Monitoring Anti-Corruption Policy Implementation in High-Risk Sectors

Benchmarking Reports of Nine Public Organisations in Bulgaria, Italy, Romania and Spain

MONITORING ANTI-CORRUPTION POLICY IMPLEMENTATION IN HIGH-RISK SECTORS

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CSD
CENTER FOR THE STUDY OF DEMOCRACY

The report summarises the results from the assessment of the anti-corruption policy implementation in nine public organisations, that exert governance, regulatory or control functions in three preselected economic sectors (construction, wholesale of fuels, and wholesale of pharmaceuticals) in Bulgaria, Italy, Romania and Spain. The assessments evaluate the implementability, implementation, effectiveness and risk coverage of anti-corruption measures and policies on the level of individual public institution. Its aim is to monitor and facilitate the enforcement of these policies and to provide concrete advice to the institution's management on improving their anti-corruption setup. The assessment applied an innovative methodology (MACPI), which has already been successfully implemented in a number of public organisations across Europe.

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SCEMAPS *State Capture Estimation and Monitoring of Anti-Corruption Policies at the Sectoral Level /SceMaps/*

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INTRODUCTION

The *State Capture Assessment Diagnostics Sectoral Level Integrated Tool* (SCAD-SLIT) was developed as a practical instrument to detect and counter state capture pressure at sectoral level. It builds upon and uses the *State Capture Assessment Diagnostics* model.[12] SCAD-SLIT uses a three-dimensional approach for assessment, monitoring, and prevention of state capture on sectoral level, combining three complementary methodologies and their respective instruments:[13]

- *State Capture Assessment Diagnostics on Economic Sectors Level (SCAD-ESL) a*ssesses state capture symptoms and vulnerabilities at sectoral level and guides further in-depth sectoral investigations.
- *Monitoring Anti-corruption Policy Implementation (MACPI)* evaluates the implementability, implementation, enforcement, and risk coverage of anti-corruption measures and policies on the level of individual public institutions in the high-risk economic sectors identified through SCAD-ESL. This instrument provides concrete policy advice to the institution's management on improving the anti-corruption setup in the organisation.
- Big-data analytics for risk assessment of corruption-related behaviour in public procurement: a set of red flag indicators, based on the analysis of linked open data on public procurement, company financial and ownership information, and media alert system.

SCAD-SLIT was piloted in four EU countries (Bulgaria, Italy, Romania, and Spain) in three economic sectors, which had demonstrated high potential state capture vulnerabilities according to the SCAD pilot implementation[14] in 2015:

- Wholesale of fuels (solid, liquid and gas) – a heavily regulated sector, dominated by large corporations;
- Wholesale of pharmaceutical goods – a multinational market, characterised by large corporations, prone to strong influence and lobbying;
- Construction – a sector, vulnerable to multiple state-capture threats, most prominently – procurement concentration.

The SCAD-SLIT pilots involved MACPI Benchmarking scans in two public organisations per country.[15] This report presents the main findings from

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[12] Stoyanov, A., Gerganov, A., and Yalamov, T., *State Capture Assessment Diagnostics*. Sofia: Center for the Study of Democracy, 2019.

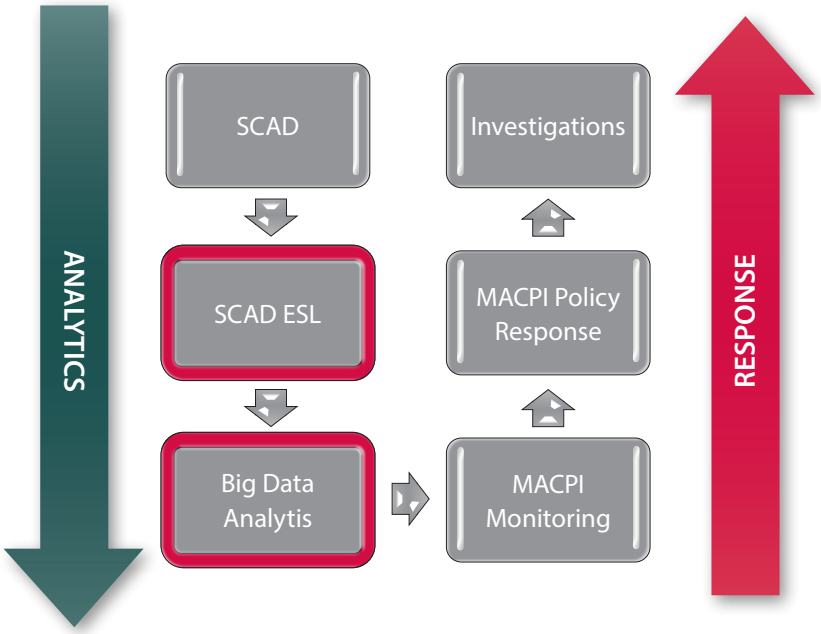
[13] For a detailed description of all components of SCAD-SLIT including SCAD-ESL and Big-data analytics please see Gerganov, A., Mineva, D., and Galev, T., *State Capture Assessment on Sectoral Level: Methodological Toolkit*, Sofia: Center for Study of Democracy, 2021.

[14] Stoyanov, Gerganov, and Yalamov, *State Capture Assessment Diagnostics*, Center for the Study of Democracy, 2019.

[15] Three organisations were approached for carrying out MACPI scans in Romania. However, two of them (the Romanian Competition Council and the Sinaia Municipality could not complete the scans. Hence, only partial MACPI scans are reported for them in this report.

these **MACPI scans** and is prepared as a part of the initiative "State Capture Estimation and Monitoring of Anti-corruption Policies at the Sectoral level (SceMaps)".

Figure 1. SCAD-SLIT set of instruments for detection and countering state capture in vulnerable economic sectors



Source: *CSD.*

MACPI (Monitoring Anti-corruption Policy Implementation)[16] is an innovative public organisation management instrument for assessment and monitoring of anti-corruption policies' implementation and enforcement. The main goal of MACPI is to assess, monitor and facilitate the enforcement of anti-corruption measures and policies at the level of individual public organisations. MACPI has already been successfully implemented in a number of public organisations in Italy, Spain, Romania, Bulgaria, Bosnia and Herzegovina, North Macedonia, and Montenegro.

MACPI provides a periodic assessment of the **coverage**, the **implementability**, the **implementation** and the **effectiveness** of anti-corruption policies in a given public organisation through three sets of instruments:

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

[16] Stoyanov, A., Gerganov, A., Di Nicola, A., and Costantino, F., *Monitoring Anti-Corruption in Europe. Bridging Policy Evaluation and Corruption Measurement*, Sofia: Center for the Study of Democracy, 2015.

- examining the answers of different groups of respondents against each other, providing important additional information about the assessed public organisation.

MACPI consists of three main tools, named after their target groups: MACPI Officials, MACPI Experts, and MACPI Clients.

The MACPI monitoring process typically starts with **MACPI Officials**. It begins with listing of the activities of the scanned organisation. Once the list is ready, potential corruption threats or risks are discussed from a theoretical perspective: what corruption types are possible for the different activities of the scanned organisation. The coverage of recognised risks with anti-corruption policies is mapped during this stage and a list of those policies is drafted. At the end of the preparatory phase, the lists of activities, anti-corruption policies and possible corruption types are examined again and finalised through a combination of desk research and in-depth interviews with executive-level employees of the organisation undertaking MACPI. The compilation of these three lists, checked and accepted by the representatives of the organisation, concludes the first phase of MACPI Officials. Besides providing the input lists for the next quantitative part of MACPI, this phase demonstrates the level of recognition of different corruption vulnerabilities and threats by the management of the organisation.

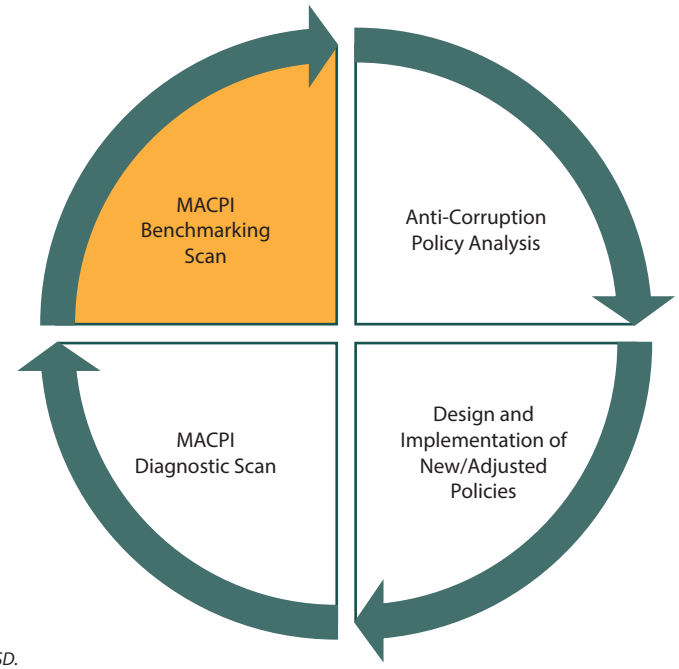
The next MACPI phase involves an anonymous representative online survey among the officials (employees) of the organisation. The preferred sample size for larger organisations is at least 400 employees, while in smaller organisation exhaustive sampling is recommended. Based on this survey, several **indicators** are computed for each activity and each anti-corruption policy from the lists identified beforehand: (i) **corruption pressure** (both actual and estimated) for the different activities; (ii) **implementability** of anti-corruption policies; (iii) level of **implementation** of anti-corruption policies; and (iv) **effectiveness** for the different anti-corruption policies. The analysis includes an assessment of the different policies and their potential shortcomings, assessment of the corruption pressure on different activities in the organisation and whether high-corruption-pressure activities are **covered** adequately by effective and well implemented anti-corruption policies. Answers provided by different groups of officials (e.g. employees vs. management) are juxtaposed critically to expose potential bias in answers and attempts to hide corruption vulnerabilities and practices. Finally, results from MACPI Officials are compared with results from MACPI Experts and from MACPI Clients.

MACPI Experts uses the same questionnaire (with a few specific questions) as MACPI Officials, but the target for this tool are external experts, familiar with the scanned organisation. The results from MACPI Experts are used as a reference point which allows critical viewing and analyzing the results from MACPI Officials. Typically, a sample of 20-30 experts can provide enough information, provided they are familiar with most of the activities and policies of the scanned organisation.

MACPI Clients is a customized victimization survey among the clients of the scanned organisation, i.e. citizens and/or companies in contact with the organisation. The questions aim at extracting experienced-based information

such as incidence rates of corruption pressure and actual corruption practices, mechanisms of the corruption transactions and assessment of corruption risks for the different activities of the organisation. This tool acts as another objective source of information which can be examined against the results from MACPI Officials in order to expose attempts to cover up corruption vulnerabilities. In terms of sampling, at least 400 clients, representative sample are recommended for MACPI Clients. MACPI Clients can be omitted from the MACPI analyses in cases where officials' answers are internally consistent and comparable to the results of MACPI Experts.

