiences.

Table 5.14 : Measures to ensure the inevitability of penalties for offences related to the abuse and unlawful use of power:

Sub-objective 4: Ensure the inevitability of penalties for offences related to the abuse and unlawful use of public power:	
Result of public policy A7: Increase of trust in the rights protection system	<ul style="list-style-type: none"> • World Bank Rule of Law Index (aggregated perceptions of the extent to which agents prioritize the law and have confidence in and abide by the rules of society).³⁵⁷ • Decrease in the proportion of respondents (%) who are not at all ready to report cases of corruption.
Result of public policy A8: Reduction of the perception of impunity	<ul style="list-style-type: none"> • Decrease in the proportion of people (%) that confirm that corruption is justified if there is no other way to solve an issue. • Increase in the proportion of people (%) who consider that bringing cases to justice is a deterrent to bribery.
Result of the public policy: Increase the effectiveness of sanctions and the confidence that they are unavoidable when an offence is committed	<ul style="list-style-type: none"> • A sentence in a criminal case related to public service violations heard by a Court of First Instance should not exceed 24 months (% of cases). • Number of people charged with acts of corruption in the public sector.

Source: Prepared internally from the *Guidelines for the corruption prevention and combating 2015-2020, 7. Policy Results, Activity Results and Performance Indicators for Achieving such Results*, pp. 114-120.

The last of the sub-objectives included in the guidelines is limiting the power of money in politics. The most general result is to reduce the decrease in the number of illicit offences measured through the detection of illicit conduct with respect to the financing and spending of political parties (third row of table 5.15). As mentioned before, this is a problematic approach to calculating the actual occurrence of acts of corruption, therefore there are areas of opportunity in this indicator. The complementary measures focus on trust on the political parties, the Latvian Parliament (*Saeima*) and the Council of Ministers. These represent indicators in which change is not immediate but is the consequence of a series of measures that imply a development in the medium and long term.

³⁵⁷ For more information, see: Daniel Kaufmann, Aart Kraay and Massimo Mastruzzi, “The Worldwide Governance Indicators: Methodology and analytical issues” *World Bank Policy Research Working Paper No. 5430* (2013).

Table 5.15 : Measures related to reducing the influence of money on politics

Sub-objective 5: Limiting the power of money in politics	
Result of public policy A9: Increase of trust in the activities carried out by the Parliament and the Council of Ministers	<ul style="list-style-type: none"> • Increase in the percentage of respondents (%) who consider that the Parliament and the Council of Ministers are somewhat or very fair in terms of corruption.
Result of public policy A10: Increase in the level of compliance with the law by political parties.	<ul style="list-style-type: none"> • Increase in the proportion of respondents (%) who consider that the financing of political parties is transparent, and their control is efficient. • Growth in the level of trust in party activities (% who consider them fair).
Result of the public policy: Decrease in violations of political parties financing regulations	<ul style="list-style-type: none"> • Decrease in the proportion of financing and spending reports of political parties for which administrative sanctions are established.

Source: Prepared internally from the *Guidelines for the corruption prevention and combating 2015-2020, 7. Policy Results, Activity Results and Performance Indicators for Achieving such Results*, pp. 114-120.

From the analysis of Latvia's strategy, it is concluded that it represents a solid case for measuring the fight against corruption and that it may be useful for the construction of other similar systems such as the MOSEC. This is based on the fact that the monitoring of the actions and results of anti-corruption policies takes place in a high-level political body such as the Council of Ministers, a body to which the Corruption Prevention and Combating Bureau is accountable. Additionally, the guidelines in force between 2015 and 2020 approach corruption from various perspectives, putting the coordination supervised by the CPCB and the construction of internal controls specific to each institution at the center. In terms of measurement, the approach focuses on measuring the results and impacts at two levels, one of the actions of the Anti-corruption agency (Corruption Prevention and Combating Bureau) and a broader one of the set of institutions whose indicators are included in the Guidelines for the Prevention and Combating of Corruption. For the monitoring, it looks at the implementation of actions and strategies, and the evolution of the indicators on the provision of public services and the results of international indices. For the indicators of the Corruption Prevention and Combating Bureau, an annual monitoring report is delivered that compares the performance of this institution with the original goals. Meanwhile, the global evaluation

of Latvia's public policy will be delivered to the Council of Ministers in November 2021, thus ending the public policy cycle for the 2015-2020 period.

5.6. Peru: National Integrity and Anti-Corruption Policy

i. Background

Similar to what happens in Mexico, the case of Peru is illustrative of a country in the Latin American region in which corruption is considered one of the main public problems.³⁵⁸ Peru is a State Party to the United Nations Convention against Corruption, having ratified said instrument in 2004. Since 1996, it is also a signatory of the Inter-American Convention against Corruption. Peru has made efforts focused on preventing and fighting corruption since 2001 with the National Anti-Corruption Initiative, whose conceptual emphasis was placed on raising integrity standards.³⁵⁹ The National Integrity and Anti-Corruption Policy (hereinafter the national policy) in force since 2017, started from a planning process originated in the 2002 National Agreement in which authorities, representatives of the main political organizations and civil society established the planning of the sustainable development path for the country. This agreement, considers the "Promotion of ethics and transparency and the eradication of all forms of corruption, money laundering, tax evasion and smuggling" as one of the 34 key policies in a long-term development vision for the South American country.³⁶⁰

In Peru, the National High-Level Anti-Corruption Commission (CAN) is a governance mechanism to propose inter-sectoral and intergovernmental policies and plans to prevent and fight corruption, as well as for their supervision and monitoring. The CAN was officially created in 2013 and has ten permanent members and ten observer institutions from the three branches of government, as well as a non-fixed number of working groups.³⁶¹

The first anti-corruption policy supervised by the CAN was the 2012-2016 National Plan to Fight Corruption. This plan consisted of five objectives: institutional coordination measures, prevention of corruption, investigation and punishment in the administrative and judicial spheres, generation of networks with civil society and the business sector, and positioning in international forums on corruption. The CAN, which is responsible for the preparation, monitoring, follow-up and evaluation of the National

³⁵⁸ High-Level Commission against Corruption, *Política Nacional de Integridad y Lucha Contra la Corrupción*, p. 6.

³⁵⁹ "Decreto Supremo que aprueba el Plan Nacional de Integridad y Lucha contra la Corrupción 2018-2021", *El Peruano*, April 26, 2018, p. 9.

³⁶⁰ *Política Nacional de Integridad y Lucha Contra la Corrupción*, p. 7.

³⁶¹ "Reglamento de la Ley no. 29976, Ley que crea la Comisión de Alto Nivel Anticorrupción", *El Peruano*, January 4, 2013.

Plan,³⁶² made a final report on the implementation of the 2012-2016 National Plan³⁶³ that showed that most entities lack a monitoring and follow-up system for the plans and instruments of the strategic planning.³⁶⁴ Additionally, one of the lessons of this evaluation is that it was necessary to conduct studies of the impact of the sanctions imposed by the State and to implement mechanisms to measure the effectiveness of training programs in sensitive areas related to the fight against corruption.³⁶⁵ The evaluation of the National Plan 2012-2016 was one of the documents that laid the foundations for the National Integrity and Anti-Corruption Plan (hereinafter, the national plan). This was complemented with inputs from other studies and diagnoses carried out by third parties and internal bodies of the Peruvian government. The elements that were taken up include the *OECD Integrity Review of Peru. Strengthen the integrity of the public sector for inclusive growth* (2017) and the *100 actions proposed by the Attorney General to forge a corruption-free country* (2017).³⁶⁶ Some of the standards contained in these documents were used for the construction of the indicators of the national plan, as shown in the tables in the monitoring and evaluation subsection.

ii. Key Elements of the Policy

The inter-sectoral public policy to fight corruption in Peru is the National Integrity and Anti-Corruption Policy, which was approved in 2017. The national policy is an instrument that establishes objectives, guidelines, and standards to be adopted by State institutions in the prevention, detection and punishment of corruption. The national policy includes all levels of government and public stakeholders and constitutes a guiding element for the private sector.³⁶⁷ It is structured around three axes, the first two are preventive and the last one is related to sanction:

- preventive capacity of the State against acts of corruption,
- risk identification and management,
- sanctioning capacity of the State against acts of corruption.

Each of the axes has specific objectives. The first axis has five objectives, while the second and third have four each.

The national policy described above is the starting point of the National Integrity and Anti-Corruption Plan. The implementation of the objectives and guidelines of the national policy lies within the second instrument. As mentioned above, there was a

³⁶² “Decreto Supremo que aprueba el Plan Nacional de Integridad y Lucha contra la Corrupción 2018-2021”, p. 5.

³⁶³ Coordinación General de la Comisión de Alto Nivel Anticorrupción, *Informe de Evaluación final de la Implementación del Plan Nacional de Lucha Contra la Corrupción 2012-2016*.

³⁶⁴ *Política Nacional de Integridad y Lucha Contra la Corrupción*, p. 16.

³⁶⁵ *Idem*.

³⁶⁶ “Decreto Supremo que aprueba el Plan Nacional de Integridad y Lucha contra la Corrupción 2018-2021”, p. 8.

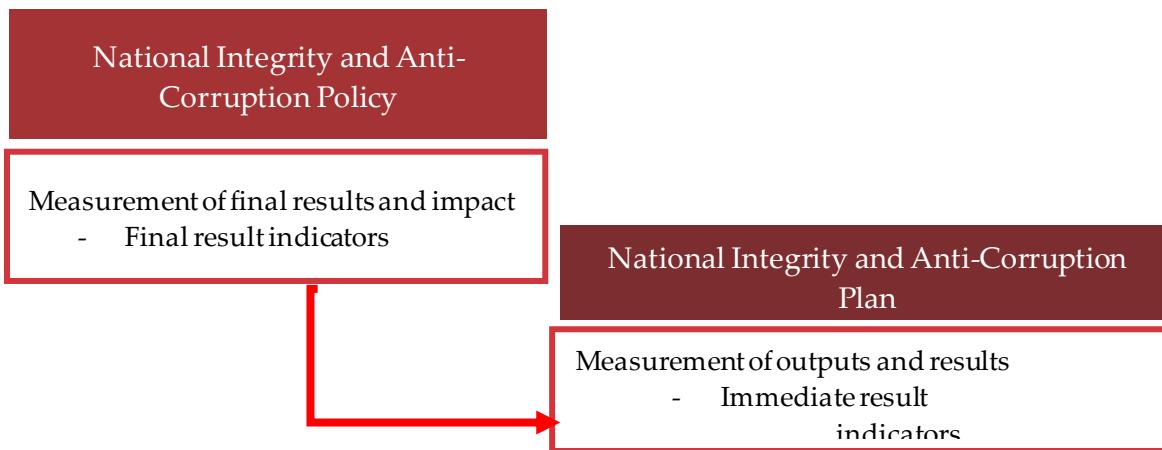
³⁶⁷ *Ibid.*, P. 8.

national plan from 2012 to 2016 that has been superseded with one for the 2018-2021 period. The national plan specifies compliance actions under the same structure of the national policy: three strategic axes with 13 specific objectives (five for the first axis and four for each of the other two). The difference lies in the fact that the national plan has a more operational and specific approach than that of the national policy, since it defines the institutions responsible for implementing each anti-corruption action specifically, as well as those that must provide assistance, follow-up and supervision to them.³⁶⁸ Under the national plan, in order to guarantee the monitoring, follow-up and evaluation of the actions, the CAN - as the institution responsible for these tasks - shall develop an annual report.³⁶⁹

iii. Measurements/indicators used in the monitoring and evaluation of the national policy

The differentiated approach of the national policy and the national plan is reflected in the monitoring and evaluation indicators of each of them (see **Error! No se encuentra el origen de la referencia.**). On the one hand, the national policy pays attention to the results and the impact of the implementation of the measures as a whole. On the other hand, being more operational in nature, the national plan focuses on verifying implementation through intermediate outputs and results in a sequence of various actions focused on reducing the problem of corruption in Peru.

