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Session 3: Monitoring anticorruption policy implementation

# Theoretical background of monitoring anticorruption policy implementation (MACPI)

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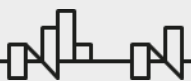
# MACPI Overview

Monitoring Anticorruption Policy Implementation (MACPI) identifies vulnerabilities and potential gaps between high corruption risk practices in individual public institutions (identified as key for the regulation of the sector through SCAD-ESL) and the availability of anticorruption policies addressing these risks. It then evaluates the ease of implementation, actual implementation, and the subsequent enforcement of these policies.



Stoyanov, A. et al., ***Monitoring Anti-Corruption in Europe: Bridging Policy Evaluation and Corruption Measurement***, Center for the Study of Democracy, 2015

<https://csd.bg/publications/publication/monitoring-anti-corruption-in-europe-bridging-policy-evaluation-and-corruption-measurement/>



# MACPI Approach

MACPI provides:

- ▶ Assessment of the organisation's anti-corruption policies through quantitative surveys among employees, external experts and clients, who are the people most familiar with the actual policies and their potential faults and shortcomings;
- ▶ Monitoring of the levels of corruption pressure (both actual experiences and estimates) through victimization surveys among both officials (employees) and clients of the respective organisation

MACPI toolbox:

- ▶ MACPI Officials
- ▶ MACPI Experts
- ▶ MACPI Clients

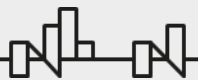
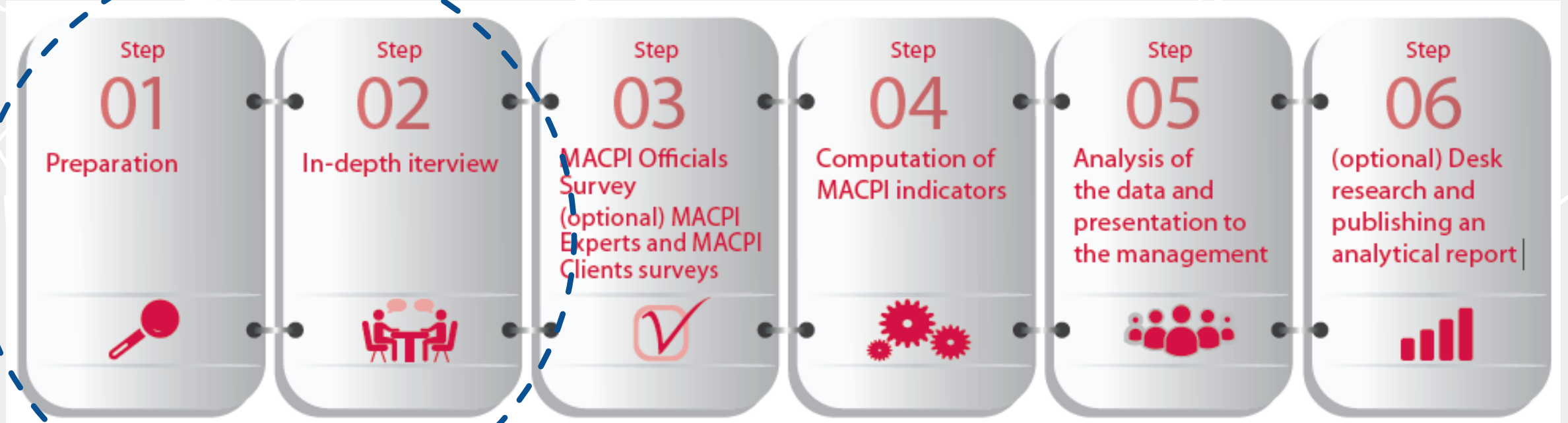


# MACPI Components and Methods

	MACPI In-depth interviews	MACPI Officials	MACPI Experts	MACPI Clients	MACPI Desk research
Corruption interest ( <i>assessment</i> )	X	X	X		
Corruption pressure		X		X	
Involvement in corruption				X	
Corruption attitudes				X	
Corruption reputation of sectors / officials				X	
Applicability of anti-corruption policies		X	X		
Implementation of anti-corruption policies		X	X		
Estimated effectiveness of anti-corruption policies		X	X		
Cases of corruption reported by investigative journalists and other complementary information					X