Figure 2. MACPI diagnostics cycle



Source: *CSD.*

The MACPI scans presented in this report consist of MACPI Officials carried out in all nine monitored public organisations in the four countries. MACPI Experts was conducted only in the Valencian Anti-Fraud Agency, Spain and the results are not discussed in the current report. The management of the organisation, however, received a full technical report with the experts' scoring. MACPI Clients was not conducted for any of the public organisations presented in this report.

Main Findings

Different organisations from different countries with different anti-corruption procedures are not directly comparable. Yet, the highest ranked anti-corruption policies at the level of public organisations could provide insights into what constitutes a good anti-corruption policy, and could provide ideas for others to follow. Hence, the results provided here could serve as guidance for future anti-corruption policy development in similar organisations.

Two of the **highest ranked anti-corruption policies** are connected to **hiring new personnel**. The "*Requirements and procedure for the election of the director*" of the Valencian Anti-Fraud Agency in Spain is ranked as the most difficult to evade procedure while at the same time being the most strictly implemented and controlled for in the organisation. It is also ranked second on all three effectiveness indicators. "*Exclusion of the convicted (even without a final judgement) for crimes against the public administration from various assignments*" in the Italian Region of Emilia-Romagna is ranked first on both ease of implementation and being difficult to evade. In terms of implementation and control it is ranked third, but its effectiveness receives the highest scores on two of the three effectiveness indicators and is second on the third one. This shows how important for effective anti-corruption are the rules and procedures for the selection of employees, especially when it comes to top level management positions.

Another type of good anti-corruption policy involves procedures for **control over key processes** for the organisation. "*Ex ante and ex post control and audit of expenditures of the General Comptroller*" in the Government of the Region of Murcia (Spain) is ranked as the anti-corruption policy most difficult to evade, the most strictly implemented and controlled for and the most effective of all the policies in the organisation. It is the policy combining most top ranks in both actual implementation and effectiveness according to the employees of the organisation. Another example of a measure related to control is the "*Control over asset declarations*" implemented in the Bulgarian Directorate for National Construction Control. The policy is rated relatively low in terms of difficulty to evade, but it is the most strictly implemented policy and receives the highest score for strict control and estimated effectiveness. Asset declarations are a very common anti-corruption policy, however they require strict follow up procedures on actually checking the declared circumstances to ensure effective enforcement. Therefore, additional procedures for verifying the asset declarations are needed for this policy to have the desired anti-corruption effect.

Electronic services are generally considered as effective in reducing the risks of administrative corruption. When combined with efforts for transparency, this results in a policy both easy to control (ranked first on the strict control indicator) and relatively effective (ranked third on estimated actual effectiveness and practical effectiveness). These results apply for the "*Existence and possibility of consulting the Transparent Administration section on the institutional website*" policy of the Chamber of Commerce of Trento, Italy.

Where random appointment of employees through electronic services is not possible, a very effective policy is **rotation**. For example, the "R*otation of personnel in activities related to controlling goods with high fiscal risk*" in the Bulgarian National Revenue Agency is ranked first on both strict implementation and strict control and fourth (of 11) on all effectiveness indicators.

On the other end of the spectrum are anti-corruption policies which receive very low scores in both actual implementatio*n* (strict implementation and control) and effectiveness. These are **less effective policies** as they are easy to evade and/or difficult to implement. Examples of such anti-corruption policies are "*Declaring the goods received free of charge on the occasion of protocol actions*" in the Romanian Competition Council, "*Procedures for ex-employees who*

wish to exercise a professional activity in the private sector" in the National Integrity Agency of Romania, "*Code of ethics and the client's charter*" and "*Conducting regular meetings and information campaigns with the businesses*" in the National Revenue Agency of Bulgaria.
In conclusion, control (both external and internal), transparency and e-services or random appointment of officials to cases, where e-services are not possible, are some of the best policies to reducing corruption risks in public organisations. On the other hand, documents and trainings which add further recommendations and explanations on top of existing national laws which penalise bribery and conflict of interest are anti-corruption policies on paper only and usually have very little impact on corruption levels in reality.

The **activities** which are **exposed to the highest corruption pressure** are typically related to **control** and **inspections** of clients (citizens and businesses) and **public procurement**. In most of the cases the presence of high pressure is acknowledged in the scores of officials. But in two cases the estimated corruption pressure is lower than the actual corruption pressure reported by the same officials. The "*Inspection, control, surveillance, verification and sanction procedures*" activity in the Government of the Region of Murcia, Spain receives the highest actual corruption pressure ranking in the organisation (18% of the officials involved in this activity report being offered a bribe in the past year). Yet the activity is ranked between 2nd and 6th on the estimated corruption pressure indicators with outside pressure ranked 4th among nine activities. Similarly, "*Tax collection*" in the Bulgarian National Revenue Agency is ranked second on actual corruption pressure with 21% of the employees involved in this activity reporting corruption pressure. In terms of estimated corruption pressure, however, the activity is ranked between second and 7th on the different sub-indicators. Such discrepancies could indicate potential vulnerability in an activity as the real risk of corruption might not be perceived or could even be underreported by the employees of the organisation.

While ideally good coverage with anti-corruption policies would eventually lead to the decline of corruption pressure, some activities are inherently subject to more pressure and corruption interest than others. It is important that high-pressure activities are well covered with enough highly effective, strictly implemented and specific anti-corruption policies.

When high corruption pressure activities are covered only by general, low ranked policies, this can be considered a potential **vulnerability in the anti-corruption setup** of a public organisation. For example, the above-mentioned "*Inspection, control, surveillance, verification and sanction procedures*" activity receives high coverage by only two of the organisation's anti-corruption policies: "*Duty of abstention of public officials and recusal mechanisms*" and "*Code of Good Practices and Code of Conduct for Senior Officials*". Both policies, however, are rather general, providing high coverage to 4 and 5 activities respectively and at the same time receiving among the lowest scores for strict control and implementation and average scores for effectiveness.

In contrast, the other high corruption pressure activity in the same organisation: "*Public procurement*" receives much better coverage with 8 of the policies providing high coverage for this activity which includes both specific policies directed to this particular activity only and some of the highest ranked pol-

icies in the organisation in general, like for example the "*Ex ante and ex post control and audit of expenditures of the CARM General Comptroller*" policy.

Other potential vulnerabilities can be identified among high corruption pressure activities of the scanned organisations too. For example, "*Decision making for cases of violation of national and EU competition provisions, as well as for cases of economic concentration*" (the highest ranked activity in terms of corruption pressure) in the Romanian Competition Council receives high coverage by only two very general policies: "*Whistleblowers protection procedures*" and "*Protecting the secrecy of documents, data and information received from companies/ institution**s***" even if the latter receives among the highest scores in the organisation.

In such cases, the management of the organisation is advised to **add a specific anti-corruption policy**, **dedicated to the high-risk activity** in question. For example, the high-pressure activities "*Control over construction documents*" and "*Control over construction*" activities of the Directorate for National Construction Control, Bulgaria are covered mainly by general policies related to multiple activities. While the coverage for both activities is thorough, a specific policy like **rotation** or automatic **random selection** of the employees who carry out these activities could improve even further the anti-corruption setup of the organisation.

MACPI results show **good anti-corruption setups** in most of the scanned organisations. This is not surprising, as organisations which agree to collaborate in independent external assessments like MACPI usually have solid sets of anti-corruption measures with good coverage of the corruption risks. It should be noted, however, that MACPI focuses mainly on administrative corruption and cannot always assess adequately other top-down paths to corruption, such as state capture.

MACPI: CROSS-NATIONAL REVIEW

Anti-Corruption Policies

MACPI assesses anti-corruption policies along several indicators which reflect different aspects of the underlying anti-corruption theoretical model.[17] According to the model, anti-corruption policies are characterised by **implementability**, level of **implementation** and **effectiveness**. [18,19]

Implementability evaluates both the quality of the design of a policy and the capacity of the organisation to enforce it. Policies with low implementability scores usually lead to formal compliance only. They remain "on paper" without actually changing the work procedures in the organisation and without affecting corruption pressure levels. Two criteria are used to evaluate implementability in MACPI: that a policy is easy to implement in practice and that the policy is not easy to evade.

Implementation of anti-corruption policies reflects the actual level of implementation of the policies/policy tools/procedures in the organisation. The following criteria are used to assess both formal and real compliance with an anti-corruption policy. *Formal compliance* is reflected by how well aware employees of the organisation are of the policy and of its specific requirements as well as how employees of the organisation self-assess the implementation of the policy. *Real compliance* depends on whether the policy has a clearly defined mechanism of control, whether this mechanism is being implemented and whether there are clearly defined sanctions for noncompliance with the policy which are applied when necessary.

Effectiveness reflects the main objective of all anti-corruption policies – to reduce corruption. Effective anti-corruption policies mean the reduction of the number of corruption transactions in which officials of the organisation are involved. Measuring trends in the prevalence rates of corruption transactions would be the direct way to account for the effectiveness of anti-corruption policies. Since corruption transaction levels as well as the effect of any policy on them cannot be measured directly, there are several indirect criteria for assessing the effectiveness of anti-corruption policies. The effectiveness indicator in MACPI consists of three sub-indicators based on the assessments of officials for the potential and real effectiveness of anti-corruption policies. It should be noted, that such assessments could be affected by both bias (to provide more favourable answers) and level of knowledge and experience with organisational mechanisms. Therefore, these scores are mostly helpful for ranking the policies within the organisation and for long-term monitoring.

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[17] Stoyanov, Gerganov, Di Nicola, and Costantino, *Monitoring Anti-Corruption in Europe. Bridging Policy Evaluation and Corruption Measurement*, Center for the Study of Democracy, 2015.

[18] Ibid.

[19] More details about the questionnaire, the methodology and the computation of indicators are available in Appendix 5, 6 and in other publications. See for example, Gerganov, Mineva, and Galev, *State Capture Assessment on Sectoral Level: Methodological Toolkit*, Center for the Study of Democracy, 2021, p. 8.

Implementation and Control

The best anti-corruption policies are effective and easy to implement. Even they, however, should be implemented strictly and control should be exercised on whether the procedures envisaged in the policy are always followed as intended.

Finding similarities in the **best ranked anti-corruption policies** across different countries and public organisations could provide guidance for best practices. Table 1 shows the highest ranked anti-corruption policies in term of control and strict implementation across all nine scanned organisations. A regularity is observed in the strict control imposed on procedures related to **asset declarations**. "*Control over asset declarations*" in the Bulgarian Directorate for National Construction Control is ranked first in both strict control and strict implementation. "*Filing assets and interests declarations*" in the Romanian Competition Council is ranked first in strict implementation and second in control. The same policy in the Sinaia Municipality, Romania is ranked first in strict control and second in strict implementation. Asset declarations are usually a national level anti-corruption policy which is easy to implement in public organisations. Control with this policy is often very strict since non-compliance at face value is very easily detectable both by internal and external structures.