Illustration 5.4: Approach of the indicators in Peru's National Integrity and Anti-Corruption Policy and Plan



Source: National Integrity and Anti-Corruption Plan, p. 36.

³⁶⁸ Page 28 of the National Plan specifies that there are both specific and cross-sectional actions that each of the public entities must implement, without exception.

³⁶⁹ "Decreto Supremo que aprueba el Plan Nacional de Integridad y Lucha contra la Corrupción 2018-2021", p. 36

However, the national policy document does not define specific indicators, instead, it leaves this task to the consideration of each institution, based on a series of compliance standards: "For the proper follow-up of the National Integrity and Anti-Corruption Policy, public entities in the different levels of government must establish specific goals and indicators, which must also include the proposals that will be carried out in the National Integrity and Anti-Corruption Plan".³⁷⁰ Therefore, this document refrains from making an in-depth assessment of the robustness of the national policy measurement framework and limits itself to analyzing the national plan.

In this sense, the progress in the fulfillment of the national plan is measured through indicators focused on the implementation of institutional mechanisms and State management practices³⁷¹ in areas that are relevant to the prevention and the fight against corruption. Each indicator includes a series of goals, with the year they must be achieved in, and the institution responsible for carrying out the actions for their fulfillment. The indicators are articulated in the three strategic axes mentioned above (preventive capacity, risk identification and management and sanctioning capacity of the State). For the first axis, which deals with the capacity to prevent corruption, the metrics focus on quantifying the spread the implementation of the institutional architecture and management practices in the areas of the specific objectives of the national plan:

1. transparency and access to public information,
2. information management,
3. control of monetary resources and conflicts of interest of political parties and candidates in electoral processes,
4. promoting a culture of integrity and public ethics and
5. management of conflict of interest.³⁷²

As in the case of Egypt reviewed above, the design of Peru's indicators is largely focused on what the Office of the United Nations High Commissioner for Human Rights calls *structural indicators*, which correspond to the adoption of legal instruments or basic institutional mechanisms such as State commitments, in this case, to fight corruption.³⁷³ This implies that the fulfillment of the goals of these indicators is a function of adjustments to the legal framework and the improvement in the legal or formal regulatory capacities of public bodies focused on reducing the conditions that facilitate corruption. Some of these indicators are included as examples in **¡Error! No se encuentra el origen de la referencia..** The set of indicators for each of the 29 actions

³⁷⁰ *Política Nacional de Integridad y Lucha contra la Corrupción*, p. 81.

³⁷¹ For a broad definition of the set of actions considered as institutional mechanisms and management practices, see "La calidad del gobierno en las entidades federativas mexicanas: una propuesta conceptual y de medición."

³⁷² *Plan Nacional de Integridad y Lucha contra la Corrupción 2018-2021*, pp. 12-13.

³⁷³ *Human Rights Indicators: A Guide to Measurement and Implementation*, pp. 38-39.

proposed for the fulfillment of the first strategic axis of the national plan can be consulted directly in the national plan.³⁷⁴

Table 5.16 : Specific objectives, actions and indicators (examples) of the "Preventive capacity of the State against acts of corruption" axis

Specific objective	Example action (number in the National Plan)	Indicator
1.1. Guarantee transparency and access to information in state entities.	Promote the obligatory nature of accountability hearings and training for civil society interested in participating in these (5).	Percentage Regional and Local governments that hold accountability hearings (Indicator 5).
1.2. Consolidate an integrated information management for the prevention of corruption	Empower existing Institutional Integrity Offices in State entities and promote the creation of integrity offices (10).	Percentage of empowerment mechanisms implemented in Integrity Offices (indicator 10).
1.3 Promote and consolidate the Reform of the Electoral System and the Political Organizations in Peru	Ensure a periodic publication of financial or economic campaign reports by political groups (19).	Regulatory proposal (indicator 19).
1.4 Promote and instill a culture of integrity and public ethics in civil servants and citizens	Develop initiatives and mechanisms to raise awareness about values, public ethics, transparency and access to public information and the promotion of crime reporting, coordinated by the CAN (25).	Percentage of Regions that carried out awareness campaigns about values, public ethics and the promotion of crime-reporting (indicator 25).
1.5 Install and consolidate conflict of interest	Adapt the framework on public integrity in accordance with OECD standards, by i)	Percentage of regulatory mechanisms developed (indicator 29).

³⁷⁴ Available at: <https://www.proetica.org.pe/wp-content/uploads/2018/04/decreto-supremo-que-aprueba-el-plan-nacional-de-integridad-y-decreto-supremo-n-044-2018-pcm-1641357-2.pdf>.

Specific objective	Example action (number in the National Plan)	Indicator
management and interest management in the Public Administration	<p>strengthening the regulations on sworn declarations of income, assets and revenue</p> <p>ii) establishing the mandatory nature of the sworn declaration of interests, and iii) establishing a new regulatory model for interest management (29).</p>	

Source: Prepared internally from the *National Integrity and Anti-Corruption Plan 2018-2021*, 32. Actions, Indicators, goals and responsible parties.

The second axis of the national plan on risk identification and management, takes into consideration measures adopted by the State to reduce opportunities for corruption in key areas. The areas for which measurements are established include:

1. the management of reports of alleged acts of corruption,
2. the advancement of a career in public service based on merit,
3. the identification and management of risks in public procurement and
4. the implementation of risk management systems in each institution.³⁷⁵

Error! No se encuentra el origen de la referencia. includes some of the indicators considered for each objective of the second axis of the national plan.

Table 5.17 : Specific objectives, actions and indicators (examples) of the "Risk identification and management" axis

Specific objective	Example action (number in the National Plan)	Indicator
2.1. Strengthen the mechanism to handle reports of alleged acts of corruption	Implement an integrated reporting mechanism in the public administration, ensuring the protection of those who report alleged acts of corruption (30).	Integrated reporting mechanism approved and implemented (indicator 30).
2.2. Promote a meritocratic public career	Delegate the regulation and implementation of the selection processes in key managerial positions in the procurement system, in entities with large budgets and	Percentage of selection processes of key managerial positions implemented by the National Civil Service Authority-

³⁷⁵ *Plan Nacional de Integridad y Lucha contra la Corrupción 2018-2021*, pp. 13-14.

Specific objective	Example action (number in the National Plan)	Indicator
	projects, and in social programs on the National Civil Service Authority (SERVIR) (34).	SERVIR (indicator 34).
2.3. Guarantee integrity in the procurement of works, goods and services	Encourage the implementation of prevention or compliance programs against corruption and other questionable practices in the business sector regardless of the size of the company and the business sector (43).	Percentage of compliance with the communication strategy on the importance of the prevention or compliance programs (indicator 34).
2.4. Strengthen risk management within each public entity	Develop a specific methodology to identify and manage the risk of corruption, including customized mapping and evaluation activities to support government entities in their efforts to prevent, detect, and effectively respond to corruption (48).	Percentage of public entities that implement the Risk management and Identification Methodology to prevent, detect and effectively respond to corruption (indicator 48).

Source: Prepared internally from the *National Integrity and Anti-Corruption Plan 2018-2021*, 3.2. Actions, Indicators, goals and responsible parties.

Regarding the third and last axis, on sanctioning capacity, a measured is made of the progress of legal, operational, information management and transparency capacities in the 1) criminal justice systems and 2) disciplinary sanctions against corruption. For this purpose, the strength of the 3) National Control System (carried out by the Internal Control Bodies of each institution) is quantified in accordance with certain general guidelines such as the use of technology. Additionally, the National Plan monitors 4) the mechanisms to facilitate the recovery of assets and loss of ownership (equivalent to asset forfeiture in Mexico) as a result of aggravated offences against the Public Administration.

Table 5.18: Specific objectives, actions and indicators (examples) of the "Punitive capacity of the State against acts of corruption" axis

Specific objective	Example action (number in the National Plan)	Indicator
3.1. Strengthen the criminal justice system	Strengthen the anti-corruption criminal justice system through i) the implementation of specialized bodies in all judicial and prosecution districts, ii) the allocation of the necessary resources, iii) a reduction in the percentage of provisional status of anti-corruption judges and prosecutors; iv) the implementation of mechanisms to guarantee integrity in the anti-corruption criminal justice system (54).	Percentage of mechanisms implemented (indicator 54).
3.2. Strengthen the disciplinary system	Strengthen the operational capacity for disciplinary sanction of entities through mechanisms that guarantee efficiency, speed and immediacy in the administrative response to sanction breaches of ethics and corruption cases (63).	Percentage of implementation of the administrative sanction Strategy Strengthening (indicator 63).
3.3. Strengthen the National Control System	Intensify information technologies to optimize government control (65).	Percentage of implementation of the strategy to increase the use of technology in Government control (indicator 65).
3.4. Strengthen the mechanisms for asset recovery and loss of ownership as a result of aggravated offences against the	Articulate actions to avoid prescription and expiration in the collection of civil damages from those convicted of corruption offences (68).	Implementation of a mechanism to avoid prescription in the collection of civil damages from those convicted of corruption offences (indicator 68).

Specific objective	Example action (number in the National Plan)	Indicator
Public Administration		
.		

Source: Prepared internally from the *National Integrity and Anti-Corruption Plan 2018-2021*, 32. Actions, Indicators, goals and responsible parties.

The construction of the indicators described above focuses on monitoring the implementation of actions and regulations for good management in key areas for the prevention and the fight against corruption. Many of the goals of the indicators divide the process into a first stage of program design and approval and a second stage of implementation in different types of public entities. This facilitates a more punctual monitoring of the actions that involve a sequence of activities that involve the participation of more than one institution. This makes it possible to identify those responsible and the causes for the delay at some point and correct them.³⁷⁶

Peru's approach seems to be advisable for a first stage of reforms to the State that requires a maturation stage prior to evaluating results and impacts in reducing corruption. The foregoing is due to the fact that by limiting itself to observing the approval and implementation of legal or regulatory safeguards, it is difficult to assess the real probability of the occurrence of corruption.³⁷⁷

Regarding the monitoring and evaluation system, although the National Policy establishes that the CAN is responsible for delivering annual reports on the actions carried out, these were not found online. The implication is that the review of compliance with the objectives of Peru's inter-institutional public policy can only be carried out from the information provided by each public institution. Contrary to the intention with the MOSEC in Mexico, in Peru there doesn't seem to be a platform or other instrument that concentrates the information to review the periodically updated data contained in the anti-corruption planning documents.

³⁷⁶ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 47.

³⁷⁷ *A research agenda for studies of corruption*, p. 16.

5.7. United Kingdom: National Anti-Corruption Strategy 2017-2022

i. Strategy background

The United Kingdom tends to be at the top of the international rankings of the least corrupt countries³⁷⁸ and comparative surveys at the European level report relatively low levels of experience and perception of this phenomenon.³⁷⁹ Additionally, the country has played an active role in strengthening the implementation of the Convention in other countries.³⁸⁰ These results are the consequence of different actions and legal provisions that the United Kingdom has promoted over several years at the domestic and international level. In recent years, these efforts have been articulated in two anti-corruption policies that bring together public institutions under the same approach and coordinate their actions and dialogue with other sectors.