# MACPI Steps



# MACPI Toolbox

## MACPI Officials:

- ▶ Anonymous representative online survey among the employees;
- ▶ Sample: 400+ employees for large organisations; exhaustive sampling recommended for small ones;
- ▶ Computation of indicators for each activity and each anti-corruption policy from the lists identified beforehand:
  - ▶ **corruption pressure** (actual and estimated) for the different activities;
  - ▶ **implementability** of anti-corruption policies;
  - ▶ level of **implementation** of anti-corruption policies;
  - ▶ **effectiveness** for the different anti-corruption policies.
- ▶ Responses are compared among different groups to expose potential bias (incl. vs Experts & Clients)

## MACPI Experts:

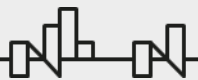
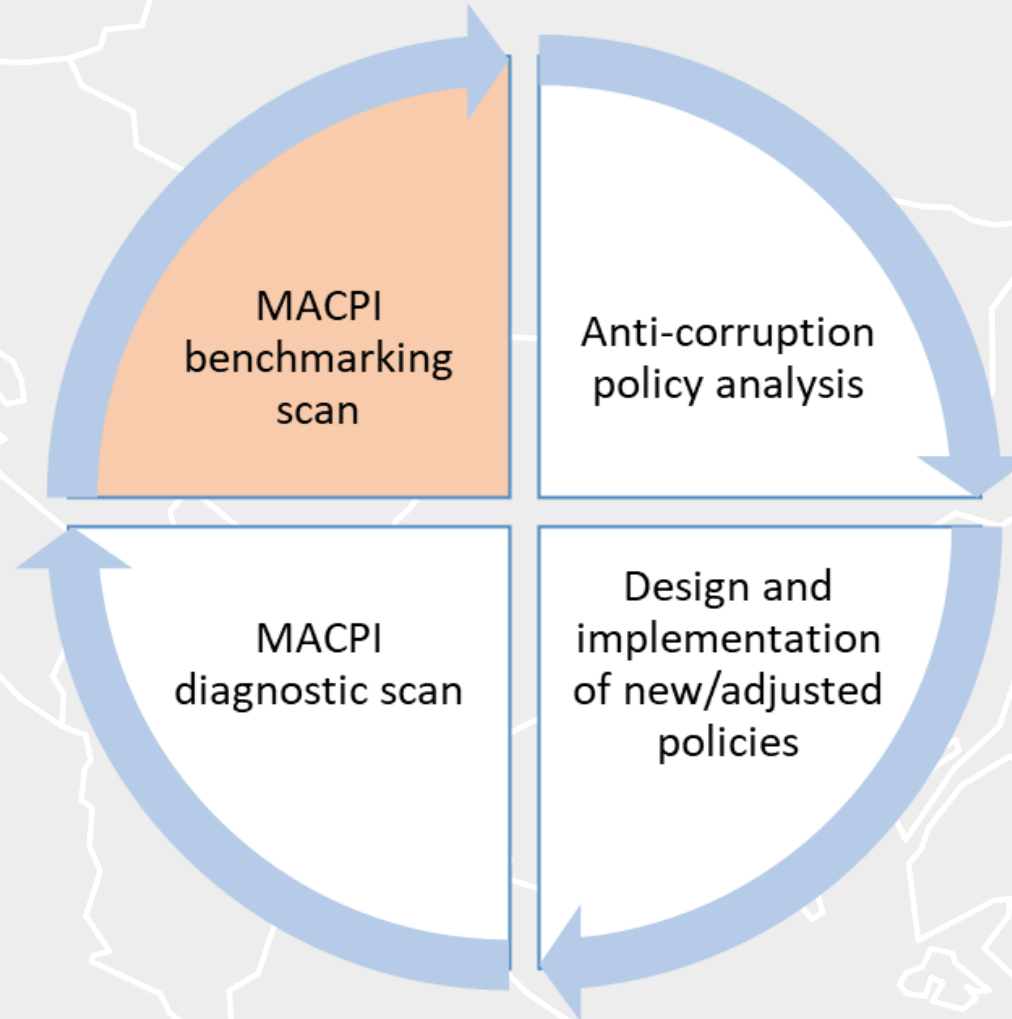
- ▶ Same questionnaire + few specific questions
- ▶ Sample: 20-30

## MACPI Clients

- ▶ Customized victimization survey among the clients
- ▶ Sample: 400 (recommended)
- ▶ Experience-based assessment regarding incidence rates of corruption pressure and actual corruption practices, mechanisms of the corruption transactions and assessment of corruption risks for the different activities.