Other anti-corruption policies with high levels of control usually involve **publishing documents online** where they are made public or at least visible to other organisations. Examples of such policies are "*Procedures related to transparency*" in the Bulgarian Directorate for National Construction Control, "*Electronic public procurement portal*" in the National Revenue Agency of Bulgaria, "*Existence and possibility of consulting the Transparent Administration section on the institutional website*" in the Chamber of Commerce of Trento, Italy, "*Obligations to publish data and documents in the 'Transparent Administration'* section of the institutional website" in the administration of Emilia-Romagna Region, Italy and others.

In addition, policies which include **cross-organisational control/audit** are also often mentioned among those where control and implementation are the strictest. For example, "*External auditing by the Audit Office of the Valencian region and by the Valencian Parliament*" in the Valencian Anti-Fraud Agency, "*Internal control and supervision of the General Inspection*" in the Government of the Region of Murcia, Spain, "*Audit and accountability before external bodies*" in the same organisation, "*Department of Internal-Regional Control at DNCC exercises control over the activities of the Regional DNCC*" in the Bulgarian Directorate for National Construction Control.

Clearly, control and implementation of anti-corruption policies are better enforced when there is an external oversight body or when the general public is capable of exercising some control over the procedure.
Finally, more specific anti-corruption policies which require clear actions like rotation and such where failure to adhere strictly to the procedures is unlawful and easily detectable like "*Recruitment in the agency is reserved for civil servants*" are more likely to be ranked higher in terms of strict control and implementation.

Table 1. Strict control and implementation of anti-corruption policies. All organisations, top 3 ranked policies

Country	Organisation	Policy	Strict implementation, RANK	Strict control, RANK
Bulgaria	Directorate for National Construction Control	Control over asset declarations	1	1
Bulgaria	Directorate for National Construction Control	Department of Internal-Regional Control at DNCC exercises control over the activities of the Regional DNCC	3	2
Bulgaria	Directorate for National Construction Control	Procedures related to transparency	2	3
Bulgaria	National Revenue Agency	Rotation of personnel in activities related to controlling goods with high fiscal risk	1	1
Bulgaria	National Revenue Agency	Control of access to the NRA database	2	2
Bulgaria	National Revenue Agency	Electronic public procurement portal	3	4
Italy	Chamber of Commerce of Trento	Existence of defined supervision and control procedures (visas, hierarchical superiors, multi-step administrative procedures)	2	1
Italy	Chamber of Commerce of Trento	Three-year plan for the prevention of corruption and transparency of the C.C.I.A.A. of Trento	1	3
Italy	Chamber of Commerce of Trento	Existence and possibility of consulting the Transparent Administration section on the institutional website	3	1
Italy	Emilia-Romagna Region	Obligations to publish data and documents in the "Transparent Administration" section of the institutional website	1	1
Italy	Emilia-Romagna Region	Enhancement of internal controls, with the introduction of administrative regularity checks at a later stage on management documents	2	2
Italy	Emilia-Romagna Region	Exclusion of the convicted (even without a final judgement) for crimes against the Public Administration from various assignments	3	3
Romania	National Integrity Agency	Compliance with the provisions on the distribution and redistribution of works	1	1
Romania	National Integrity Agency	Strict assurance of the state or service secret character	2	2
Romania	National Integrity Agency	Declaring the goods received free of charge on the occasion of protocol actions	6	3
Romania	Romanian Competition Council	Filing assets and interests declarations	1	2
Romania	Romanian Competition Council	Training on integrity and combating corruption	3	1
Romania	Romanian Competition Council	Protecting the secrecy of documents, data and information received from companies/ institutions	2	3
Romania	Sinaia Municipality	Filing assets and interests declarations	2	1
Romania	Sinaia Municipality	Immediate reactions to notifications related to misbehaviour of employees	2	1
Romania	Sinaia Municipality	Publication of the contact details where complaints regarding misbehaivour related to integrity and anti-corruption policies can be registered	1	3

Table 1. Strict control and implementation of anti-corruption policies. All organisations, top 3 ranked policies (*Continued*)

Country	Organisation	Policy	Strict implementation, RANK	Strict control, RANK
Spain	Government of the Region of Murcia	Ex ante and ex post control and audit of expenditures of the CARM General Comptroller	1	1
Spain	Government of the Region of Murcia	Audit and accountability before external bodies	2	2
Spain	Government of the Region of Murcia	Internal control and supervision of the General Inspection	3	3
Spain	Valencian Anti-Fraud Agency	Requirements and procedure for the election of the director.	1	1
Spain	Valencian Anti-Fraud Agency	Recruitment in the agency is reserved for civil servants.	2	2
Spain	Valencian Anti-Fraud Agency	External auditing by the Audit Office of the Valencian region and by the Valencian Parliament	3	3

Source: *SceMaps, MACPI 2020/2021.*

On the other end of the spectrum are policies which are ranked low in terms of control and implementation. Even if these policies could potentially be very effective against corruption scenarios, their low level of control renders them practically irrelevant. The three **lowest ranked anti-corruption policies** for each of the public organisations are listed in Table 2 below.

Table 2. Strict control and implementation for anti-corruption policies. All organisations, bottom 3 ranked policies

Country	Organisation	Policy	Strict implementation, RANK	Strict control, RANK
Bulgaria	Directorate for National Construction Control	Rules for receiving and reporting corruption signals	11	10
Bulgaria	Directorate for National Construction Control	Mailbox for signals related to corruption and anonymous polls	10	12
Bulgaria	Directorate for National Construction Control	Code of Ethics	12	11
Bulgaria	National Revenue Agency	Carrying out on-the-spot checks together with other control bodies.	8	9
Bulgaria	National Revenue Agency	Conducting regular meetings and information campaigns with the businesses	10	10
Bulgaria	National Revenue Agency	Code of ethics and the client's charter.	11	11
Italy	Chamber of Commerce of Trento	Existence of applications that allow the IT traceability of activities	4	4
Italy	Chamber of Commerce of Trento	Existence and application of the Code of Conduct for the staff of the C.C.I.A.A. of Trento	5	5
Italy	Chamber of Commerce of Trento	Participation in transversal and specific training courses	6	6
Italy	Emilia-Romagna Region	Work or professional activity with Clients of the organisation is forbidden for three years after the end of the employment	10	10
Italy	Emilia-Romagna Region	Staff rotation to avoid the consolidation of monopolies of knowledge and power.	11	11

Table 2. Strict control and implementation for anti-corruption policies. All organisations, bottom 3 ranked policies (*Continued*)

Country	Organisation	Policy	Strict implementation, RANK	Strict control, RANK
Italy	Emilia-Romagna Region	Whistleblowers protection procedures	12	12
Romania	National Integrity Agency	Publication of the contact details where complaints regarding misbehaviour related to integrity and anti-corruption policies can be registered	9	10
Romania	National Integrity Agency	Free access to information of public interest	11	9
Romania	National Integrity Agency	Procedures for ex-employees who wish to exercise a professional activity in the private sector	12	12
Romania	Romanian Competition Council	Transparency of decision-making in the public administration	9	7
Romania	Romanian Competition Council	Procedures for ex-employees who wish to exercise a professional activity in the private sector	8	9
Romania	Romanian Competition Council	Publication of the contact details where complaints regarding misbehaviour related to integrity and anti-corruption policies can be registered	10	10
Romania	Sinaia Municipality	Training on integrity and combating corruption	8	8
Romania	Sinaia Municipality	Declaring the goods received free of charge on the occasion of protocol actions	8	8
Romania	Sinaia Municipality	Transparency of decision-making in the public administration	10	8
Spain	Government of the Region of Murcia	Code of Good Practices and Code of Conduct for Senior Officials	10	9
Spain	Government of the Region of Murcia	Duty of abstention and inhibition of senior position in situations of conflicts of interest	11	11
Spain	Government of the Region of Murcia	Duties, Incompatibilities and Responsibilities of Officials and Disciplinary Regime	12	12
Spain	Valencian Anti-Fraud Agency	Technical capacity and professional skills training actions.	10	7
Spain	Valencian Anti-Fraud Agency	"Special service" status of the public employee when joining the Agency.	11	6
Spain	Valencian Anti-Fraud Agency	Authorization procedure to allow compatibility with any [external] activity likely to entail a conflict of interest in the service of the Agency.	12	12

Source: *SceMaps, MACPI 2020/2021.*

Policies like Code of Ethics, Code of Conduct, Clients Charter, Whistle-blower protection and Anonymous complaints mailboxes are among the most often ranked lowest on implementation and control. The reason for this might lie in the nature of these policies. They typically function well in high integrity environment, with a lot of "unwritten" yet strictly followed rules and regulations. Such policies are based on good intentions, and many often lack clear enforcement mechanisms or lead to no serious repercussions in cases

of non-compliance. If cross-organisational oversight was linked to many of the top ranked anti-corruption policies regarding their control, most of the lowest ranked anti-corruption policies assume that the organisation would self-control itself on their implementation. Policies like these often remain only on paper without much deterrence effect.

Effectiveness

In order to have impact on corruption, a policy needs to be effective if implemented correctly. When ineffective measures are implemented and controlled strictly, they would only contribute to increasing the administrative burden. Table 3 shows the policies which receive the highest ranks in terms of effectiveness.

Some of the **most effective anti-corruption policies** according to the officials of the scanned organisations are connected to **automated computerised processes** like *"Automated random distribution of personnel in the activities of control bodies and public contractors"* in the Bulgarian National Revenue Agency (ranked most effective under two out of three indicators and second on the third one) or "*Existence of applications that allow the IT traceability of activities*" in the Chamber of Commerce of Trento. Hence, it is apparent that developing e-government solutions reduces the most mundane corruption risks through breaking the interactions between clients and officials – either through random assignment or/and rotation or through providing the services electronically which in addition leaves a trace which could be easily controlled.

The rest of policies identified as effective are typically very concrete procedures linked to the specific corruption risks in the different organisations.

Finally, it should be noted that some of the most effective policies are at the same time ranked among the last in terms of strict implementation and control. For example, "*Rules for receiving and reporting corruption signals*" is the highest ranked policy in terms of effectiveness in the Bulgarian Directorate for National Construction Control but at the same time it is ranked respectively 11th and 10th in terms of strict implementation and control. Similarly, while whistle-blower protection is often mentioned among the most effective policies, lower ranks in the implementation and control table show that the procedures are not always followed as intended thus reducing the potential impact these policies might have.