The anti-corruption actions of the United Kingdom are currently, articulated in the National Anti-Corruption Strategy (hereinafter the national strategy)³⁸¹ in force for the 2017-2022 period. The strategy gives continuity to some of the actions of the instrument that preceded it as an anti- corruption policy: the Anti-corruption Plan.³⁸² This plan, which was implemented from 2014 to 2016, was the UK's first centralized strategy to fight corruption.³⁸³ The plan recognized that at the global level there is little data on corruption, even though one of the ways to better understand the problem and take measures against it is to continuously collect information and submit it to public scrutiny. Therefore, one of the commitments contained in the plan was to further explore how to collect and publish information in accordance with international open data standards.³⁸⁴

The Anti-corruption Plan had the support of an Inter-Ministerial Group on Anti-corruption, made up of ministers and the heads of various agencies, as a mechanism to oversee compliance with the 64 actions provided for in the planning document. The functions of the Inter-Ministerial Group also included deciding on anti-corruption

³⁷⁸ For example, it is the twelfth least corrupt country according to Transparency International's Corruption Perceptions Index in the most recent edition, corresponding to 2019.

³⁷⁹ European Commission, *European Union Anti-Corruption Report. Annex United Kingdom to the EU Anti-Corruption Report* (2014), p. 2.

³⁸⁰ *UK Anti-Corruption Plan. Annex-International Engagement*, “The UN Convention Against Corruption” and *United Kingdom Anti-Corruption Strategy 2017-2022*, “4.3 Promote international standards and partnerships”.

³⁸¹ *United Kingdom Anti-Corruption Strategy 2017-2022*.

³⁸² *UK Anti-Corruption Plan* (2014).

³⁸³ *EU Anti-Corruption Report: United Kingdom Annex*, p. 1.

³⁸⁴ *UK Anti-Corruption Plan*, p. 21.

activities at the national and international level.³⁸⁵ Additionally, it created the position of the Government Anti-Corruption Champion,³⁸⁶ a member of Parliament appointed directly by the Prime Minister to oversee and represent the plan, who is in charge of co-leading the Inter-Ministerial Group.³⁸⁷ The Anti-Corruption Champion served as a representative of the plan at the international level, and before sectors outside the government, such as businesses and civil society organizations. Its functions also included reporting before the Parliament and the public on the issues defined in the Anti-Corruption Plan.³⁸⁸

At the international level, the United Kingdom provides anti-corruption support to other countries through the Anti-Corruption and Rule of Law Programme of the Prosperity Fund³⁸⁹, led by the *Foreign, Commonwealth & Development Office*. Mexico is one of the priority countries of the Programme, which allows the development of many bilateral cooperation actions in crucial anti-corruption fields, such as transparency and accessibility of public procurement data³⁹⁰ or to explore new theoretical approaches to approach the study of corruption.³⁹¹ This document is part of the multiple efforts that the United Kingdom promotes to underpin public policies in the fight against corruption and to strengthen the rule of law in Mexico.

ii. Elements of the strategy

The National Anti-Corruption Strategy 2017-2022, and its annual monitoring updates, state that corruption has a negative impact on three pillars: national security, prosperity, and trust in institutions.³⁹² The indicators to monitor corruption levels presented in the following subsection on measurements and indicators emerge from the effects on these three areas. Regarding the implementation, specific actions involving multiple public agencies responsible for the implementation of the strategy are carried out under six priorities:

1. Reduce the insider threat in high-risk domestic sectors.
2. Strengthen the integrity of the UK as an international financial center.
3. Promote integrity in public procurement across the public and private sectors.
4. Reduce corruption in public procurement and grants.
5. Improve the global business environment of which the UK is a part.
6. Work with other countries to combat corruption.

³⁸⁵ *Ibid.*, p. 56.

³⁸⁶ *Government Anti-Corruption Champion*.

³⁸⁷ Jointly with the Home Secretary, who is responsible for organized crime.

³⁸⁸ *UK Anti-Corruption Plan*, p. 56.

³⁸⁹ *Prosperity Fund Global Anti-Corruption Programme (GACP)*.

³⁹⁰ *United Kingdom Anti-Corruption Strategy 2017-2022. Year 2 Update*, pp. 29-30.

³⁹¹ *United Kingdom Anti-Corruption Strategy 2017-2022*, p. 65

³⁹² *Ibid.*, p. 13.

For each of the priorities, the strategy presents a successful scenario, as well as a series of goals to be achieved (20 in total). The strategy includes measures both for the construction of a culture of integrity in the public and private sectors, which are expected to be achieved in the long term, and specific actions against more immediate risks.³⁹³ Each goal includes the measures previously presented in the Anti-corruption Plan of 2014, and those that have been carried out since 2017. These measures are derived from a conceptual framework of 4Ps (pursue, prevent, prepare and protect) that serve as an approach to combat corruption (see **Error! No se encuentra el origen de la referencia.**). This cross-cutting framework is inspired by other British government strategies in the areas of prevention of terrorism, organized crime and money laundering, as well as the 2014 Anti-Corruption Plan itself.³⁹⁴

Illustration 5.5 : Action framework of the United Kingdom's National Anti-Corruption



Source: Prepared internally from the *United Kingdom Anti-Corruption Strategy 2017-2022*, p. 10.

Oversight of compliance with the strategy is the responsibility of the Joint Anti-Corruption Unit (JACU)³⁹⁵, whose head, Mr. Andrew Preston, was interviewed expressly for this report.³⁹⁶ The Unit is in charge of conducting a cross-sectional review of different areas of government that participate in the anti-corruption strategy. For that purpose, it has been attached to the Home Office since 2017, to jointly provide the

³⁹³ *Ibid.*, p. 26.

³⁹⁴ *Ibid.*, p. 29.

³⁹⁵ *Joint Anti-Corruption Unit*.

³⁹⁶ Interview by Héctor Duarte Ortiz. Personal telephone interview, London, United Kingdom-Mexico City, Mexico, October 24, 2019.

necessary coordination tools to deal with public security issues and to link it with the fight against offences of an economic nature and organized crime.³⁹⁷ JACU has a close coordination relationship with the Anti-Corruption Champion. As mentioned above, the Anti-Corruption Champion has existed since the 2014 Anti-Corruption Plan to represent the United Kingdom in international anti-corruption forums and to act as liaison with the private sector and civil society.³⁹⁸

Regarding the monitoring of the strategy, the JACU submits an annual report to Parliament and compiles the actions carried out for each of the goals in an update that is also published annually.³⁹⁹ This consolidates accountability before a high-level authority such as the Parliament. A section of the report presents the progress in 134 commitments scheduled to be completed in 2022, although some were completed as early as 2018 and 2019. In order to make decisions for optimal compliance with the strategy, this update report reviews the level of progress of each commitment in a four-color scale:

1. On track or completed,
2. Progressing with risk that deadline(s) may be missed and/or with some risk to delivery,
3. Off track with deadline(s) expected to be missed and/or with serious risk to delivery,
4. Implemented by other means.⁴⁰⁰

When a commitment is delayed with respect to the plan, the issue is discussed in the Inter-Ministerial Anti-Corruption Group, made up of decision makers from various public institutions.⁴⁰¹ This makes it possible to pay particular attention to obstacles and inconveniences that may arise during the implementation of any public policy.

iii. Measurements/indicators used in the monitoring and evaluation of the Strategy

As recognized by Mr. Preston, Head of JACU, measuring the impact of the fight against corruption is a complex matter. The reason is that it is hard to attribute the change in general impact measurements, in which many factors converge, to the implementation of the specific actions of a public anti-corruption policy. This is also recognized by the UNODC's National Anti-Corruption Strategies: A Practical Guide for Development and Implementation: it is difficult to find indicators whose change can only be attributed to the efforts of the body responsible for public action.⁴⁰² Aware of this limitation, Mr.

³⁹⁷ *United Kingdom Anti-Corruption Strategy 2017-2022*, p. 10.

³⁹⁸ *Ibid.*, p. 10.

³⁹⁹ Interview with Andrew Preston, head of the Joint Anti-Corruption Unit (JACU).

⁴⁰⁰ *United Kingdom Anti-Corruption Strategy 2017-2022. Year 2 Update*, page 10.

⁴⁰¹ Interview with Andrew Preston, head of the Joint Anti-Corruption Unit (JACU).

⁴⁰² *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 49.

Preston expressed an interest in measuring corruption levels in the UK to some degree.⁴⁰³ Based on this idea, JACU worked with the *U4 Anti-Corruption Resource Centre* to design a series of indicators on the strategic direction and progress of the United Kingdom in the fight against corruption.⁴⁰⁴

As of year two after the update of the strategy (which reports on the work carried out in 2019), these indicators are presented in five groups. Three of the categories correspond to the negative impacts that corruption has in specific areas referred to in previous pages: national security, prosperity and institutional trust. The indicators were selected from a series of characteristics that are worth delving into.⁴⁰⁵ The measurements presented are, for the most part, generated by independent international institutions that publish this information on a regular basis (generally every year), although the intention is to eventually incorporate to a greater extent administrative records collected by the national government. The information comes from different statistical collection instruments: composite indices, surveys of experts, people and businesses, as well as administrative crime statistics. They chose sources whose information was transparent and accessible; in other words, measurements whose methodology is public and in which identify each individual component used in its preparation. Another feature considered is that the information could be subject to changes caused by public action instead of being virtually immutable measurements. There are two considerations to contextualize the quantitative information in time and space at the time of presenting it. First, the time series are presented with a baseline that starts a few years before the strategy was conceived (between 2012 and 2015). Second, the results of the United Kingdom are compared with those of the rest of the G-7 countries, since they are countries with similar economic development.⁴⁰⁶

The anti-corruption strategy is clear and careful to avoid establishing direct causality between the actions to be carried out and the change in the indicators. The monitoring of the indicators doesn't intend to evaluate the public policy, it rather seeks to provide an overview of the levels of corruption in the United Kingdom. The indicators also serve to detect the segments in the fight against corruption that require more resources and whose public action commitments should be prioritized.⁴⁰⁷ For example, for 2019, although most of the indicators show some stability with previous years, a negative trend is identified in the perception of corruption and in the belief in the independence of the Judicial Power of the United Kingdom.⁴⁰⁸

⁴⁰³ *Ibid.*

⁴⁰⁴ *United Kingdom Anti-Corruption Strategy 2017-2022. Year 2 Update*, page 34.

⁴⁰⁵ *Ibid.*, pp. 43-44.

⁴⁰⁶ In addition to the United Kingdom, the G-7 includes Germany, Canada, the United States, France, Italy and Japan.

⁴⁰⁷ *United Kingdom Anti-Corruption Strategy 2017-2022. Year 2 Update*, p. 34.

⁴⁰⁸ *Ibid.*, p. 34.

The first group of indicators includes three measurements on key elements to prevent corruption: regulation (specifically the ability to involve key stakeholders), budget and transparency in government reporting. The indicators are presented in **¡Error! No se encuentra el origen de la referencia.** with a brief summary of their meaning. It is worth noting that the commitments included in the strategy have a strong emphasis on the disclosure of records and data in areas that have been identified as having a high risk of corruption: public procurement, public grants, final beneficiaries of companies, among others.

Table 5.19 : Measurement of regulation and transparency in anti-corruption

Indicator	Meaning	Source
Regulatory Policy and Governance Indicators	Composed from a survey of public officials that measures the adoption of good practices to engage with stakeholders in the development of new regulations, including different methods used and openness in consultations, as well as transparency and response to the feedback.	Organization for Economic Cooperation and Development.
Open Budget Survey (OBS)	The measure assesses budget transparency based on the amount of information and the timeliness with which it is publicly available.	<i>Open Budget Initiative.</i>
Open Data Barometer (ODB)	It measures the prevalence and impact of open data initiatives in areas such as land ownership, crime statistics, and business registration, among others.	<i>World Wide Web Foundation.</i>

Source: Prepared internally from the *National Anti-Corruption Strategy 2017-2022. Year 2 update, Corruption indicators. How is the UK doing in reducing corruption?*

The second group of indicators, which is presented in **¡Error! No se encuentra el origen de la referencia.**, shows the measurement in one of the three key areas affected by corruption: national security. The measures include eight indicators on the magnitude and frequency of corruption risks in institutions and areas that are key for national security. It considers the expert opinion and evaluations from specific institutions such as the Army or the Police, the reporting rates of people who had an experience of corruption and the number of acts of corruption that are reported to the police.

