

FOREWORD

Corruption and measures to counteract it have been subject to so much research and political attention that it would seem that their every aspect must have been explored. Yet corruption proves bafflingly resilient, always finding new conduits for spreading; squeezed temporarily out of one public sector, it reappears in another. It could only benefit the anticorruption effort, therefore, if novel methods for analysis and prevention were found.

It is in response to this need that the current report seeks to build bridges between the evaluation of anticorruption policies and the measurement of corruption. *Monitoring Anticorruption Policy Implementation (MACPI)* was born of the understanding that innovation in anticorruption is as important as it is in other social and economic fields. MACPI provides the anticorruption community with a precision-guided tool, which gives exhaustive feedback on the enforcement of policies.

Corruption has been blamed for contributing to just about every contemporary problem – from a degrading natural environment to international conflict. What is certain, however, is that it undermines one of the fundamental civic rights – the right to good governance. The ill effects of the denial of this right manifest themselves at the societal level – the list ranges from mistrust of public institutions to the various forms of discrimination. The practical mechanisms of the denial, however, are to be found in the operation of specific public sector institutions. The rule of law is compromised not by some grand invisible force called ‘corruption’ but by the daily micro-level choices of concrete public officials, individual citizens, businesses. It is by understanding and thus guiding these choices that a lasting good governance effect can only be produced.

Scale matters in policy making. The numerous initiatives evaluating anticorruption policies have found many deficiencies, but they have rarely faulted these policies for being too general. While suitable for the politics of anticorruption, grand strategies have been of limited utility in actual policy design. What anticorruption needs now are not more strategies but the ability to **tailor prevention and enforcement policies to the specific circumstances of specific public organisations**. Effective policies and their cost-efficient delivery require that policy designers zoom in on the actual actors and transactions; that they understand what drives these actors and adjust their anticorruption interventions accordingly.

Scaling down the focus of anticorruption policy making has a number of general advantages:

- It would **empower accountability demands** by targeting them at the point of delivery of public services. While much attention has been paid – and

justifiably so – to the accountability of elected politicians for the failure of anticorruption efforts, the senior management of public organisations has largely been spared such demands.

- It would allow anticorruption policy to balance proscriptions with prescriptions. It is not by chance that anticorruption policies at the national level have been mostly **confined to an expansion of the range of incriminated practices**. As national policies find it difficult to account for the multitude of circumstances that give rise to the various types of corruption, they opt for the supposedly fail-proof tool – make it a crime. While being important in the overall anticorruption architecture – raising the costs and risks of corruption should be a permanent feature of policy – such an approach can turn counterproductive if implemented alone. Law enforcement is an expensive solution to social problems, especially for latent ones such as corruption (and even more so in countries where it is widespread). In order to **complement investigation with incentivisation** policies should be able to account for the drivers of specific actors – both civic clients and public officials – in the specific conditions of specific public organisations.
- By seeking to understand **how national policies translate** – or more often do not – **into organisational level protocols**, watchdogs and policy makers would gain an insight into the arguably key factor for the success or failure of anticorruption efforts: the processes and implementation procedures in public organisations. It is most often through the absence of standard protocols, operating procedures and due processes in these organisations that otherwise well designed policies fail to deliver.
- Developing tools for the evaluation – and hence the redesign – of policies at the level of individual organisations would allow the introduction of **anticorruption benchmarking** among public sector institutions both within and across countries. The absence of such benchmarking has plagued anticorruption efforts at the national and EU levels. Benchmarking would, in turn, facilitate the development of anticorruption policy templates for the various types of public institutions, thus assisting their policy design and delivery efforts.

A shift of focus from the national to the institutional level will benefit the **EU anticorruption efforts** as well. All the channels through which the European Commission seeks to engage member states in the follow-up to the EU Anticorruption Report – programming for the EU structural funds, the Cooperation and Verification Mechanism, the European Semester – one way or another end up dealing with specific public institutions in the member states. The significance of the public institution level in anticorruption has been recognised in the EU Anticorruption Report, which acknowledges that where strategic programmes have been lacking, corruption has been reduced by preventive systems and practices involving the suppliers and recipients of public services. One of the thematic *ex ante* conditionalities of the European structural and investment funds relates to the institutional capacity and efficiency of the public administration. Anticorruption would feature in the non-binding guidelines being developed for member states on how to strengthen the functioning of public sector institutions and invest in administrative capacity. In this respect, tools such as the one presented in this

report can be valuable in producing evaluation findings used to formulate specific, targeted solutions.

Recommendations for further efforts on anticorruption have also been made in the context of the European Semester of economic policy coordination to both Bulgaria and Italy – the two countries involved in the current report. Given the significance of the quality of the public administration for economic governance, the ability to assess the anticorruption preparedness of individual public organisations is indispensable to the European Commission efforts in this area.

MACPI will allow evaluators and policy designers to make in depth reviews of the anticorruption setup of public sector organisations. The report outlines the conceptual justification and the policy implications of the monitoring instrument developed during its pilot application in Bulgaria and Italy. The development of the tool was preceded by mapping of the international measurement and monitoring landscape.¹

The report presents the findings in three sections. First, it gives details of the theoretical background of MACPI and the methodology it employs. Next, the results of the piloting of the MACPI tool in four public sector organisations in Italy and Bulgaria are presented. Finally, the report provides a methodological assessment of the instrument and discusses the process of its implementation and its implications for policy making.

¹ For further methodological discussion of MACPI and the result of the mapping see: Center for the Study of Democracy. (2015). *Mapping Anticorruption Enforcement Instruments*. Center for the Study of Democracy.