Table 3. Effectiveness of anti-corruption policies. All organisations, top three highest ranked policies

Country	Organisation	Policy	Estimated potential effectiveness, RANK	Estimated actual effectiveness, RANK	Practical effectiveness, RANK
Bulgaria	Directorate for National Construction Control	Rules for receiving and reporting corruption signals	1	2	1
Bulgaria	Directorate for National Construction Control	Control over asset declarations	3	1	7
Bulgaria	Directorate for National Construction Control	Carrying out inspections on a sample basis or when receiving a signal	4	3	9
Bulgaria	National Revenue Agency	Automated random distribution of personnel in the activities of control bodies and public contractors	2	1	1
Bulgaria	National Revenue Agency	Provision of electronic services	1	3	7
Bulgaria	National Revenue Agency	Rotation of personnel in activities related to controlling goods with high fiscal risk	4	4	4
Italy	Chamber of Commerce of Trento	Existence of applications that allow the IT traceability of activities	1	2	2
Italy	Chamber of Commerce of Trento	Existence and application of the Code of Conduct for the staff of the C.C.I.A.A. of Trento	2	4	1
Italy	Chamber of Commerce of Trento	Three-year plan for the prevention of corruption and transparency of the C.C.I.A.A. of Trento	4	1	5
Italy	Emilia-Romagna Region	Exclusion of the convicted (even without a final judgement) for crimes against the Public Administration from various assignments	1	1	2
Italy	Emilia-Romagna Region	Existence of causes of incompatibility for top administrative positions	2	2	3
Italy	Emilia-Romagna Region	Conflict of interest policies	4	3	1
Romania	National Integrity Agency	Filing assets and interests declarations	1	1	1
Romania	National Integrity Agency	Training on integrity and combating corruption	2	2	3
Romania	National Integrity Agency	Whistleblowers protection procedures	5	6	4
Romania	Romanian Competition Council	Training on integrity and combating corruption	1	1	1
Romania	Romanian Competition Council	Immediate reactions to notifications related to misbehaviour of employees	2	2	2

Table 3. Effectiveness of anti-corruption policies. All organisations, top three highest ranked policies (*Continued*)

Country	Organisation	Policy	Estimated potential effectiveness, RANK	Estimated actual effectiveness, RANK	Practical effectiveness, RANK
Romania	Romanian Competition Council	Protecting the secrecy of documents, data and information received from companies/institutions	4	4	2
Romania	Sinaia Municipality	Training on integrity and combating corruption	2	2	2
Romania	Sinaia Municipality	Whistleblower protection procedures	1	1	5
Romania	Sinaia Municipality	Publication of the contact details where complaints regarding misbehaviour related to integrity and anti-corruption policies can be registered	6	5	1
Spain	Government of the Region of Murcia	Ex ante and ex post control and audit of expenditures of the CARM General Comptroller	1	1	1
Spain	Government of the Region of Murcia	Duty of abstention and inhibition of senior position in situations of conflicts of interest	2	3	3
Spain	Government of the Region of Murcia	Duty of abstention of public officials and recusal mechanisms	4	2	6
Spain	Valencian Anti-Fraud Agency	Authorization procedure to allow compatibility with any [external] activity likely to entail a conflict of interest in the service of the Agency.	1	1	3
Spain	Valencian Anti-Fraud Agency	Requirements and procedure for the election of the director.	2	2	2
Spain	Valencian Anti-Fraud Agency	Obligation of confidentiality and duty of secrecy.	3	4	1

Source: *SceMaps, MACPI 2020/2021.*

The **least effective policies** in each organisation according to its employees are listed in Table 4 below. Some of the mentioned policies like anti-corruption trainings and code of ethics are often among the lower ranked in terms of effectiveness. In most cases, however, these ranks reflect organisation-specific reasons for which the same policy can be ranked very low in one organisation while ranked high in effectiveness in another. For example, the whistle-blower protection procedures in the Romanian Competition Council were ranked 7th, 10th, and 10th on the three effectiveness indicators respectively, but in the Sinaia Municipality (in Table 3 above) they were ranked respectively 1st, 1st and 5th on the same indicators. It is possible that these differences in the assessment reflect differences in the way this policy is implemented in the particular organisation. Alternatively, a specific policy might be more attuned to specific functions of some organisations, while not so much for others.

The discrepancy above, however, demonstrates why periodic MACPI scans are the best way to improve the anti-corruption setup in an organisation – there are no universally effective anti-corruption policies and national legislation is often appropriate for some public organisations but not adequate for other.

Table 4. Effectiveness of anti-corruption policies. All organisations, lowest ranked policies

Country	Organisation	Policy	Estimated potential effectiveness, RANK	Estimated actual effectiveness, RANK	Practical effectiveness, RANK
Bulgaria	Directorate for National Construction Control	Procedures related to transparency	11	4	10
Bulgaria	Directorate for National Construction Control	Rotation of legal advisers when legal representation is needed	9	10	12
Bulgaria	Directorate for National Construction Control	On-site inspections	12	12	11
Bulgaria	National Revenue Agency	Conducting regular meetings and information campaigns with the businesses	9	8	10
Bulgaria	National Revenue Agency	Anti-corruption training of employees.	10	9	9
Bulgaria	National Revenue Agency	Code of ethics and the client's charter.	11	11	11
Italy	Chamber of Commerce of Trento	Existence and possibility of consulting the Transparent Administration section on the institutional website	5	3	3
Italy	Chamber of Commerce of Trento	Existence of defined supervision and control procedures (visas, hierarchical superiors, multi-step administrative procedures)	3	5	4
Italy	Chamber of Commerce of Trento	Participation in transversal and specific training courses	6	6	6
Italy	Emilia-Romagna Region	Obligations to publish data and documents in the "Transparent Administration" section of the institutional website	11	10	5
Italy	Emilia-Romagna Region	Adoption of rules of conduct, contained in a regional code, which are additional and specific to those contained in the code of conduct for civil servants	9	11	11
Italy	Emilia-Romagna Region	Need to request an authorization to carry out non-institutional activities and assignments.	12	12	10
Romania	National Integrity Agency	Declaring the goods received free of charge on the occasion of protocol actions	9	8	9
Romania	National Integrity Agency	Procedures for ex-employees who wish to exercise a professional activity in the private sector	12	12	6
Romania	National Integrity Agency	Existence and real activity of an ethics counsellor	11	11	12

Table 4. Effectiveness of anti-corruption policies. All organisations, lowest ranked policies (*Continued*)

Country	Organisation	Policy	Estimated potential effectiveness, RANK	Estimated actual effectiveness, RANK	Practical effectiveness, RANK
Romania	Romanian Competition Council	Free access to information of public interest	11	11	5
Romania	Romanian Competition Council	Declaring the goods received free of charge on the occasion of protocol actions	10	9	8
Romania	Romanian Competition Council	Whistleblower protection procedures	7	10	10
Romania	Sinaia Municipality	Existence and real activity of an ethics counsellor	5	6	10
Romania	Sinaia Municipality	Strict assurance of the observance of the character of state secret or service secret	8	10	5
Romania	Sinaia Municipality	Declaring the goods received free of charge on the occasion of protocol actions	10	8	9
Spain	Government of the Region of Murcia	Internal control and supervision of the General Inspection	8	9	9
Spain	Government of the Region of Murcia	Conferences and training actions on public integrity	11	11	12
Spain	Government of the Region of Murcia	System of complaints, suggestions and complaints	12	12	11
Spain	Valencian Anti-Fraud Agency	"Special service" status of the public employee when joining the Agency.	9	11	10
Spain	Valencian Anti-Fraud Agency	Technical capacity and professional skills training actions.	11	10	11
Spain	Valencian Anti-Fraud Agency	Electronic document management policy	12	12	12

Source: *SceMaps, MACPI 2020/2021.*

Activities

The main goal of anti-corruption policies is ultimately to reduce corruption. While "effectiveness" of anti-corruption policies which was presented above measures effectiveness directly, through self-assessment by the employees of the organisation, the indirect way to monitor how effective and well implemented anti-corruption policies are is to focus on the corruption pressure associated with different activities of the organisation.

Corruption pressure in this context can be measured in two different ways. **Actual corruption pressure** measures how many of the employees involved in a particular activity have been subjected to corruption pressure in the year preceding the MACPI scan. **Estimated corruption pressure** means the self-assessment of employees of the organisation as to the risk of corruption

pressure. Well-implemented and effective anti-corruption policies should ultimately lead to decline in corruption pressure experienced by the employees in the activities of the organisation.

In addition to being an indirect way for measuring the impact of anti-corruption policies, the corruption pressure indicators computed at the level of activities serve as an instrument for finding discrepancies between the level of reported pressure and the degree of anti-corruption coverage: ideally high-pressure activities should receive better coverage with more concrete, effective and strictly implemented policies.

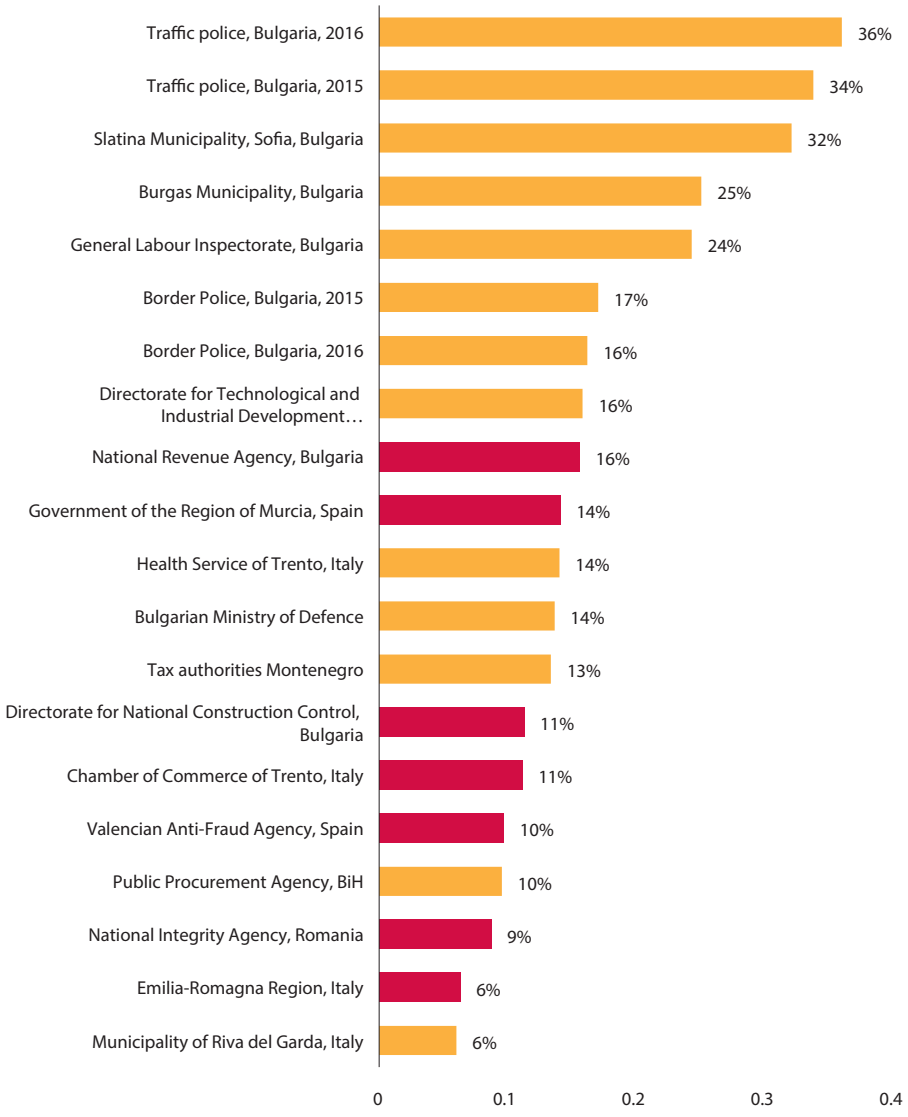
Estimated corruption pressure consists of four sub-indicators: **outside pressure associated with an activity** reflects the extent of the external pressure for bribery as seen by the employees of the organisation involved in the activity; **susceptibility to pressure from outside** measures how likely are employees involved with this activity to accept bribes; **likelihood of pressure from above** estimates how likely is for a superior to order his staff members to perform unauthorised activities; **evasion of regulations** reflects how likely are citizens or companies to try to evade the existing rules associated with the activity.