Table 5.20 : UK National Security Threat Measurements

Indicator	Meaning	Source
Global Corruption Barometer: "Would you report an incident of corruption?"	Reporting rate of experiences of corruption in people.	Transparency International.

Indicator	Meaning	Source
Global Competitiveness Index: In your country, to what extent does the incidence of crime and violence impose costs on businesses?	Increase in a variety of criminal activities, one of them being corruption, according to business leaders.	World Economic Forum.
Integrity and Anti-corruption in the Defense Sector Index	Composite index of levels of risk of corruption in the defense sector according to experts.	Transparency International.
Rule of Law Index, "Absence of Corruption" Factor	Absence of corruption in officials in the Executive and ODBC Legislative Branches, the Judiciary, the military and the police. It is calculated from differentiated surveys of experts and ordinary people.	World Justice Project.
Rule of Law Index, component 2.3: absence of corruption in security personnel.	Measurement of the belief among experts that government officials in the police and military do not use public office for private gain	World Justice Project.
Rule of Law Index, component 8.5 the criminal justice system is free of corruption	Perception of the degree to which the justice system is free of corruption. It is calculated from differentiated surveys of experts and ordinary people.	World Justice Project.
Number of corrupt behaviors reported to the police	Total corruption behaviors reported to the police: active and passive bribery, bribery between companies and reports of misconduct by public officials.	Office for National Statistics of the United Kingdom (ONS).
2018 Mutual Evaluation FATF (evaluation of 11 immediate outcomes)	Result of peer evaluations in 11 areas of technical compliance and implementation effectiveness related to the prevention of money laundering and terrorist financing	Financial Action Task Force (GAFI-FATF).

Source: Prepared internally from the *National Anti-Corruption Strategy 2017-2022. Year 2 update, Corruption indicators. How is the UK doing in reducing corruption?*

The third set of indicators included in the strategy update consists of measuring the impact of corruption on two drivers of prosperity: investment and business. In total, there are five indicators that are presented in **!Error! No se encuentra el origen de la referencia.** on the perceptions and experiences of business people with corruption and the existing safeguards for the protection of companies and investments.

Table 5.21 : Measurements of Increase in Prosperity (Investments and Business)

Indicator	Meaning	Source
<i>Doing Business</i> , protection of minority investors	The indicator measures the strength of shareholder protections against inappropriate use of corporate assets by managers. This includes shareholders' rights, different safeguards and transparency.	World Bank.
Global Corruption Barometer "How many of you think that UK business executives are involved in corruption?"	Public perception of corruption among business executives.	Transparency International.
Global Business Ethics Survey: "Do bribery/corrupt practices happen widely in business in your country?"	Percentage of business leaders who consider bribery and corruption to be common business practices in the country.	EY (Ernst & Young).
Economic Crime and Fraud Survey: "Percentage that report having experienced bribery or corruption in the last two years?"	Percentage of business leaders who have had experiences of corruption in the last two years.	Pricewaterhouse-coopers.
<i>Exporting corruption report (ECR)</i>	Evaluation of the implementation of the OECD Convention on Combating Bribery of Foreign public officials.	Transparency International.

Source: Prepared internally from the *National Anti-Corruption Strategy 2017-2022. Year 2 update, Corruption indicators. How is the UK doing in reducing corruption?*

The fourth group of indicators considered in the national strategy are related to the effect of corruption on trust in UK institutions. As analyzed in subsection “4.5.3. trust in institutions”, the occurrence of corruption has a circular effect on the loss of institutional trust: higher levels of corruption are usually associated with greater distrust in authorities. In turn, when the decisions of authorities are not considered to be fair and impartial - when they are not trusted - there are reasons to resort to acts of corruption such as bribery. The six indicators for the United Kingdom presented in **!Error! No se encuentra el origen de la referencia.** are considered in the measurement of institutional trust. They come from personal opinion polls conducted at the international level.

Table 5.22 : Trust Measurements in UK Domestic and International Institutions

Indicator	Meaning	Source
Global Corruption Barometer: "How is the government handling the fight against corruption?"	The percentage of respondents for whom the government is managing the fight against corruption "somewhat well" or fairly well "is taken into account.	Transparency International.
Edelman Trust Barometer: "How much do you trust government to do what is right?"	Percentage of the public that trusts that the government will do the right thing (the sum of four highest trust categories on a scale of nine categories of trust is taken into account).	Edelman Communications Agency.
Gallup World Poll: "Do you have confidence in the honesty of elections?"	Percentage of respondents who say they have confidence in the honesty of elections in their country.	Gallup World Poll.
Gallup World Poll: "Do you have confidence in the national government?"	Percentage of respondents who say they trust the national government.	Gallup World Poll.
Gallup World Poll: "Public trust in politicians"	Percentage of respondents who say they trust politicians.	Gallup World Poll.
Gallup World Poll: "Use of public office for private gain"	Percentage of people who believe that public office is used for personal gain.	Gallup World Poll

Source: Prepared internally from the *National Anti-Corruption Strategy 2017-2022. Year 2 update, Corruption indicators. How is the UK doing in reducing corruption?*

The last group of indicators has a broader perspective, as it contains the four composite indices on corruption included in ;Error! No se encuentra el origen de la referencia.. These indices are built from global evaluations carried out by experts in specific topics. The measurements of this last set will hardly contain important changes in the short and medium term,⁴⁰⁹ and the validity of the annual changes is questionable due to the construction of these indices.⁴¹⁰ However, its usefulness lies in putting the position of the UK internationally in context in relation to corruption levels in the broadest sense.

⁴⁰⁹ "How to define and measure corruption", p. 9.

⁴¹⁰ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 53.

Table 5.23 : Global composite indices; measuring expert opinion of corruption

Indicator	Meaning	Source
Corruption Perception Index	Composite index based on 13 sources of information on the perception of corruption in a country according to surveys of experts and business leaders.	Transparency International.
Control of Corruption Index (CCI) ⁴¹¹	The CCI is a composite measure of perceptions of the extent to which public power is exercised for personal gain, including petty and grand corruption, as well as capture of the State.	World Bank.
Public Integrity Index (Index of Public Integrity)	Indices of opportunities and constraints to corruption composed of six elements: judicial independence, administrative burden, trade openness, budget transparency, e-citizenship (skills to use online tools and social networks) and freedom of the press.	European Research Centre for Anti-corruption and State Building (ERCAS).
Financial Secrecy Index (FSI)	It ranks countries according to their financial secrecy (less secrecy means better performance) and the size of their offshore financial activity.	Tax Justice Network.

Source: Prepared internally from the *National Anti-Corruption Strategy 2017-2022. Year 2 update, Corruption indicators. How is the UK doing in reducing corruption?*

Summing up the case study of the United Kingdom, the National Anti-Corruption Strategy of that country is considered a successful practice that should be considered in the development of the MOSEC for three main reasons. First, the UK has a multi-year track record of efforts to combat corruption and supports various countries and international instruments - such as the Convention - to contribute to this goal. The lessons learned from these experiences have allowed the UK to continue with certain aspects of the design, implementation, monitoring and evaluation of anti-corruption actions that have worked in the past. This is the case with some elements of the 2014 Anti-corruption Plan that were included in the 2017-2022 National Anti-corruption Strategy. The development of long-term actions has allowed the United Kingdom to position itself as a trusted global leader in the fight against corruption. Second, the institutional design that the United Kingdom has put in place is conducive to ensuring coordination and oversight of the anti-corruption strategy from high political and technical levels. The Home Office, through the Joint Anti-corruption Unit (JACU),

⁴¹¹ Control of Corruption Index.

monitors compliance with the commitments established by the different public agencies. Meanwhile, the Anti-Corruption Champion provides a visible figure of representation of anti-corruption efforts in different international forums and oversees accountability at a political level. The Inter-Ministerial Anti-Corruption Group collaborates in both areas, being responsible for addressing the risks that arise for compliance with the strategy based on a discussion with the heads of the agencies responsible for putting the established commitments into practice.

Finally, the selection of indicators to measure corruption levels in the United Kingdom is considered relevant when considering robust measurements at the international level that include several elements that are part of the phenomenon of corruption. The strategy is clear in warning that the interpretation of these indicators on general levels must be done realistically. This implies that the performance of the strategy cannot be linked exclusively to changes in these measurements. They are meant to be more a reference to identify areas where further efforts are needed to strengthen the fight against corruption in the United Kingdom. Similarly, it is expected that new measurements, some of them based on official data at the national level, will be incorporated into the monitoring of the strategy in the future.

5.8. Singapore: Permanent strategy of the Corrupt Practices Investigation Bureau

i. Background

Singapore is currently evaluated favorably in the most recurrent international anti-corruption rankings, such as the Corruption Perception Index (Transparency International), the Corruption Control Index (World Bank) and the Asia Intelligence Report (Political & Economic Risk Consultancy).⁴¹² Despite the high scores it has achieved for decades, the Asian country continues with a positive trend in these indices in the most recent years.⁴¹³ Singapore's concern to address the issue of corruption has also included the ratification of the Convention in 2009. However, similar to the Hong Kong case study, Singapore was not always recognized as a success story in the fight against corruption. Even during its transition to a self-government scheme in 1959

⁴¹² The Asia Intelligence Report prepared by Political and Economic Risk Consultancy Limited is a survey of business leaders that ranked Singapore first, which is equivalent to being considered the least corrupt country out of a total of sixteen Southeast Asian states analyzed in the 2018 edition.

⁴¹³ CPIB, “The Corrupt Practices Investigation Bureau: Corruption Statistics 2018”, *Press release*, April 30, 2020, pp. 8-9.

(before that it was part of the so-called Straits Settlements of the United Kingdom) it was considered that corruption was widespread in the country.⁴¹⁴

The Corruption Practices Investigation Bureau (CPIB)⁴¹⁵ was a cornerstone in changing the situation of corruption in Singapore. The Bureau began operations in 1952, before Singapore achieved its independence, making it the first anti-corruption agency in the world.⁴¹⁶ The CPIB is the only agency authorized by the Prevention of Corruption Act⁴¹⁷ to investigate corruption cases, in addition to having functions related to prevention through training in anti-corruption issues and liaison with different sectors of the community. The Bureau is attached to the Prime Minister of Singapore and it reports directly to the Prime Minister, although it operates with functional independence.⁴¹⁸

ii. Strategy content

The anti-corruption framework in Singapore is articulated in four pillars: effective laws, judicial independence, law enforcement, and a public service responsive to public demands. Two conditions are necessary for the four pillars to fulfill their purpose: political will and zero-tolerance for corruption. The scheme of the anti-corruption framework is summarized in illustration 5.6 , which is present in several of the CPIB documents.

⁴¹⁴ Lee Kuan Yew “Why Singapore is what it now is” *Estudios Internacionales* Year 40 No. 159 (January-April 2008, p. 174 & “Propensities to engage in and punish corrupt behavior: Experimental evidence from Australia, India, Indonesia and Singapore”, p. 850.

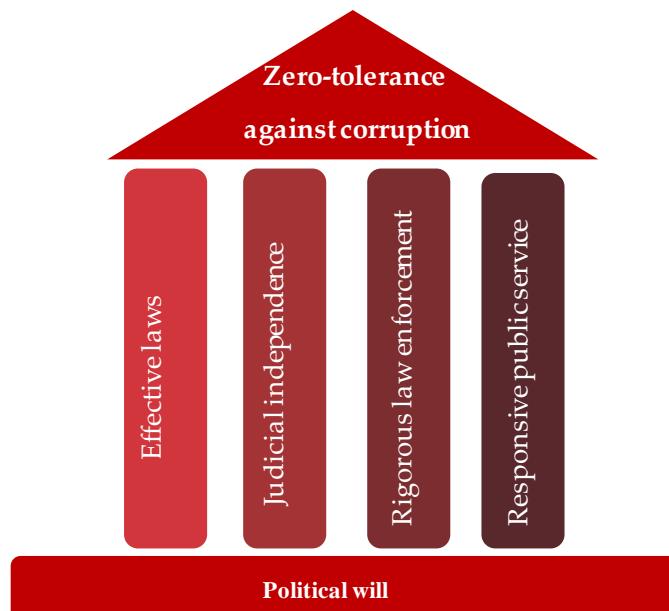
⁴¹⁵ *Corrupt Practices Investigation Bureau*.