# MACPI Diagnostics Cycle



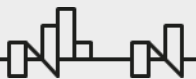
# MACPI Steps 1 & 2

## Step 1: Preparation

- ▶ Get familiar with organization (structure, functions, activities, AC policies) through desk-research
- ▶ Preparatory (inception) meeting with designated representatives:
  - ▶ Introducing practical steps
  - ▶ Discussing structure of the organisation and sampling
- ▶ Preparing a list of activities

## Step 2: In-depth interview(s)

- ▶ Preparing the matrix of potential risk zones, i.e. activities by forms of corruption
- ▶ In-depth interview to define corruption interest for each cell in the matrix of potential risk zones
- ▶ Preparing a list of anti-corruption policies and measures
- ▶ In-depth interview to identify anticorruption policies associated with each risk zone





# MACPI Step 1: Preparation

- ▶ Preparing a list of activities (classification, aggregation, skipped activities)

*List of activities – National Revenue Agency, Bulgaria, 2021*

Human resources
Public procurement
Objections, appeals, tax-insurance practice and procedural representation of the NRA in court
Fiscal control and inspection activities
Control activities in the territorial directorates
Tax collection
Customer service in territorial directorates, offices and front offices
Database maintenance and management and access to information systems

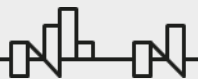
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# MACPI Step 2: In-depth Interview

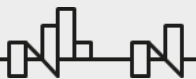
- ▶ Preparing the matrix of potential risk zones, i.e. activities by forms of corruption
- ▶ In-depth interview to define corruption interest for each cell in the matrix of potential risk zones

Activity / Type of corruption interest	Abuse of Power	Abuse of Property	Nepotism	Clientelism	Conflict of interest
Activity 1.	P		P	P	P
Activity 2.	P	P		P	P
....	P		P	P	P
Activity N.	P		P	P	P



# MACPI Step 2: In-depth Interview (1)

- ▶ Preparing the matrix of potential risk zones, i.e. activities by forms of corruption
- ▶ In-depth interview to define corruption interest for each cell in the matrix of potential risk zones
  - ▶ **Nepotism**: the exploitation by a public official of his/her power and authority to procure jobs or other favours for relatives (family members and close friends), which can take place at all levels of government, from low-level bureaucratic offices to central government ministries.
  - ▶ **Clientelism** (patronage): the informal relationship between people of different social and economic status (and not relatives): a 'patron' (boss) and his 'clients' (dependents, followers, protégés). The relationship includes a mutual but unequal exchange of corrupt favours.
  - ▶ **Abuse of power** (not included in the previous cases): intentional abuse of functions or position, by performing or failing to perform an act in violation of law by a public official for the purpose of obtaining an undue advantage for himself/herself or for another person or entity.
  - ▶ **Abuse of property** (not included in the previous cases): intentional misappropriation or other diversion of any property, public or private funds or securities or any other items of value entrusted to the public official by virtue of his/her position, by said public official for his/her benefit or for the benefit of another person or entity
  - ▶ **Conflicts of interest** (could overlap with previous cases): within a particular decision-making context, an individual is subject to two coexisting interests that are in direct conflict with each other



# MACPI Step 2: In-depth Interview (2)

- ▶ Preparing the matrix of potential risk zones, i.e. activities by forms of corruption
- ▶ In-depth interview to define corruption interest for each cell in the matrix of potential risk zones

## Possible hints / questions

- ▶ Now we will jointly review the likelihood of types of corruption to occur activity by activity. What I mean by “to occur” is that for a certain type of corruption we could say that:
  - ▶ It has practical relevance/makes sense either for employees or clients of your organisation.
  - ▶ Such a transaction contains a potential corruption interest – both sides would benefit by violating the law and the likelihood of being caught is low.
  - ▶ Such cases have been identified in your organization.
  - ▶ Given the current situation in the country (city, organization, etc.) one could not rule it out.
- ▶ Do you believe that abuse of power is possible/could happen or happens for this activity?
  - ▶ Would you say it is very probable?
  - ▶ Do clients of your organisation hint or indicate to employees that they would have an interest in such a transaction?
  - ▶ What would you say is the most likely mechanism of such a transaction, if it happens?
  - ▶ Have such cases been identified?