Actual Corruption Pressure

Actual corruption pressure reflects the prevalence of self-reported cases by public officials of being offered a bribe. Corruption pressure between different organisations and countries **cannot be compared directly**. Figure 3 shows the levels of corruption pressure in the various public organisations where MACPI has been implemented since 2015.

Yet, the data on corruption pressure can be used to **guide policy responses** based on the perceived level of risk of corruption in a given public domain. Figure 3 provides some insight into the undergoing processes related to administrative corruption at the level of public organisations. All of the organisations are exposed to some level of corruption pressure and therefore regular monitoring and assessment of their anti-corruption policies through an independent source is highly justified. In addition to the MACPI Officials instrument which provides accounts by the employees of a public organisation, MACPI Clients should be conducted periodically to juxtapose the officials' answers to actual corruption victimization rates reported by citizens or companies who were in contact with the organisation. More importantly, however, corruption pressure is the main indicator which shows the **effectiveness of anti-corruption policies in a particular organisation over time.** If corruption pressure declines, this indicates that the policies are working, if it remains the same or increases, then there are certain deficiencies in the anti-corruption policies of the organisation which could be discovered with the help of MACPI.

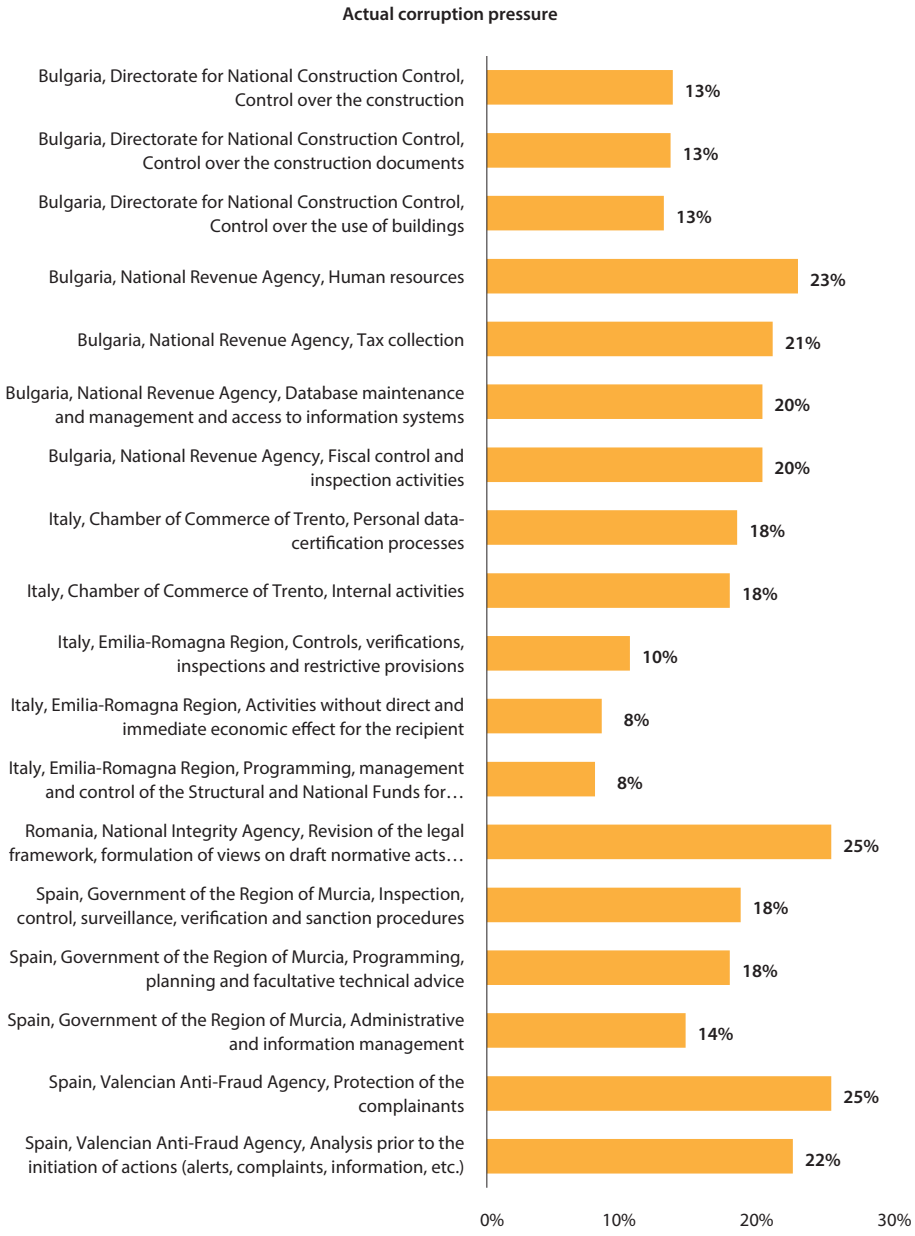
Figure 3: Actual corruption pressure in different organisations as registered by MACPI Officials



Source: *SceMaps, MACPI 2020/2021.*

For a more focused monitoring of actual corruption pressure levels, this indicator is also computed for the different activities of the organisations in the current MACPI scan (Figure 4). The top ranked activities of the different organisations are usually the main focus of MACPI as high corruption pressure indicates that there lies the main potential for actual administrative corruption incidents. Anti-corruption policies in the organisation are expected to cover well such activities and long-term monitoring should demonstrate a decline in the corruption pressure levels.

Figure 4: Actual corruption pressure associated with activities in different public organisations as registered by MACPI Officials



Source: *SceMaps, MACPI 2020/2021. Only top ranked activities assessed by a sufficient number of employees are presented above.*

It should be noted that **administrative corruption is not necessarily linked to state capture**. In fact, state capture could be accompanied by very low levels of bribery in a country. However, high administrative corruption makes a public organisation vulnerable to state capture influences and opens the path to institutional capture because of the low resilience of corruption-ridden institutions. Therefore, improving the anti-corruption policy setups and decreasing corruption pressure in organisations could improve their strength to oppose state capture pressure too.

Estimated Corruption Pressure

While actual corruption pressure reflects how exposed to corruption attempts are the employees involved with a certain activity, the estimated corruption pressure shows how these employees assess different types of pressure (outside pressure, pressure from above) as well as the likelihood that this pressure leads to actual corruption incidents. Naturally, public officials tend to give answers which present the organisation they work for in a favourable light. So sometimes they tend to underestimate the pressure associated with a particular activity. This can be seen most clearly when comparing their answers to the answers from a MACPI Experts assessment. Sometimes, however, there is also clear discrepancy between the actual corruption pressure experienced by officials and their estimates for the perceived corruption pressure. Such examples can be seen in Table 6.

Table 5 shows the activities associated with the highest **estimated corruption pressure** in the nine scanned public organisations. Human resources are among the top corruption pressure activities for both Italian institutions. Public procurement is also listed as high-pressure activity in two organisations – the administration of the Emilia-Romagna Region and the government of the Region of Murcia confirming the known risks in public procurement associated with local government who are large buyers of goods and services. This finding is consistent with results from SceMaps[20] which reveals regional governments are potentially vulnerable to state capture pressure, especially for the three identified high-risk sectors – construction most importantly, but also wholesale of fuels and pharmaceuticals.

Other activities estimated as linked to high estimated corruption pressure include all types of **control and inspection activities** like "*Control over the construction*" and "*Control over the construction documents*" (Bulgarian Directorate for National Construction Control); "*Control activities in the territorial directorates*" and "*Fiscal control and inspection activities*" (National Revenue Agency of Bulgaria); "*Carrying out internal audit or any other similar activities (anti-corruption service, integrity, etc.)*" and "*Activities related to checking and verifying wealth declarations*" (Romanian National Integrity Agency); "*Conducting investigations regarding the implementation of national and EU competition provisions*" (Romanian Competition Council); "*Inspection, control, surveillance, verification and sanction procedures*" (Government of the Region of Murcia); "*Investigation*" (Valencian Anti-Fraud Agency).

[20] See *SceMaps* results on its dedicated web-site.

Table 5. Actual and estimated corruption pressure associated with organisation's activities. All organisations, highest ranked activities in terms of estimated corruption pressure

Country	Organisation	Activity	Actual corruption pressure, RANK	Outside pressure, RANK	Susceptibility to pressure from outside, RANK	Pressure from above likelihood, RANK	Evasion of regulations, RANK
Bulgaria	Directorate for National Construction Control	Control over the construction	1	3	3	2	1
Bulgaria	Directorate for National Construction Control	Control over the construction documents	2	1	4	1	4
Bulgaria	Directorate for National Construction Control	Representation of the DNCC in court	6	6	1	3	3
Bulgaria	National Revenue Agency	Control activities in the territorial directorates	5	1	1	1	1
Bulgaria	National Revenue Agency	Fiscal control and inspection activities	3	4	2	5	3
Bulgaria	National Revenue Agency	Customer service in territorial directorates, offices and front offices	6	3	4	4	5
Italy	Chamber of Commerce of Trento	Personal data-certification processes	2	3	5	3	2
Italy	Chamber of Commerce of Trento	Human resources	4	2	3	4	6
Italy	Chamber of Commerce of Trento	Internal activities	3	7	4	1	3
Italy	Emilia-Romagna Region	Public procurement	4	1	1	1	1
Italy	Emilia-Romagna Region	Human resources	7	2	5	2	9
Italy	Emilia-Romagna Region	Planning of the territory and of the services on the territory and economic, social or health planning	6	5	7	3	3
Romania	National Integrity Agency	Carrying out internal audit or any other similar activities (anti-corruption service, integrity, etc.)		2	1	1	2
Romania	National Integrity Agency	Activities related to checking and verifying wealth declarations	8	1	2	3	1

Table 5. Actual and estimated corruption pressure associated with organisation's activities. All organisations, highest ranked activities in terms of estimated corruption pressure (*Continued*)

Country	Organisation	Activity	Actual corruption pressure, RANK	Outside pressure, RANK	Susceptibility to pressure from outside, RANK	Pressure from above likelihood, RANK	Evasion of regulations, RANK
Romania	National Integrity Agency	Revision of the legal framework, formulation of views on draft normative acts governing the Agency's activity	3	6	3	4	2
Romania	Romanian Competition Council	Conducting investigations regarding the implementation of national and EU competition provisions	2	1	2	1	2
Romania	Sinaia Municipality	Approving documents related to urban development		1	1	1	1
Spain	Government of the Region of Murcia	Public procurement	4	1	1	1	4
Spain	Government of the Region of Murcia	Procedures with direct economic effects: management of subsidies and grants, administrative agreements and others	6	2	5	4	1
Spain	Government of the Region of Murcia	Inspection, control, surveillance, verification and sanction procedures	1	4	3	6	2
Spain	Valencian Anti-Fraud Agency	Investigation	7	3	1	4	1
Spain	Valencian Anti-Fraud Agency	Protection of the complainants	2	1	4	4	2
Spain	Valencian Anti-Fraud Agency	Analysis prior to the initiation of actions (alerts, complaints, information, etc.)	3	7	2	4	3

Source: *SceMaps, MACPI 2020/2021.*

The **lowest estimated corruption pressure** activities are usually linked to auxiliary functions like communication, database maintenance, statistical processing, administrative and information management, etc.