⁴¹⁶ CPIB, “Mission, Vision & Core Values”, *Who we are?*, January 25, 2016, <https://www.cpib.gov.sg/about-cpib/mission-vision-core-values>

⁴¹⁷ *Prevention of Corruption Act* (Chapter 241)

⁴¹⁸ Vincent Lim, “An overview of Singapore’s anti-corruption strategy and the role of the CPIB in fighting corruption”, *20th United Nations Asia and Far East Institute UNCAC Training Programme Visiting Experts’ papers, Resource Material Series No. 104* (Tokyo [JP], 2018), p. 96.

Illustration 5.6: Singapore Corruption Framework



Source: Prepared internally from CPIB, *Singapore's Corruption Control Framework*.

Unlike other cases reviewed in this document, the CPIB does not have a public strategic or planning document to outline its anti-corruption actions and metrics. Instead, the Bureau carries out activities on an ongoing basis with the community and the private sector. These actions are mainly articulated on two fronts: investigation of criminal cases and prevention activities through outreach with different sectors of society. Regarding the investigation of criminal cases, the Bureau is in charge of receiving reports of corruption events occurred in both the private and public sectors. For that purpose, it has several channels that are open to anyone: onsite at the Offices of the Bureau, via telephone, by electronic means, via fax or via postal mail. Any reports that provide clear and verifiable information about the event are registered for investigation.⁴¹⁹ The monitoring strategy of the Bureau includes following up on the investigations and submitting the resolutions to the Judiciary for consideration.

As mentioned before, it cannot be assumed that the information in reports submitted to the authorities is always a reliable metric of the whole universe of corruption cases, since not all offences are reported to the government. However, in contexts in which rule of law is solid, as is the case with Singapore,⁴²⁰ the information of the criminal justice system is more accurate than in other countries and has the

⁴¹⁹ CPIB, “The Corrupt Practices Investigation Bureau: Corruption Statistics 2018”, *Press release*, April 30, 2020, p. 3.

⁴²⁰ Singapore is ranked 12th out of 128 countries considered in the Rule of Law Index 2020 of the *World Justice Project*. Its position has not changed greatly since the country was first measured in 2015, when it was placed 9th out of 102 countries.

advantage of providing time series of considerable length.⁴²¹ From the statistics of the criminal system, it can be deduced that most of the corruption cases presumably occur in the private sector (86.25% on average, of the total cases registered since 2010).⁴²² Consequently, the Bureau has made efforts for permanent collaboration with companies and businesses in order to contribute to the prevention and combat of this type of conduct. This includes the development of practical guides for private companies on how to implement a series of permanent controls to prevent corruption and punish its occurrence.⁴²³ Additionally, the CPIB has made the standard *ISO-37001 Anti-Bribery Management Systems* available to Singapore companies since 2016 to certify those businesses that implement internationally recognized measures to promote integrity and reduce the risks of bribery.⁴²⁴

The prevention strategy includes communication and training activities for different audiences.⁴²⁵ Staff in public positions and in private companies are familiarized with anti-corruption elements and prevention measures with conferences in which the number of participants is recorded. Another aspect of which an annual record is kept is the number of students of various educational levels who are taught the history of the fight against corruption in Singapore and the importance of having a zero-tolerance attitude towards this type of practice. Last, the CPIB acts as a host for delegations from other countries that visit the Bureau to learn about the country's experience in fighting corruption.

In recent years, the activities carried out and the results achieved by the CPIB have been available to anyone who is interested. Since 2014, the Bureau publishes annual reports that allow remote scrutiny by the public (although the first report includes information on an annualized basis since 2010). The reports include a specific section on corruption statistics with indicators that are comparable in time and present the most important variations with respect to the previous year. The indicators - which allow monitoring of the status of corruption in Singapore each year - are accompanied by an interpretation that evaluates the work of the Bureau from the results obtained.

iii. Indicators/measurements used for monitoring and evaluation

As mentioned in the previous section, the Bureau compiles an annual report that includes the results of different comparable metrics over time. It is worth discussing

⁴²¹ "How to define and measure corruption", p. fifteen.

⁴²² CPIB, *Corrupt Practices Investigation Bureau Annual Report* (2014-2017), "The Corrupt Practices Investigation Bureau: Corruption Statistics 2018" and CPIB, "Corruption situation in Singapore remains firmly under control", *Press release*, May 18, 2020.

⁴²³ See PACT- A Practical Anti-Corruption Guide for Businesses in Singapore, available at: <https://www.cpib.gov.sg/pact>

⁴²⁴ For more information see CPIB, "SS ISO 37001", September 24, 2019, <https://www.cpib.gov.sg/about-corruption/prevention-education/resources/ss-iso-37001>.

⁴²⁵ For further information on these activities see section *Prevention & Outreach* of the *Corrupt Practices Investigation Bureau Annual Report* for the 2014-2017 period.

how these indicators are constructed and what their meaning is in terms of the corruption situation and the effectiveness of the actions carried out to combat it. Most of the indicators are related to the handling of cases that are known to the anti-corruption authority and the results achieved in terms of sanctions.

To facilitate the analysis of the indicators, they can be divided into two groups. The first are indicators on the reports received, the most recurrent reporting channels and the percentage of them that become investigations that the Bureau seeks to support. These indicators are presented in table 5.24. Since the start of the time series in 2010, the Bureau has received progressively fewer reports from the public and an increasing number have been the subject of an investigation. In 2019, 34% of the reports received were the subject of an investigation (see indicator three of table 5.24), which corresponds to the highest rate for any year since 2010. This means that the reports in the last completed year contained higher quality information to allow the CPIB to pursue corrupt behaviors compared to previous years.

An additional aspect on which data is continuously collected is the distribution of reports by reporting mechanism (telephone, email, in person, website, postal mail or fax) and the proportion of each that become investigations. For example, in 2018, more than half of the corruption reports were submitted via website or postal mail (52%). However, only 14% of all investigations came from a complaint through said channel.⁴²⁶ In general, reports made in person have the highest investigation rates, since they allow the verification of the details of a case with the complainant. Based on this finding, specific strategies are designed to facilitate in person reporting, such as the inauguration of a new center in 2017 (the Corruption Reporting & Heritage Centre)⁴²⁷ specially designed for this purpose. Another aspect of corruption cases that is monitored is the proportion that corresponds to the public and private sectors. More than 80% of the reported cases occur in the private sector, of which about 15% have to do with public officials who reject bribes.⁴²⁸

Table 5.24 : Measurements of Corruption Reports Received by Singapore's CPIB

Indicator	Estimation
1. Percentage change with respect to the previous year in the number of cases reported by the public.	$\frac{(\text{Number of corruption cases reported } (t) - \text{Number of corruption cases reported } (t_0))}{\text{Number of corruption cases reported } t_0} \times 100$

⁴²⁶ “The Corrupt Practices Investigation Bureau: Corruption Statistics 2018”, p. 3

⁴²⁷ The CPIB Corruption Reporting & Heritage Center(CRHC). See, CPIB, *CPIB Annual Report 2017*, p. 18.

⁴²⁸ *CPIB Annual Report* (2014-2017), “The Corrupt Practices Investigation Bureau: Corruption Statistics 2018 ” and “Corruption situation in Singapore remains firmly under control”.

2. Percentage change with respect to the previous year in the number of investigations started by the CPIB.	$\frac{(Number\ of\ corruption\ cases\ investigated\ (t) - Number\ of\ corruption\ cases\ investigated(t_0))}{Number\ of\ corruption\ cases\ investigated\ (t_0)} \times 100$
3. Proportion of reports registered for investigation.	$\frac{Number\ of\ corruption\ cases\ investigated}{Number\ of\ corruption\ cases\ reported} \times 100$
4. Distribution of reports by reporting method.	$\frac{Number\ of\ corruption\ cases\ reported\ by\ reporting\ method\ (telephone,\ email,\ in\ person,\ website,\ postal\ mail\ or\ fax)}{Number\ of\ corruption\ cases\ reported} \times 100$
5. Distribution of investigations by reporting method.	$\frac{Number\ of\ corruption\ cases\ investigated\ by\ reporting\ method\ (telephone,\ email,\ in\ person,\ website,\ postal\ mail\ or\ fax)}{Number\ of\ corruption\ cases\ investigated} \times 100$
6. Distribution of cases by sector.	$\frac{Number\ of\ cases\ reported\ by\ sector\ (public\ or\ private)}{Number\ of\ cases\ reported} \times 100$

Source: Prepared internally from *The Corrupt Practices Investigation Bureau, Annual Report (2014-2017)* and *Corruption Statistics 2018 and 2019*.

The following set of indicators refer to the results of the Bureau's investigations. In general, investigations have high rates of completion (on average above 80%) and of convictions imposed by jurisdictional instances (normally above 95%), which suggests that the work of the Bureau in supporting cases with evidence meets high standards and is done expeditiously.⁴²⁹ The distribution of court convictions strongly reaffirms that corruption in Singapore occurs more frequently in the private sector. On average, 93.5% of the people charged before a jurisdictional instance come from the private sector.⁴³⁰ The annual reports of the Bureau reveal that the construction and construction maintenance sector is particularly vulnerable, since a considerable proportion of the people accused of acts of corruption belong to this sector (30% in 2019).⁴³¹

Table 5.25: Measurements of the results of CPIB investigations

Indicator	Estimation
1. CPIB investigation completion rate.	$\frac{Investigations\ completed\ during\ the\ year}{Investigations\ started\ during\ the\ year} \times 100$
2. Rate of convictions in CPIB investigations.	$\frac{Corruption\ cases\ brought\ before\ a\ judge\ that\ ended\ in\ a\ conviction}{Corruption\ cases\ brought\ before\ a\ judge} \times 100$

⁴²⁹ *Idem*.

⁴³⁰ *Idem*.

⁴³¹ “Corruption situation in Singapore remains firmly under control”. p. 5.

3. Proportion of individuals prosecuted in court as a result of CPIB investigations by sector (public or private).

$$\frac{(Public \ or \ private) \ sector \ persons \ indicted \\ for \ corruption}{Total \ persons \ indicted \ for \ corruption} \times 100$$

4. Private sector defendants brought before a judge by economic sector.

$$\frac{Economic \ sector \ of \ the \ persons \ indicted \\ for \ corruption}{Total \ persons \ indicted \ for \ corruption} \times 100$$

Source: Prepared internally from *The Corrupt Practices Investigation Bureau, Annual Report* (2014-2017) and *Corruption Statistics 2018 and 2019*.

As mentioned above, the CPIB carries out actions in the field of corruption prevention, which are aimed at company and public sector personnel, students and foreign delegates. The annual reports up to 2017 presented statistics on the number of people involved in these activities on an annual basis. However, the information on the implementation of the programs has areas of opportunity in terms of the construction of the indicators. The statistics were not contextualized, they don't include the proportion of the population that is served by prevention activities. There were also no metrics on the results and impact achieved by these actions: the degree of ownership of anti-corruption practices by the participants was not evaluated, nor were any measures available that reflected an increase in understanding of the issue among people who received the training.