# MACPI Step 2: In-depth Interview (3)

- ▶ Preparing a list of anti-corruption policies/measures

*List of AC policies - National Revenue Agency, Bulgaria, 2021*

1	Information security rules: user profiles and access rights
2	Provision of electronic services
3	Control of access to the NRA database
4	Automated random distribution of personnel in the activities of control bodies and public contractors
5	Rotation of personnel in activities related to controlling goods with high fiscal risk
6	Electronic public procurement portal
7	Annual external risk assessment of the public procurement system in the NRA
8	Carrying out on-the-spot checks together with other control bodies.

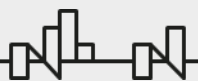
1. Процедура с правила за приемане и отчитане на сигнали за корупция.
2. Кутия за сигнали за корупция и анонимни анкети.
3. Етичен кодекс за поведение на служителите в ДНСК.
4. Ротация на юрисконсулти при осъществяване на процесуални представителства.
5. Определени със заповед служители осъществяват контрол върху декларациите по ЗПКОНПИ.
6. Осъществяване на контрол на дейността на РДНСК от отдел Вътрешно-регионален контрол при ДНСК (планови проверки) съгласно утвърден план от началника на ДНСК, с цел недопускане на нарушения.
7. Правилник на вътрешния трудов ред.
8. Вътрешни правила за провеждане на конкурси за назначаване.
9. Антикорупционен план на ДНСК 2020г.
10. Процедура за дейността на ДНСК при постъпили жалби за действие и бездействие на РДНСК.
11. Проверки на място преди назначаване на Държавна приемателна комисия и въвеждане в експлоатация на строежите.
12. Осъществяване на контрол с действия по извършване на проверки на извадков принцип или по сигнал на структурите на ДНСК с цел недопускане на нарушения.
13. Процедури, регламентиращи дейността на ДНСК и РДНСК по: установяване на незаконно строителство; и др.
14. Публикуване на съобщения с цел прозрачност.



# MACPI Step 2: In-depth Interview (4)

- ▶ In-depth interview to identify anticorruption policies associated with each risk zone
  - ▶ Consult colleagues and/or documents if necessary
  - ▶ Identification of general anticorruption policies (address more than one activity).
  - ▶ Identification of specific anticorruption policies (address single activities).

Activity / AC policy	AC Policy 1	AC Policy 2	...	AC Policy N
Activity 1.	X	X		
Activity 2.		X	X	X
....			X	X
Activity N.		X	X	





# A look ahead ...



Gerganov, A., *Monitoring Anti-Corruption Policy Implementation in High-Risk Sectors. Benchmarking Reports of Nine Public Organisations in Bulgaria, Italy, Romania and Spain*, Center for the Study of Democracy, 2021

<https://csd.bg/publications/publication/monitoring-anti-corruption-policy-implementation-in-high-risk-sectors/>

Table 11. Coverage with anti-corruption policies, National Revenue Agency, Bulgaria

Policies / Activities	1. Human resources	2. Public procurement	3. Objections, appeals, tax-insurance practice and procedural representation of the NRA in court	4. Fiscal control and inspection activities	5. Control activities in the territorial directorates	6. Tax collection	7. Customer service in territorial directorates, offices and front offices	8. Database maintenance and access to information systems
Actual corruption pressure	23%	6%	9%	20%	19%	21%	13%	20%
1. Information security rules: user profiles and access rights	32%	41%	50%	61%	67%	62%	63%	80%
2. Provision of electronic services	16%	33%	46%	42%	73%	63%	84%	39%
3. Control of access to the NRA database	36%	43%	54%	64%	74%	70%	70%	75%
4. Automated random distribution of personnel in the activities of control bodies and public contractors	6%	14%	37%	58%	92%	72%	40%	12%
5. Rotation of personnel in activities related to controlling goods with high fiscal risk	8%	13%	17%	92%	55%	20%	19%	9%
6. Electronic public procurement portal	5%	84%	11%	14%	15%	10%	11%	17%
7. Annual external risk assessment of the public procurement system in the NRA	9%	82%	10%	14%	14%	10%	11%	16%
8. Carrying out on-the-spot checks together with other control bodies.	5%	8%	12%	87%	76%	33%	14%	7%
9. Anti-corruption training of employees.	68%	64%	68%	81%	82%	77%	76%	51%
10. Code of ethics and the client's charter.	62%	56%	71%	82%	82%	80%	87%	48%
11. Conducting regular meetings and information campaigns with the businesses	10%	28%	33%	50%	75%	68%	68%	16%

Source: SceMaps, MACPI 2020/2021.



Thank you!