Interestingly, some organisations, like the National Revenue Agency in Bulgaria list human resources among the lowest pressure activities. It should be noted, however, that the agency is one of the organisation in which the rank of the activity for estimated corruption pressure is much lower than the rank for actual corruption pressure.[21] Similarly, while public procurement

[21] One possible explanation could be that the employees involved in human resources are sometimes involved in multiple activities therefore the actual corruption pressure they report experiencing could be linked to other activities.

was associated with high corruption pressure in the scanned regional administrations, in the National Revenue Agency of Bulgaria it is considered low pressure, probably due to its secondary role in the organisation's activities.

Another example of a discrepancy between expectations, reported actual pressure and the officials' estimated corruption pressure can be seen in the activity "*Controls, verifications, inspections and restrictive provisions*" in Emilia-Romagna Region. Both results for other similar activities in other organisations as well as the employees of Emilia-Romagna Region actual experiences with corruption pressure suggest that the employees might be underestimating the corruption pressure for this activity.

Table 6. Actual and estimated corruption pressure associated with the activities. All organisations, lowest ranked activities in terms of estimated corruption pressure

Country	Organisation	Activity	Actual corruption pressure, RANK	Outside pressure, RANK	Susceptibility to pressure from outside, RANK	Pressure from above likelihood, RANK	Evasion of regulations, RANK
Bulgaria	Directorate for National Construction Control	Removal of illegal constructions.	4	2	6	6	2
Bulgaria	Directorate for National Construction Control	Control over the use of buildings	3	5	5	5	5
Bulgaria	Directorate for National Construction Control	Human resources	7	7	7	7	7
Bulgaria	National Revenue Agency	Human resources	1	6	5	3	8
Bulgaria	National Revenue Agency	Database maintenance and management and access to information systems	3	8	6	2	6
Bulgaria	National Revenue Agency	Public procurement	8	7	8	8	7
Italy	Chamber of Commerce of Trento	Control, collection and sanctions activities	7	8	8	9	7
Italy	Chamber of Commerce of Trento	Dispute Resolution		6	9	10	9
Italy	Chamber of Commerce of Trento	Analysis and study of economic data, statistical processing	7	9	9	8	10
Italy	Emilia-Romagna Region	Controls, verifications, inspections and restrictive provisions	1	9	2	5	8
Italy	Emilia-Romagna Region	Legal affairs and litigation	8	4	9	9	2

Table 6. Actual and estimated corruption pressure associated with the activities. All organisations, lowest ranked activities in terms of estimated corruption pressure (*Continued*)

Country	Organisation	Activity	Actual corruption pressure, RANK	Outside pressure, RANK	Susceptibility to pressure from outside, RANK	Pressure from above likelihood, RANK	Evasion of regulations, RANK
Italy	Emilia-Romagna Region	Programming, management and control of the Structural and National Funds for cohesion policies	3	8	8	6	6
Romania	National Integrity Agency	Ongoing professional training of integrity inspectors and staff in administrative departments	2	8	7	2	6
Romania	National Integrity Agency	Allocation and redistribution of cases within ANI	4	7	4	5	7
Romania	National Integrity Agency	Management of databases or electronic platforms used by the institution	7	5	8	8	8
Spain	Government of the Region of Murcia	Management of revenue, expenditure and assets	7	6	7	9	5
Spain	Government of the Region of Murcia	Economic, legal and/or juridical consultancy	9	8	9	7	6
Spain	Government of the Region of Murcia	Administrative and information management	3	9	8	8	8
Spain	Valencian Anti-Fraud Agency	Communication		6	5	10	9
Spain	Valencian Anti-Fraud Agency	Directorate General	8	4	11	10	6
Spain	Valencian Anti-Fraud Agency	ICT services (information management and infrastructure)		10	8	4	11

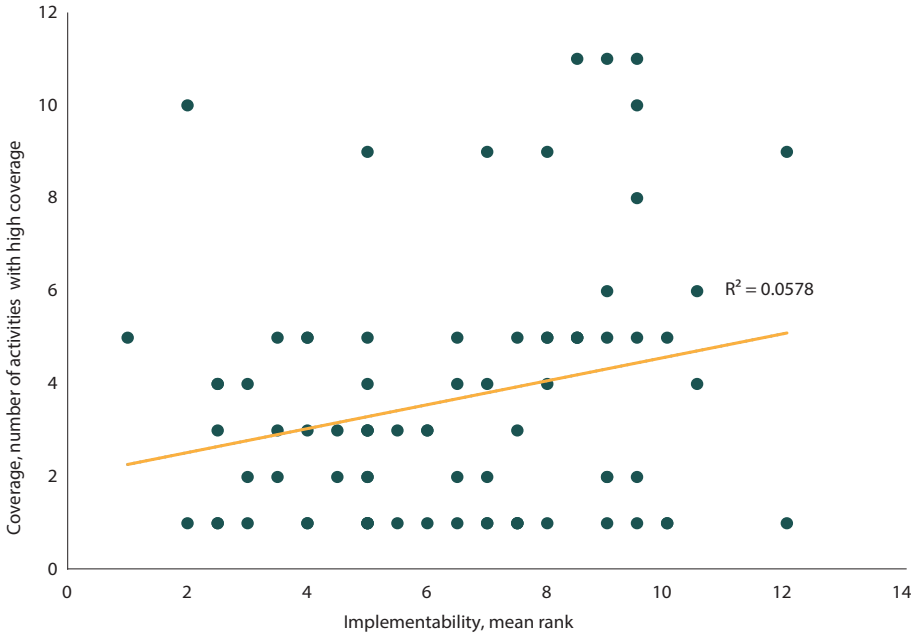
Source: *SceMaps, MACPI 2020/2021.*

Coverage

Coverage shows the link between anti-corruption policies and activities and more specifically how well the different activities of the public organisation are covered by adequate anti-corruption policies. Public officials themselves assess if a particular policy is relevant to each of the activities of the organisation. A policy is considered to provide high coverage to an activity if at least 70% of the officials assessing this policy consider it relevant to the activity in question. Ideally, activities with higher actual corruption pressure should be covered by more policies, preferably such with good scores on effectiveness and actual implementation (control and strict implementation).

It is very important to note though, that policies could be broadly divided into "general" and "specific". General policies provide high coverage to multiple activities while specific are connected to a particular activity and sometimes to a particular corruption mechanism which is recognised as priority by the management of the organisation. General activities tend to receive lower overall scores (for effectiveness, implementation, etc.) and most of the lowest ranked policies are general – like code of conduct, anti-corruption trainings, etc.

Figure 5: Number of activities covered and implementability

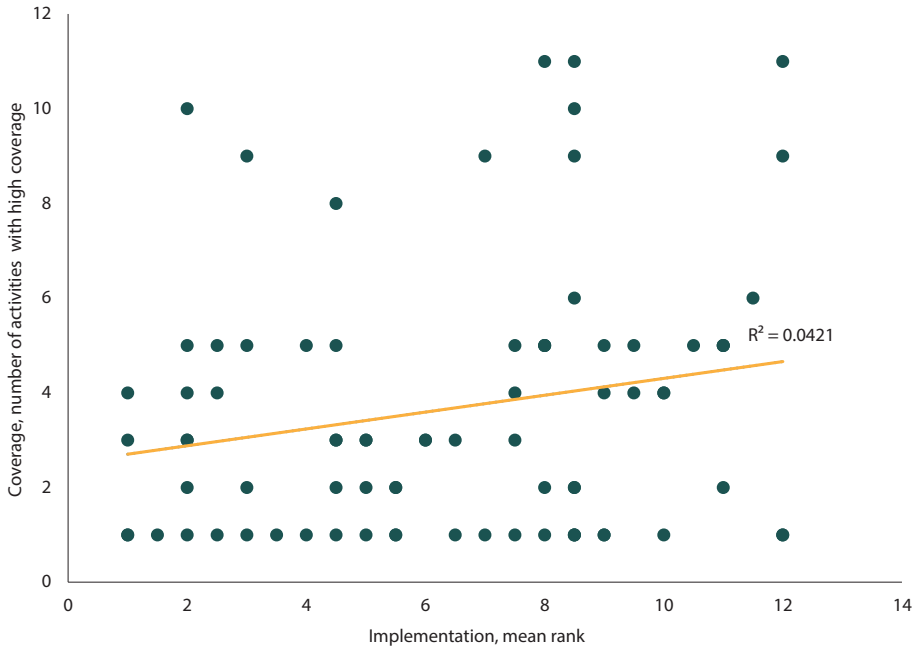


Source: *SceMaps, MACPI 2020/2021.*

Figure 5 shows the link between how general a policy is (number of activities with high coverage associated with the policy) and its implementability. **More general policies**, covering more activities are ranked lower in terms of implementability: such policies are **harder to implement** and **easier to evade** (the link is particularly strong with the latter indicator).

Similarly, more general policies are typically ranked lower in terms of strict control and strict implementation (Figure 6) which are among the most important indicators for assessing the anti-corruption value or quality of a policy. Even if such general policies are effective in theory, the difficulty for their actual implementation make them less impactful than specific policies dedicated to a particular activity and potential corruption issue. General policies could be more effective if they are linked to a number of specific policies and in environments with already high informal governance standards and traditions.