In order to improve prevention-related metrics, a good practice would be to assimilate the approach of metrics on detection and punishment of corruption cases. Metrics of corruption cases in Singapore's criminal justice system make it possible to monitor the characteristics of this problem by presenting the sectors and economic activities in which they occur most frequently. The foregoing leverages Singapore's detection capabilities, which are greater than those of many other countries in which, due to under-reporting issues, criminal justice system statistics are not the most reliable source to monitor corruption levels. Similarly, the indicators on which reporting method favors the opening of investigations provide the Bureau with the necessary information to prioritize the reporting channels in which the accusations achieve a higher degree of support. The analysis of reporting statistics has contributed to obtaining better results in the investigation of offences. Additionally, the basis of the indicators allows the performance of the CPIB to be evaluated in terms of its capacity to conclude investigations and to support the cases in which there is evidence of the commission of acts of corruption. Unlike prevention indicators, detection and punishment indicators have a time series since 2010 and are published annually.



Recommendations based on
good practices for the
Corruption Monitoring and
Evaluation Model in Mexico

6

6. Recommendations based on good international practices for the development of the MOSEC

The preparation of this document *International Practices to measure, monitor and evaluate corruption levels and anti-corruption policies* has been possible thanks to the generous contribution of the Anti-Corruption and Rule of Law Programme of the Prosperity Fund in Mexico, granted by the government of the United Kingdom. This invaluable contribution consolidates the objectives of the UNODC-INEGI Center of Excellence by contributing to the systematization of different methodological development efforts for the statistical measurement of a central dimension for governance, such as the prevention and fight against corruption. More importantly, this document seeks to contribute to evidence-based decision-making through the compilation of good practices and instruments promoted by UNODC. The review covered information from 18 countries in total, 17 projects of a comparative nature or international indexes, a Special Administrative Region of the People's Republic of China and a geographic region made up of several countries.

According to various representative surveys at the national and sub-national level, the fight against corruption is one of the most relevant issues on the public agenda for Mexican citizens.⁴³² This concern, present in Mexican society, has been transferred to various planning instruments of the State, such as the 2019-2024 National Development Plan (PND) and a special program derived from the PND, the 2019-2024 National Program to Fight Corruption and Impunity, and to Improve the Public Administration. Similarly, the design of the National Anti-corruption Policy complies with one of the cornerstones of the National Anti-corruption System: the coordination of the actions of public entities to prevent, detect and punish acts of corruption, as well to oversee and control public resources. In addition, there are other public policies and regulations in force or under development that are not centrally focused on the reduction of corruption but have a role and can contribute to combating it through a chain of effects and/or by providing measures in other areas that have been identified as relevant by instruments such as the Convention.

The fight against corruption also represents a series of actions that Mexico has committed to at the international level by ratifying various multilateral treaties, including the United Nations Convention against Corruption in 2004. As a

⁴³² According to INEGI projections obtained from the National Survey on Governmental Quality and Impact (ENCIG) 2019, 52.8% of the Mexican population over 18 years of age considers corruption as one of the three most important problems in their state. Only "insecurity and crime" ranks above corruption: 78.9% consider it to be an important problem in their state. See INEGI, National Survey on Governmental Quality and Impact, **table 4.1**. According to Transparency International's Corruption Barometer 2019, 90% of the respondents in Mexico consider corruption to be a "big" problem. See Transparency International, *Global Corruption Barometer: Latin America & the Caribbean 2019. Citizen's views and experiences of corruption* (Berlin [DE]: Transparency International, 2019), p. 10.

comprehensive instrument for the key areas for preventing and combating corruption, the Convention has been used as an analytical framework to organize the content of the sections of this document. In addition to the value of its content, the Convention establishes the framework to hold international forums for the exchange of experiences and feedback on anti-corruption policies and practices. In this sense, the first recommendation is to continue and deepen the participation and dialogue of national anti-corruption organizations in these multilateral forums. A good example is that of the United Kingdom's Joint Anti-Corruption Unit and the *Anti-corruption Champion* that act as anti-corruption representatives in the different international forums where the government of the United Kingdom participates.

Corruption is a phenomenon that encompasses many behaviors and needs to be attacked from an articulated set of public policies in various areas that include monitoring and evaluation systems. To measure good management practices aimed at reducing discretion in the government and the results of anti-corruption, it is necessary to incorporate various approaches and methodologies. In order to include pertinent recommendations to evaluate the availability and validity of the information in Mexico, measurements have been presented in various areas that serve as benchmarks of good practices. To this end, we have drawn from international experiences in line with the recommendation of the UNODC National Anti-Corruption Strategies: A Practical Guide for Development and Implementation, in order to take advantage of the experience and expertise of other countries.⁴³³

The conclusions of this text are presented in two parts following the structure of the document. The first section summarizes Mexico's compliance with measurement standards in specific areas relevant to the fight against corruption that are not included in anti-corruption strategies. To evaluate the validity of the information available for Mexico, a comparison is made with the information of other countries selected for their good practices in these specific topics. Based on the above, we recognize good practices in specific areas of public policy, we state the importance of processing the information already available in other areas and we identify the areas that are left pending, as there is no statistical information available for them. The second section of the conclusions focuses on anti-corruption strategies in which several public institutions, the private sector and social organizations participate with specific tasks in various fields focused on the same goal of reducing corruption. In this second section, we discuss the lessons on the design of the monitoring and evaluation of these strategies, the topics included in the action plans, their indicators, and the mechanisms to periodically communicate this information.

The two sections of the conclusions seek to provide an accurate diagnosis of the information standards that Mexico has on the subject of corruption and lessons from

⁴³³ *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, p. 12.

other countries in monitoring and evaluating anti-corruption policies for the design of the Corruption Monitoring and Evaluation Model (MOSEC) of the Executive Secretariat of the National Anti-corruption System (SESNA). With this, we expect the MOSEC to provide inputs for optimal decision-making in relation to the National Anti-corruption Policy and also to be a reference tool for other anti-corruption policies or for any matters that are related to this phenomenon. Additionally, for a detailed review, we recommend using the document together with the indicator database that serves as an annex to this document as reference material available for any of the sections discussed above.

6.1. Conclusions regarding good practices in specific areas

In accordance with the provisions of article 113 of the Constitution, the National Anti-Corruption System is the body in charge of coordinating the institutions with attributions in the prevention, detection, and sanction of administrative responsibilities and acts of corruption, as well as the supervision and control of public resources. In each of these components, specific measurement areas were identified and organized in accordance with the framework provided by the United Nations Convention against Corruption.

For this section, we reviewed measurement experiences in different areas of 14 countries, and we compared 17 measurement projects of various countries and a geographic region. When comparing it with the information from Mexico, it was possible to identify that in the country there are methodological standards aligned with the best practices at the international level for the generation of information on corruption. Table 6.1 includes the areas that already have at least one indicator base available for monitoring and evaluation. In some cases, the practices in Mexico are carried out more frequently than those of other countries cited as good practices and, in the case of surveys on perceptions and experiences of corruption, they have broader statistical samples, which, together with a careful sampling, makes the official information more accurate than that of the surveys of international projects at a comparative level. This is not always the case for the areas included in **;Error! No se encuentra el origen de la referencia.**. In some issues there are areas of opportunity to collect more indicators, although we must reiterate that there is already a base to draw from for monitoring purposes. An illustrative example is that of e-government, in which Mexico has e-government indicators and online procedures available. However, more sophisticated indicators have been built into the e-government strategies of Brazil and Estonia, which could inspire future developments in the measurement of this issue. **;Error! No se encuentra el origen de la referencia.** includes information sources at the national level that are more up to date. For the MOSEC, using the information on these issues would serve to build a solid baseline of indicators, and to have time series that make it possible to contextualize the information once the respective public interventions have been implemented.

A clear example is indicator 16.5.1 of the Sustainable Development Goals on the prevalence of bribery among people with some contact with the government in the last year (row number three of **¡Error! No se encuentra el origen de la referencia.**). Although the 2030 Agenda containing the SDGs was approved in 2015, there are statistics on the prevalence of bribery since 2011 in the biennial editions of the INEGI's National Survey on Governmental Quality and Impact (ENCIG). The indicator for Mexico complies with the methodology recommended by UNODC for surveys on corruption experiences. Said methodology is considered by the Inter-Agency and Expert Group on the Sustainable Development Goals indicators (IAEG-SDGs) as a conceptually clear indicator, with an established international methodology and available standards.⁴³⁴ Other countries that collect information for this indicator have less information available than Mexico and their samples are smaller. One of the comments that emerge from the areas listed below is that Mexico has good measurement practices and indicators for monitoring each of the *corruption level* metrics presented in section 4.5 of this document: experiences, perception and trust in institutions. Results in these areas quantify the behaviors, opinions and attitudes of both the general public and businesses. This favors measurement in areas that are subject to long-term repercussions after an anti-corruption strategy is implemented.

Mexico was also found to have good practices in two areas related to the prevention of corruption: the risk of money laundering and e-government. On the one hand, the Basel Anti-Money Laundering Index measures the robustness of the measures to prevent money laundering in a comparative manner by country. The index has evaluated Mexico's performance in this field since its first edition in 2012. Another publicly available metric as of 2019 are the reports of the Financial Intelligence Unit of the Secretariat of Finance and Public Credit that publish metrics on risk and suspicious money flows similar to the indicators of a good practice such as that of Uruguay. One area of opportunity for FIU data, however, is to enable access to this data in open data formats. Meanwhile, with regard to e-government, Mexico has the indicators derived from INEGI's National Government Censuses, which quantify the availability of electronic procedures for different levels of government. Meanwhile, to obtain a more global perspective on the degree of digital development of the country, there are the different components of the E-Government Development Index, a long-term project carried out by the United Nations that combines objective and subjective data to quantify the degree of e-government implementation.

⁴³⁴ Tier Classification for Global SDG indicators as of 17 July 2020.

Table 6.1 : Mexican metrics aligned with international good practices

Mexican metrics with high degrees of validity and with indicators aligned with best international practices	
Dimension measured	Source
1. Prevention of money laundering.	A. Basel Anti-Money Laundering Index (results for Mexico) (Basel Institute on Governance). B. Reports from financial entities, reporting entities, reception and reports (UIF) -SHCP.
2. E-government.	A. E-Government Index, United Nations Organization. B. Percentage of transactional procedures and services offered, National Government Censuses, INEGI.
3. Levels of corruption experienced (bribery) by citizens (SDG indicator 16.5.1) and businesses (SDG indicator 16.5.2).	A. National Survey on Governmental Quality and Impact (ENCIG) -INEGI. B. (ENVIPE)-INEGI. C. National Survey on Business Victimization (ENVE) - INEGI. D. National Survey on Regulatory Quality and Government Impact on Enterprises (ENCRIGE) -INEGI.
4. Perception of corruption for citizens and businesses.	A. ENCIG-INEGI. B. ENVE-INEGI. C. ENCRIGE-INEGI.
5. Trust in institutions.	A. ENCIG-INEGI. B. National Urban Public Safety Survey (ENSU) -INEGI. C. ENVIPE. D. ENVE.

Source: Prepared internally

i

Statistics are the inputs through which information is synthesized and contextualized in indicators. Indicators are, in turn, a main piece of evidence for monitoring and evaluation systems. Mexico has statistics in different areas that are very close to the good practices carried out in other countries. For specific areas that can be grouped in a second set of data, the information is available in open data format and even in aggregated numerical data derived from the public interventions carried out. However, unlike the areas included in the first group of measurements, in this second set of topics the information available has yet to be synthesized into indicators that are regularly monitored and published, which makes it difficult for the results to be evaluated over time. The topics presented in **Error! No se encuentra el origen de la referencia.**, which includes the source of the information at the national level for each one, fall within

this classification. To build the corresponding indicators, it would be convenient to think about metrics that validly and accurately reflect the underlying concepts of interest for the prevention and combating of corruption. Within this process, it may be very useful to review the indicators of other countries presented in this document as a reference.