Figure 6: Number of activities covered and implementation



Source: *SceMaps, MACPI 2020/2021.*

MACPI SCAN: BULGARIA

National Revenue Agency

MACPI Officials – National Revenue Agency was conducted among 565 employees in February, 2021. 94 of the officials (17%) were with management functions and 471 (83%) – without management functions. Most of the activities were assessed by at least 30 respondents. The only exception – public procurement was assessed by 18 employees. Detailed counts are available in the table below. Some of the officials were involved in multiple activities.

Table 7. Number of employees involved in the different activities of the National Revenue Agency

Is your job in the organisation connected to one or more of the following activities?	Count	Share (%)
Human resources	31	5%
Public procurement	18	3%
Objections, appeals, tax-insurance practice and procedural representation of the NRA in court	47	8%
Fiscal control and inspection activities	70	12%
Control activities in the territorial directorates	210	37%
Tax collection	53	9%
Customer service in territorial directorates, offices and front offices	156	28%
Database maintenance and management and access to information systems	30	5%
Total	***565***	***100%***

Source: *SceMaps, MACPI 2020/2021.*

Table 8. Activities and corruption pressure, National Revenue Agency

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Human resources	23%	1.3	1.6	1.6	1.9
Public procurement	6%	1.2	1.4	1.3	1.9
Objections, appeals, tax-insurance practice and procedural representation of the NRA in court	9%	1.3	1.6	1.5	2.5

Table 8. Activities and corruption pressure, National Revenue Agency (*Continued*)

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Fiscal control and inspection activities	20%	1.4	1.8	1.5	2.6
Control activities in the territorial directorates	19%	1.6	2.0	1.9	2.8
Tax collection	21%	1.5	1.5	1.5	2.6
Customer service in territorial directorates, offices and front offices	13%	1.5	1.6	1.6	2.4
Database maintenance and management and access to information systems	20%	1.2	1.6	1.7	2.0

Source: *SceMaps, MACPI 2020/2021.*

Table 9. Anti-corruption policies: implementability and implementation, National Revenue Agency

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Information security rules: user profiles and access rights	3.0	3.1	4.3	4.2	4.2
Provision of electronic services	3.2	3.0	4.4	4.3	4.2
Control of access to the NRA database	3.2	3.1	4.4	4.3	4.3
Automated random distribution of personnel in the activities of control bodies and public contractors	3.3	3.1	4.5	4.3	4.2

Table 9. Anti-corruption policies: implementability and implementation, National Revenue Agency (*Continued*)

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Rotation of personnel in activities related to controlling goods with high fiscal risk	3.3	3.0	4.5	4.3	4.3
Electronic public procurement portal	3.3	3.1	4.3	4.3	4.3
Annual external risk assessment of the public procurement system in the NRA	3.2	3.1	4.3	4.2	4.3
Carrying out on-the-spot checks together with other control bodies.	3.1	3.0	4.3	4.2	4.2

Source: *SceMaps, MACPI 2020/2021.*

Table 10. Anti-corruption policies: effectiveness, National Revenue Agency

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy / policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Information security rules: user profiles and access rights	2.4	2.0	1.9
Provision of electronic services	2.5	2.2	1.9
Control of access to the NRA database	2.3	2.2	1.9
Automated random distribution of personnel in the activities of control bodies and public contractors	2.5	2.3	2.0
Rotation of personnel in activities related to controlling goods with high fiscal risk	2.4	2.2	1.9
Electronic public procurement portal	2.3	2.2	2.0
Annual external risk assessment of the public procurement system in the NRA	2.4	2.3	1.9
Carrying out on-the-spot checks together with other control bodies.	2.3	2.2	1.8

Source: *SceMaps, MACPI 2020/2021.*

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 management 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.*

Directorate for National Construction Control

MACPI Officials – Directorate for National Construction Control was conducted among 151 employees in January-February, 2021. 26 of the officials (17%) were with management functions and 125 (83%) – without management functions. All of the activities with the exception of human resources were assessed by more than 38 respondents. Human resources was assessed by only 5 employees and therefore scores related to this activity should be interpreted with care. Detailed counts are available in the table below. Some of the officials were involved in multiple activities.

Table 12. Number of employees involved in the different activities of the Directorate for National Construction Control

Is your job in the organisation connected to one or more of the following activities?	Count	Share (%)
Human resources	5	3%
Control over the construction documents	120	79%
Control over the construction	126	83%
Control over the use of buildings	109	72%
Commissioning of constructions of first, second and third category.	98	65%
Removal of illegal constructions.	102	68%
Representation of the DNCC in court	38	25%
Total	***565***	***100%***

Source: *SceMaps, MACPI 2020/2021.*

Table 13. Activities and corruption pressure, Directorate for National Construction Control

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Human resources	0%	1.0	1.0	1.0	1.6
Control over the construction documents	13%	1.3	1.4	1.5	2.0
Control over the construction	13%	1.2	1.5	1.5	2.1
Control over the use of buildings	13%	1.2	1.4	1.4	2.0
Commissioning of constructions of first, second and third category.	10%	1.2	1.5	1.4	1.8
Removal of illegal constructions.	13%	1.2	1.3	1.3	2.1
Representation of the DNCC in court	8%	1.1	1.5	1.4	2.0

Source: *SceMaps, MACPI 2020/2021.*

Table 14. Anti-corruption policies: implementability and implementation, Directorate for National Construction Control

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Rules for receiving and reporting corruption signals	3.0	3.1	4.2	4.2	4.2
Mailbox for signals related to corruption and anonymous polls	3.2	2.9	4.3	4.2	4.1
Code of Ethics	3.2	3.0	4.3	4.1	4.2
Rotation of legal advisers when legal representation is needed	3.0	3.0	4.3	4.3	4.3
Control over asset declarations	3.3	3.1	4.5	4.5	4.5
Department of Internal-Regional Control at DNCC exercises control over the activities of the Regional DNCC	3.3	3.1	4.5	4.4	4.4
Internal rules for hiring new employees	3.4	3.0	4.4	4.4	4.4
Internal procedure in case of receiving complaints against the regional DNCC	3.3	3.1	4.3	4.3	4.3
On-site inspections	3.3	3.0	4.5	4.3	4.3
Carrying out inspections on a sample basis or when receiving a signal	3.2	3.0	4.3	4.3	4.2
Procedures regulating the activities of DNCC and the Regional DNCC	3.2	3.1	4.4	4.3	4.3
Procedures related to transparency	3.4	3.1	4.5	4.4	4.4

Source: *SceMaps, MACPI 2020/2021.*

Table 15. Anti-corruption policies: effectiveness, Directorate for National Construction Control

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Rules for receiving and reporting corruption signals	2.6	2.2	1.9
Mailbox for signals related to corruption and anonymous polls	2.4	2.1	1.7
Code of Ethics	2.3	2.1	1.8
Rotation of legal advisers when legal representation is needed	2.2	2.1	1.6
Control over asset declarations	2.3	2.2	1.7
Department of Internal-Regional Control at DNCC exercises control over the activities of the Regional DNCC	2.3	2.1	1.8
Internal rules for hiring new employees	2.3	2.1	1.8
Internal procedure in case of receiving complaints against the regional DNCC	2.3	2.1	1.8
On-site inspections	2.1	2.0	1.7
Carrying out inspections on a sample basis or when receiving a signal	2.3	2.2	1.7
Procedures regulating the activities of DNCC and the Regional DNCC	2.2	2.1	1.8
Procedures related to transparency	2.2	2.1	1.7

Source: *SceMaps, MACPI 2020/2021.*

Table 16. Coverage with anti-corruption policies, Directorate for National Construction Control, Bulgaria

Policies / Activities	1. Human resources	2. Control over the construction documents	3. Control over the construction	4. Control over the use of buildings	5. Commissioning of constructions of first, second and third category.	6. Removal of illegal constructions.	7. Representation of the DNCC in court
Actual corruption pressure	–	13%	13%	13%	10%	13%	8%
1. Rules for receiving and reporting corruption signals	40%	83%	86%	82%	77%	72%	36%
2. Mailbox for signals related to corruption and anonymous polls	34%	80%	91%	86%	76%	76%	31%
3. Code of Ethics	70%	77%	80%	74%	72%	72%	54%
4. Rotation of legal advisers when legal representation is needed	10%	16%	20%	16%	10%	24%	84%
5. Control over asset declarations	68%	29%	31%	27%	27%	26%	23%
6. Department of Internal-Regional Control at DNCC exercises control over the activities of the Regional DNCC	19%	91%	93%	89%	91%	88%	64%
7. Internal rules for hiring new employees	93%	5%	4%	5%	6%	5%	4%
8. Internal procedure in case of receiving complaints against the regional DNCC	14%	79%	90%	83%	73%	83%	37%
9. On-site inspections	2%	18%	28%	39%	96%	9%	1%
10. Carrying out inspections on a sample basis or when receiving a signal	17%	80%	84%	79%	74%	74%	35%
11. Procedures regulating the activities of DNCC and the Regional DNCC	4%	49%	84%	73%	56%	92%	15%
12. Procedures related to transparency	55%	51%	63%	60%	65%	83%	32%

Source: *SceMaps, MACPI 2020/2021.*

MACPI SCAN: ITALY

Chamber of Commerce of Trento

MACPI Officials – Chamber of Commerce of Trento was conducted among 54 employees in September-October, 2020. 13 of the officials (24%) were with management functions and 41 (76%) – without management functions. Due to the small sample size, a cut-off of 3 respondents is adopted when presenting actual corruption pressure results. Detailed counts are available in the table below. Some of the officials were involved in multiple activities.