A case of an area with statistical information that has not been sufficiently used for monitoring indicators is the data on public contracts published on the CompraNet website. CompraNet periodically publishes information tables of the contracts that come into effect each year. A lot of statistical information can be derived from this, but we consider there is no indicator monitoring system that reflects whether the principles of transparency, competition and objectivity in public procurement are being observed in order to prevent corruption. Corruption offences are another area for which there are surveys, but no regularly monitored indicators. In order to generate indicators of corruption offences, it is necessary to refer to the judicial statistics databases on the reporting, prosecution and delivery stages for any type of crime. In this sense, the Technical Standard for the National Classification of Crimes for Statistical Purposes published by INEGI⁴³⁵ consists of a comparable standard to locate specific information on corruption both in the federal jurisdiction and in the common jurisdiction. Analyzing how cases move through the different stages of the justice system, we can obtain indicators for corruption cases, such as the percentage of resolution, the conviction rate, or the rate of sentences actually carried out. These metrics report on the performance of the investigations - including the performance of specialized anti-corruption prosecutors and the jurisdictional instances that hear corruption cases.

Table 6.2 : Metrics aligned with international good practices for which no indicators are available yet

Metrics in Mexico with high degrees of validity for which no indicators are available yet	
Dimension measured	Source
1. Recruitment and professional development	<p>A. National Government Census, Public Safety and State Penitentiary System and National Census of Municipal Governments and Territorial Districts of Mexico City Module 1 Public Administration, Section 1 Organizational structure and exercise of the government function -INEGI.</p> <p>For the rest of the national censuses, see the Organizational Structure and Resources Module, section or subsection that contains the information on "Human Resources", usually stated in the relevant title.</p>

⁴³⁵ Available in the following link:
https://snieg.mx/DocumentacionPortal/Normatividad/vigente/Nomina_Tecnica_Delitos_con_Fines_Estadisticos.pdf.

<p>2. Public procurement</p>	<p>A. Open data, CompraNet.</p>
<p>3. Anti-corruption training for public officials</p>	<p>A. Internal Control and Anti-Corruption Section, National Government Censuses by government level and field-INEGI</p>
<p>4. Report referral systems</p>	<p>A. National Government Censuses, internal control and anti-corruption section according to government level and field (table on the channel through which complaints and reports were received)-INEGI.</p>
<p>5. Administrative sanctions</p>	<p>A. Internal control and anti-corruption section according to government level and field, National Government Censuses-INEGI.</p>
<p>6. Criminal justice systems</p>	<p>A. Jurisdictional Bodies Module of the Federal Judicial Council), National Census of Federal Justice Administration - INEGI.</p>
<p>7. Specialized corruption agencies</p>	<p>B. Administration of Justice in Criminal Matters Module, National Census of State Justice Administration-INEGI.</p> <p>C. Administrative Registry of Justice Administration in Criminal Matters-INEGI.</p> <p>As a point of reference, use the Technical Standard for the Classification of Crimes for Statistical Purposes.</p>
<p>8. Oversight and control of public spending</p>	<p>A. Public Accounts, Secretariat of Finance and Public Credit, Public Audit Consultation System, Superior Audit of the Federation (2000-2018).</p>

Source: Prepared internally.

There are issues that emerge from this second group that are worth differentiating from the rest to further specify areas of opportunity for measurement. In these areas there is statistical information that follows the good practices of other countries, although the content should be supported by complementary measures to have more complete information on some topics. The first case is that of CompraNet, mentioned above. As mentioned in the section on public procurement, the Republic of Korea has introduced indicators to measure contract fulfillment and, based on this, to apply a pre-qualification system in key areas. These are complementary measures to CompraNet that would be of great public benefit to guarantee objectivity in public procurement and to derive the maximum benefit from the goods and services acquired. A similar case is that of the existing measurements of whistleblower protection and whistleblower guidance systems. According to INEGI's National Government Censuses, the number of complaints and reports received is known through reports published. However, unlike the whistleblower protection mechanisms in the case cited as good practice for the Republic of Korea, it is not possible to know which measures were granted to applicants for protection or the results of the investigations. In this sense, the project recently implemented by the Secretariat of Public Service *Internal and External Citizens who*

Report Corruption represents an opportunity to compile data on the safeguards to protect the safety of whistleblowers and on the processes and the sanctions for illegal acts that are verified.

Table 6.3: Metrics that follow good measurement practices, but with limited content and no indicators

Mexican metrics with high degrees of validity, but with limited content and no indicators	
Dimension measured	Source
	Opportunity area.
1. Recruitment and professional development (especially for civil service careers)	<p>A. IDB's Civil Service Development Index</p> <p>The Civil Service Development Index only carried out two surveys and they took place a long time ago (2004 and 2013).</p>
2. Public procurement	<p>A. Open Data, CompraNet.</p> <p>The development of indicators to evaluate the fulfillment of contracts with the government could contribute to develop a pre-qualification system in the future.</p>
3. Report referral systems	<p>A. INEGI's National Government Censuses, internal control and anti-corruption section according to government level and field (table on the channel through which complaints and reports were received).</p> <p>There is no information on the protection granted to reporting persons or on the processes and results of the reports submitted.</p>

Source: Prepared internally

In the last group of corruption measurement areas, those for which there is virtually no online statistical information or the information is not valid to capture the underlying concept of interest were grouped by topic. This is due to two main factors. First, the information generated is not in an accessible format for online consultation and processing. For example, data on expenditures and resources of political parties and the results of their audit are not up-to-date and are not in formats that can be processed. Another case is that of the Prosecutor General's Impounded Assets Registry - which is relevant to quantify asset recoveries - which was no longer published due to the lack of viability to publish and update this information according to the Open Data Institutional Work Group of the PGR.

The second reason why there is no information in some relevant areas for measuring corruption is that the information generated is very scarce or not

representative - and therefore it is significantly biased. This is the case of investigations of bribery of foreign public officials, of which there are only five in over 20 years since the entry into force of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; none of them have resulted in a sanction. Faced with such a small number of comments, it is almost impossible to draw conclusions regarding trends and variations in the short and medium term to inform the performance of public bodies with attributions on the subject (beyond the fact that this is a major issue that hasn't been satisfactorily addressed in the public agenda). The consequence is that monitoring and evaluation of government actions in these areas represents a formidable challenge if these measurements are not improved. The topics with the greatest opportunity areas for the generation of statistics and indicators are presented in **¡Error! No se encuentra el origen de la referencia.**, which includes the specific obstacles faced by each of them.

Table 6.4 : Areas for which there is no valid information online

Corruption metrics in Mexico for which there is virtually no statistical information available or which are significantly biased	
Dimension measured	Challenge
1. Financing and supervision of the resources of political parties	A. The reports have not been updated since 2015 and are published as accounting reports and not in a format that lends itself to processing statistical information. The information resulting from the audit cannot be processed for the generation of statistics in its current format.
2. Asset forfeiture and asset recovery	A. There is only data available from the auctions organized by the Institute to Return What Was Stolen from the People. The main problem for measuring corruption is that it is not specified whether the auctioned products correspond to corruption or other offences. The database of the National Center for the Control of Impounded Assets of the Office of the Prosecutor General ceased to be published by decision of the 1st Open Data Institutional Working Group of the former PGR.
3. Punishment of Bribery of Foreign Public Officials	A. The information is scarce and does not allow the generation of statistics. There are only records of the start of five investigations for this crime and there is no firm sanction.

Source: Prepared internally

In sum, reviewing international practices in specific areas related to the measurement of anti-corruption policies offers a standard of comparison to make a more precise

assessment of the information available for Mexico and to generate better recommendations. It is thus concluded that there is a first group of areas in which, in order to have a robust monitoring and evaluation system, using the indicators that are already available in different information sources is enough. For a second group of topics, the statistical information has already been collected and is publicly available, although the indicators that summarize key aspects of the data have yet to be built and monitored. In some topics (public procurement and referral of reports and protection of whistleblowers) of this block of topics we also identified valid information, but not as comprehensive as in other countries. In these cases, we recommend supporting the information available with additional elements in the measurement that yield further details. For the topics with the greatest measurement gaps, the practices included in the document can provide a reference of the surveys required to generate statistical information and publish it.

6.2. Conclusions on anti-corruption strategies

Chapter five presents the monitoring and evaluation mechanisms of eight anti-corruption strategies. Each of these experiences had sections dedicated to the background, the content of the strategy - including the monitoring and evaluation component - and the construction of indicators used to measure the phenomenon of corruption and the efforts to combat it. For six of the cases studied (Egypt, Indonesia, Italy, Latvia, Peru and the United Kingdom), the anti-corruption strategies are derived from planning documents with a specific timing. The planning documents often draw from previous experiences of anti-corruption policies: it occurs in all cases with the exception of Indonesia. Sometimes, this segment that lists previous strategies points at some of the limitations of previous efforts (see, for example, Egypt), which is indicative of the value of the lessons that were learned in these processes. Some of the anti-corruption strategies have undertaken to continue current experiences as State policy. This is the case of Peru, which includes anti-corruption within its strategic long-term priorities, or Latvia, whose strategy for the 2021-2025 period will maintain the objectives and courses of action of the current policy.⁴³⁶

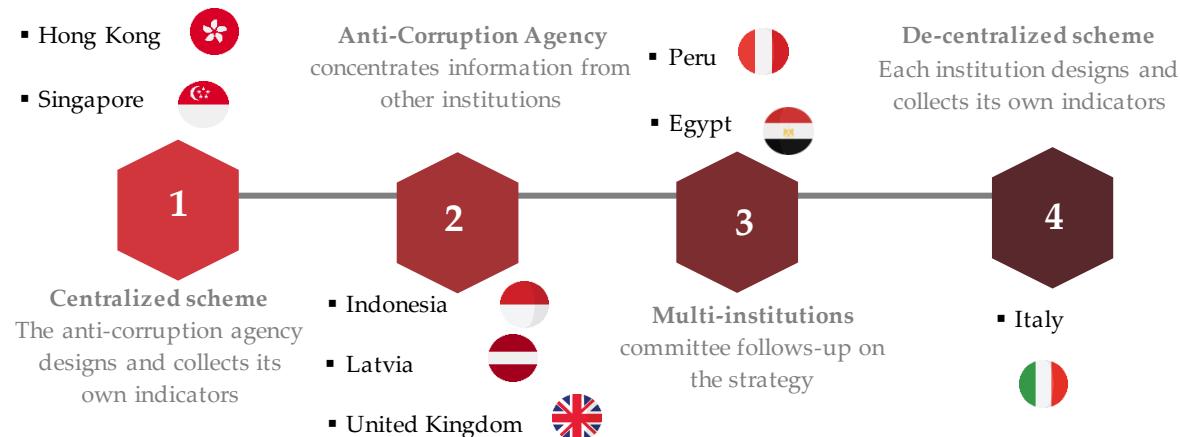
Information Collection Methods

The countries studied in this document monitor the information on their anti-corruption actions in various ways that could be classified on a spectrum from greater to less decentralization (illustration 6.1). In the cases of Hong Kong and Singapore, the generation of anti-corruption information and its presentation in annual reports is the sole responsibility of the anti-corruption organizations of those countries (the

⁴³⁶ *Operational Strategy of the Corruption Prevention and Combating Bureau*, pág. 23

Independent Commission against Corruption and the Corrupt Practices Investigation Bureau, respectively).

Illustration 6.1: Information collection schemes of the cases under review



Source: Prepared internally

In other schemes in which the responsibilities of the anti-corruption strategy are less concentrated in a central body, the participating institutions generate different pieces of information that are collected and published by the anti-corruption agency. The countries that follow this method in their monitoring system are Indonesia, Latvia and the United Kingdom. Once the information is concentrated, the agencies periodically present the follow-up of the actions before the political bodies that evaluate the progress and necessary adjustment decisions are made to optimize implementation. In the case of Indonesia, the National Development Planning agency is in charge of compiling the information on the National Prevention and Eradication Strategy and submitting quarterly and annual reports on the matter. For Latvia, the Corruption Prevention and Combating Bureau presents the information to the Council of Ministers and, additionally, it has evaluation duties and conducts a midterm and a final examination of the anti-corruption strategy. In the case of the United Kingdom, the progress of the strategy is updated every year by the Home Office through the Joint Anti-Corruption Unit (JACU), which carries out a preliminary evaluation exercise of the different components of the strategy and the results to date. JACU's follow-up information is submitted to Inter-Ministerial Group on Anti-Corruption, which discusses solutions when an activity is delayed. It is estimated that this scheme is closer to what the MOSEC will be in the future, in which the Executive Secretariat of the National Anti-corruption

System is responsible for compiling the information related to the implementation and monitoring of the actions of the National Policy Anti-corruption and present it to the Coordinating Committee of the SNA for review. Taking this into consideration, the information on these cases may be especially useful to coordinate the management of information in Mexico.

Another scheme is that of multi-institution committees that coordinate the implementation and supervision of the strategy. This is the case of Egypt's National Coordinating Committee for the Prevention and Combating of Corruption, whose director is the head of the Administrative Control Authority and includes members of control, security authorities, judicial and other authorities. In Peru, the National High-Level Anti-Corruption Commission (CAN), made up of ten permanent members and ten observer institutions from the three public powers, is in charge of coordinating the efforts of the National Anti-Corruption Policy. Despite having specific anti-corruption plans and indicators, no information could be found on the follow-up and results achieved of the anti-corruption strategy by these two commissions.

At the most decentralized end of the spectrum (see illustration 6.1) is Italy. The anti-corruption agency in Italy, the ANAC, is only in charge of supervising that each public institution has its own anti-corruption strategy and presents ad hoc implementation indicators and results with regard to the risks that each public agency is exposed to. Although the ANAC has a platform to consult the Triannual Plans for the prevention of corruption and for transparency, this platform is only accessible to the Heads of Prevention of Corruption and Transparency and only monitors implementation. The monitoring of the indicators and the evaluation process at the conclusion of the strategy, on the other hand, is the responsibility of each of the institutions, for the most part. The ANAC is in charge of summarizing compliance with the preparation of the plans and their most basic aspects. This leads to greater heterogeneity in anti-corruption strategies and their monitoring and evaluation.

Most common issues in anti-corruption strategies

The analysis of the eight case studies presented allows us to identify the public policy areas related to corruption on which measurements are generated for monitoring and evaluation. Due to the relatively small number of strategies reviewed and the characteristics of the cases selected for this document, it would be impossible to conclude that these represent the most common anti-corruption issues at the international level. However, table 6.5 seeks to provide a summarized report on the specific cases from which lessons can be drawn to underpin certain issues included in the MOSEC and in the National Program to Fight Corruption and Impunity. Most of the cases - with the exception of Italy - which does not have homogeneous indicators for its entire anti-corruption strategy - use a multidimensional corruption approach in which different methods and indicators are used to measure different dimensions of the

phenomenon of corruption. The sum of the indicators and the conclusions drawn from them are the most solid evidence to understand the evolution of corruption levels.

As usually happens in the review of heterogeneous case studies, the issued included are varied and none of the anti-corruption topics is ubiquitous. This is explained with the fact that each country considers different factors to be a priority in the fight against corruption, depending on its specific context. However, it should be noted that the most recurrent measurement issue is that of the criminal justice system, whether at the stage of reporting, investigation, prosecution or adjudication of corruption cases. Of the cases reviewed, only Italy omits the collection of data and construction of indicators based on offences of corruption that are known by the authorities in criminal proceedings. The use of the statistics of the criminal justice system as one of the most recurrent ways to measure corruption is something that has been identified by other studies on methodologies to approach corruption.⁴³⁷ We must remember that it is important to be cautious when using data from criminal proceedings, especially in contexts where the rule of law is not fully established and the authority's detection abilities are limited.

As concluded in the first section of conclusions, Mexico has valid information for some of the issues included in the first column of table 6.5. However, for others there are areas of opportunity in methodological terms, in their processing (construction of indicators) and in the generation of information in areas where information is very scarce or there are biases that significantly reduce its validity and accuracy. In these cases, reviewing specific subjects of experiences at the international level can be beneficial. In addition to this, having the list of the cases that measure a specific dimension of corruption is useful to compare the results achieved abroad, and thus to set realistic objectives.

⁴³⁷ See *How to define and measure corruption*, p. 15.

Table 6.5: Issues included in anti-corruption strategies (eight cases)

Issues	Egypt	Hong Kong	Indonesia	Italia	Latvia	Peru	United Kingdom	Singapore
1. Harmonization with international treaties or conventions								
2. Anti-corruption awareness and training	■	■			■	■		■
3. Trust in the government								
4. International cooperation	■		■					
5. Corruption experiences (from corruption surveys)		■						
6. Financing and electoral control					■	■		
7. Corruption risk management					■			
8. Legislative/regulatory modernization	■					■		
9. Perception of corruption (from surveys)		■	■		■		■	
10. Money laundering prevention and asset recovery						■		
11. Professionalization of public officials	■				■			
12. Improvements in public procedures	■		■			■		
13. Public procurement								
14. Transparency (government and private sector)								
15. Administrative sanctions					■			
16. Criminal justice system	■	■	■		■			■

Source: Prepared internally

Types of monitoring and evaluation indicators

According to the UNODC practical guide for the development and implementation of national anti-corruption strategies, there are two types of monitoring and evaluation systems: one that assesses the follow-up to implementation and another that examines its repercussion (results or impact).⁴³⁸ One of the lessons of the review of the cases is that in practice there is often no measurement basis for both elements. The eight cases reviewed show strong schemes in only one of the two types of evaluation, while the other element has areas of opportunity. Egypt, Italy and Peru, privilege measurements that monitor the implementation of the strategy. This means that they focus on compliance with the activities contemplated by the strategy and, to a lesser extent, on the results that are expected from said compliance. The implication is that these countries frequently take into account binary verification indicators that refer to the fulfillment (or lack of fulfillment) of a specific activity or the approval of a particular norm aimed at reducing discretion in the government. The above is useful to follow up on the implementation. The method of dividing each indicator into different parts and assigning a responsible institution, as in Peru, also helps to identify the agencies that do not fully comply with the responsibilities they are assigned. However, this type of measurement will be less useful to inspire a solid monitoring of variations in the levels of corruption or aspects related to said phenomenon that have an effect on its reduction. As Alina Mungiu-Pippidi and Mihály Fazekas state: "Even when more rules might help reduce corruption [...] it is difficult to measure the likelihood of corruption by reference to any lack (*or existence*) of legal safeguards."⁴³⁹

In contrast, Hong Kong, Indonesia, Latvia, the United Kingdom and Singapore focus more on monitoring metrics of the results and impacts of their respective strategy. This implies that they monitor the effects generated by the different actions through the construction and regular presentation of indicators. As recommended by different manuals that deal with the issue of monitoring and evaluating Anti-corruption strategies, the agencies responsible for the strategy tend to be cautious in attributing the changes in outcome and impact measurements. The success or failure of the strategy as a whole is usually not attributed to the indicators, instead the metrics are used to underpin or place some emphasis on certain public policy aspects. The fact that the strategies of these five countries focus on measuring results does not imply that there is no follow-up on implementation in these cases. However, quantitative information systems based on indicators such as the one that MOSEC intends to construct are not usually used. Hong Kong and Singapore present numerical evidence of the actions carried out each year. For example, the number of training sessions, number of participants involved or

⁴³⁸ National Anti-Corruption Strategies: A Practical Guide for Development and Implementation, p. 46

⁴³⁹ How to define and measure corruption., p. 16. Italics added.

consultancies provided to companies. However, this information is not contextualized (it is not an indicator, but a statistic), nor does it have baselines or goals.

Given the opportunities in both blocks, it might be advisable to review all the cases and adopt an eclectic approach that guarantees follow-up on the application, and on the results and impact achieved in time. This document provides examples of relevant experiences for both types of monitoring and evaluation, the review of which may be useful to have a more comprehensive system in accordance with the definition of the practical guide for the preparation and application of national anti-corruption strategies of the UNODC.⁴⁴⁰

Update and presentation of the information.

The final lesson to emerge from the review of anti-corruption strategies is that the concentration and communication of the monitoring and evaluation is a challenge at the international level. We present the strategies of Egypt, Indonesia and Peru because of their methodological soundness and the large number of corruption-related issues that they consider among their actions and measurements. These proposals can inform the decisions of other countries regarding the design of the indicators and lines of action. Unfortunately, it was not possible to find a regular publication of the follow-up to the implementation or the monitoring of the indicators of the strategies of these countries, despite the fact that these updates were initially contemplated in their planning documents. In another group of the countries reviewed, Hong Kong, the United Kingdom and Singapore, the strategy is updated through annual reports. Such publications consolidate transparency and promote regular accountability for these strategies. However, the information contained in these reports may undergo considerable changes between one year and the next. This is the case of the anti-corruption and citizen engagement awareness activities in Singapore that stopped appearing in the reports for 2018 and 2019. Meanwhile, for Italy and Latvia⁴⁴¹ the strategy is reviewed less frequently- twice in the case of Latvia and once the following strategy was approved in Italy. In fact, in the case of Italy, they only consider a sample of the institutions required to design an anti-corruption strategy. Although less frequent monitoring allows a more scrupulous study of the evolution of the strategy and a better appreciation of the trends of different indicators, it should be noted that it reduces the opportunity to make adjustments to optimize implementation as it progresses.

When comparing this set of monitoring schemes and inputs for evaluation with the Corruption Monitoring and Evaluation Model, important differences emerge in the monitoring contemplated for the National Anti-corruption Policy. The MOSEC seeks to build a repository of indicators to consult updates on the progress of the PNA and the

⁴⁴⁰ See *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*.

⁴⁴¹ This is in the case of the *Guidelines for the Prevention and Combating of Corruption* of the Corruption Prevention and Combating Bureau, which publishes a midterm and a final evaluation.

State Anti-Corruption Policies. Additionally, the MOSEC plans to generate a repository of results and evidence from the evaluation of the National Anti-corruption Policy. An online repository like this has several advantages over the cases reviewed in Chapter 5 of this text. This design is less rigid than a report with a fixed periodicity for updating information, allowing a more granular and timely monitoring of the anti-corruption strategy. Likewise, other key anti-corruption policy stakeholders, civil society, academia, and the general public could find MOSEC's monitoring and evaluation information system more accessible to exchange, use and communicate information on corruption. It is considered a positive thing that a state-of-the-art model for the presentation of monitoring and evaluation information such as this one could eventually be used and inspire the presentation of public access information from other anti-corruption programs at the sub-national, national and international levels.

The exchange of information and institutional coordination will be essential to familiarize the largest possible number of anti-corruption public institutions, private sector entities and social organizations with the metrics and lessons learned from international experiences in this document. On the one hand, this will serve to identify adjustments that can be made to the measurement of corruption in specific areas relevant to Mexico. In other cases, it will serve to ensure that Mexico's data conform to international best practices, as some of it already does, to guarantee that the resulting indicators are valid and accurate and can be retrieved for monitoring and evaluation. The context in Mexico is one in which anti-corruption is very much on the public agenda. The public sector, together with allies in other areas, has responded to this interest through the approval of different policies to prevent and combat corruption in recent years. Obtaining the maximum benefit from the statistical information available on this subject and generating the information that is not yet being generated for the measurement of key areas constitutes a fundamental aspect to guarantee the success of these policies. Having high-quality and easily accessible statistical information represents the best way to contribute to the fight against corruption, and, at the same time, to monitor the progress of sustainable development.