Table 17. Number of employees involved in the different activities of the Chamber of Commerce of Trento

Is your job in the organisation connected to one or more of the following activities?	Count	Share (%)
Human resources	6	11%
Public procurement	9	17%
Personal data-certification processes	11	20%
Market regulation and promotion, consumer protection	5	9%
Analysis and study of economic data, statistical processing	7	13%
Control, collection and sanctions activities	8	15%
Dispute Resolution	2	4%
Disbursement of contributions, payments, accounting obligations	7	13%
Vocational training and role management	3	6%
Internal activities	17	31%
Total	***54***	***100%***

Source: *SceMaps, MACPI 2020/2021.*

Table 18. Activities and corruption pressure, Chamber of Commerce of Trento

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Human resources	17%	2.3	1.5	1.5	2.2
Public procurement	11%	2.0	1.4	1.7	2.2
Personal data-certification processes	18%	2.2	1.5	1.6	2.8

Table 18. Activities and corruption pressure, Chamber of Commerce of Trento (*Continued*)

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Market regulation and promotion, consumer protection	0%	1.0	1.2	1.4	2.2
Analysis and study of economic data, statistical processing	0%	1.0	1.0	1.3	1.1
Control, collection and sanctions activities	0%	1.4	1.1	1.1	1.9
Dispute Resolution		1.5	1.0	1.0	1.5
Disbursement of contributions, payments, accounting obligations	14%	1.9	1.6	1.4	1.9
Internal activities	18%	1.4	1.5	1.8	2.3

Source: *SceMaps, MACPI 2020/2021.*

Table 19. Anti-corruption policies: implementability and implementation, Chamber of Commerce of Trento

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Three-year plan for the prevention of corruption and transparency of the C.C.I.A.A. of Trento	2.8	3.0	3.7	4.2	3.9
Existence and possibility of consulting the Transparent Administration section on the institutional website	3.0	3.0	3.8	4.0	4.0
Existence and application of the Code of Conduct for the staff of the C.C.I.A.A. of Trento	3.2	2.8	4.1	3.8	3.7

Table 19. Anti-corruption policies: implementability and implementation, Chamber of Commerce of Trento (*Continued*)

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Existence of defined supervision and control procedures (visas, hierarchical superiors, multi-step administrative procedures)	3.1	3.0	4.2	4.0	4.0
Existence of applications that allow the IT traceability of activities	3.2	3.0	4.0	4.0	3.9
Participation in transversal and specific training courses	3.2	2.4	3.8	3.6	3.7

Source: *SceMaps, MACPI 2020/2021.*

Table 20. Anti-corruption policies: effectiveness, Chamber of Commerce of Trento

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – "the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – "the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Three-year plan for the prevention of corruption and transparency of the C.C.I.A.A. of Trento	2.1	2.3	1.7
Existence and possibility of consulting the Transparent Administration section on the institutional website	2.1	2.1	1.7
Existence and application of the Code of Conduct for the staff of the C.C.I.A.A. of Trento	2.3	2.1	1.8
Existence of defined supervision and control procedures (visas, hierarchical superiors, multi-step administrative procedures)	2.2	2.1	1.7
Existence of applications that allow the IT traceability of activities	2.3	2.2	1.8
Participation in transversal and specific training courses	1.9	1.8	1.5

Source: *SceMaps, MACPI 2020/2021.*

Emilia-Romagna Region

MACPI Officials – Emilia-Romagna Region was conducted among 1095 employees in July-September, 2020. 536 of the officials (49%) were with management functions and 559 (51%) – without management functions. All of the activities were assessed by at least 60 respondents. Detailed counts are available in the table below. Some of the officials were involved in multiple activities.

Table 21. Number of employees involved in the different activities of the Emilia-Romagna Region

Is your job in the organisation connected to one or more of the following activities?	Count	Share (%)
Human resources	121	11%
Public procurement	267	24%
Activities without direct and immediate economic effect for the recipient	252	23%
Activities with direct and immediate economic effect for the recipient	407	37%
Management of revenue, expenses and movable and immovable property of the Body	78	7%
Controls, verifications, inspections and restrictive provisions	77	7%
Legal affairs and litigation	61	6%
Planning of the territory and of the services on the territory and economic, social or health planning	169	15%
Programming, management and control of the Structural and National Funds for cohesion policies	153	14%
Total	***1095***	***100%***

Source: *SceMaps, MACPI 2020/2021.*

Table 22. Activities and corruption pressure, Emilia-Romagna Region

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Human resources	3%	2.1	1.7	1.8	2.3
Public procurement	7%	2.2	1.8	1.9	2.8
Activities without direct and immediate economic effect for the recipient	8%	2.0	1.7	1.7	2.5
Activities with direct and immediate economic effect for the recipient	7%	2.0	1.7	1.7	2.5
Management of revenue, expenses and movable and immovable property of the Body	3%	2.0	1.7	1.7	2.4
Controls, verifications, inspections and restrictive provisions	10%	1.9	1.8	1.7	2.3
Legal affairs and litigation	3%	2.0	1.6	1.6	2.6
Planning of the territory and of the services on the territory and economic, social or health planning	6%	2.0	1.7	1.7	2.5
Programming, management and control of the Structural and National Funds for cohesion policies	8%	1.9	1.6	1.7	2.4

Source: *SceMaps, MACPI 2020/2021.*

Table 23. Anti-corruption policies: implementability and implementation, Emilia-Romagna Region

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Conflict of interest policies	2.9	2.6	4.2	3.8	3.6
Written conflict of interest declaration for the past 3 years submitted upon assignment to a new structure	3.0	2.6	4.0	3.8	3.6
Obligations to publish data and documents in the "Transparent Administration" section of the institutional website	3.2	2.9	4.3	4.2	4.0
Enhancement of internal controls, with the introduction of administrative regularity checks at a later stage on management documents	3.0	2.9	4.1	4.1	4.0
Staff training and development of the culture of legality with awareness raising initiatives	3.2	2.7	4.1	3.9	3.8
Adoption of rules of conduct, contained in a regional code, which are additional and specific to those contained in the code of conduct for civil servants	3.0	2.6	4.0	3.8	3.6
Staff rotation to avoid the consolidation of monopolies of knowledge and power.	2.8	2.6	4.2	3.6	3.5
Need to request an authorization to carry out non-institutional activities and assignments.	3.2	2.6	4.2	3.9	3.7
Existence of causes of incompatibility for top administrative positions	3.0	2.7	4.3	3.9	3.8

Source: *SceMaps, MACPI 2020/2021.*

Table 24. Anti-corruption policies: effectiveness, Emilia-Romagna Region

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Conflict of interest policies	2.3	2.2	2.3
Written conflict of interest declaration for the past 3 years submitted upon assignment to a new structure	2.2	2.1	2.1
Obligations to publish data and documents in the "Transparent Administration" section of the institutional website	2.1	2.1	2.1
Enhancement of internal controls, with the introduction of administrative regularity checks at a later stage on management documents	2.2	2.1	2.0
Staff training and development of the culture of legality with awareness raising initiatives	2.2	2.1	1.9
Adoption of rules of conduct, contained in a regional code, which are additional and specific to those contained in the code of conduct for civil servants	2.1	2.1	1.9
Staff rotation to avoid the consolidation of monopolies of knowledge and power.	2.2	2.2	2.0
Need to request an authorization to carry out non-institutional activities and assignments.	2.1	2.0	1.9
Existence of causes of incompatibility for top administrative positions	2.3	2.3	2.1

Source: *SceMaps, MACPI 2020/2021.*

Table 25. Coverage with anti-corruption policies, Emilia-Romagna Region, Italy

Policies / Activities	1. Human resources	2. Public procurement	3. Activities without direct and immediate economic effect for the recipient	4. Activities with direct and immediate economic effect for the recipient	5. Management of revenue, expenses and movable and immovable property of the Body	6. Controls, verifications, inspections and restrictive provisions	7. Legal affairs and litigation	8. Planning of the territory and of the services on the territory and economic, social or health planning	9. Programming, management and control of the Structural and National Funds for cohesion policies
Actual corruption pressure	3%	7%	8%	7%	3%	10%	3%	6%	8%
1. Conflict of interest policies	88%	93%	76%	88%	45%	72%	57%	44%	48%
2. Written conflict of interest declaration for the past 3 years submitted upon assignment to a new structure	80%	90%	74%	81%	51%	71%	58%	51%	55%
3. Obligations to publish data and documents in the "Transparent Administration" section of the institutional website	85%	94%	72%	86%	60%	57%	39%	60%	63%
4. Enhancement of internal controls, with the introduction of administrative regularity checks at a later stage on management documents	83%	93%	76%	85%	65%	70%	50%	57%	64%
5. Staff training and development of the culture of legality with awareness raising initiatives	84%	89%	78%	82%	66%	74%	64%	64%	68%
6. Adoption of rules of conduct, contained in a regional code, which are additional and specific to those contained in the code of conduct for civil servants	87%	84%	76%	81%	65%	74%	63%	63%	66%
7. Staff rotation to avoid the consolidation of monopolies of knowledge and power.	84%	90%	73%	82%	67%	72%	55%	64%	68%
8. Need to request an authorization to carry out non-institutional activities and assignments.	76%	79%	66%	70%	55%	66%	60%	61%	60%
9. Existence of causes of incompatibility for top administrative positions	89%	83%	70%	73%	66%	67%	64%	66%	67%
10. Work or professional activity with Clients of the organisation is forbidden for three years after the end of the employment	73%	87%	74%	79%	56%	66%	62%	62%	62%
11. Exclusion of the convicted (even without a final judgement) for crimes against the Public Administration from various assignments	80%	91%	77%	85%	75%	68%	64%	63%	68%
12. Whistleblowers protection procedures	89%	92%	85%	89%	78%	82%	72%	73%	74%

Source: *SceMaps, MACPI 2020/2021.*

MACPI SCAN: ROMANIA

Romanian Competition Council

MACPI Officials – Romanian Competition Council was conducted in March 2020. Only 15 employees participated in the survey (all of them without management functions). This number of respondents is **insufficient** for MACPI Officials and therefore the results for the Romanian Competition Council could be regarded as interim and the benchmarking scan as **partial**, covering only some of the activities. Three of the activities in the organisation were not assessed by any employees. Scores and ranks for the rest of the activities should also be interpreted carefully due to the very small sample size. Detailed counts are available in the table below. Some of the officials were involved in multiple activities.

Table 26. Number of employees involved in the different activities of the Romanian Competition Council

Is your job in the organisation connected to one or more of the following activities?	Count	Share (%)
Conducting investigations regarding the implementation of national and EU competition provisions	14	93%
Decision making for cases of violation of national and EU competition provisions, as well as for cases of economic concentration	4	27%
Effective implementation of decisions	5	33%
Monitoring the imposed measures and the effects of the authorised economic concentrations conditioned through decisions;	7	47%
Human resources management in the institution	0	0%
Management of public procurement	0	0%
Performing internal audit or any other similar activities (anti-corruption, integrity service etc)	0	0%
Total	***15***	***100%***

Source: *SceMaps, MACPI 2020/2021.*

Table 27. Activities and corruption pressure, Romanian Competition Council

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Conducting investigations regarding the implementation of national and EU competition provisions	7%	1.6	1.4	1.6	2.4
Decision making for cases of violation of national and EU competition provisions, as well as for cases of economic concentration	25%	1.3	1.5	1.5	2.5
Effective implementation of decisions	0%	1.3	1.0	1.0	2.0
Monitoring the imposed measures and the effects of the authorised economic concentrations conditioned through decisions;	0%	1.4	1.3	1.4	2.1
Human resources management in the institution		NA	NA	NA	NA
Management of public procurement		NA	NA	NA	NA
Performing internal audit or any other similar activities (anti-corruption, integrity service etc)		NA	NA	NA	NA

Source: *SceMaps, MACPI 2020/2021.*

Table 28. Anti-corruption policies: implementability and implementation, Romanian Competition Council

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Filing assets and interests declarations	3.3	2.7	4.6	4.5	4.1
Training on integrity and combating corruption	3.0	2.8	4.0	4.2	4.2
Transparency of decision-making in the public administration	3.0	2.3	3.9	3.8	3.8
Free access to information of public interest	2.8	2.8	4.0	4.1	4.0

Table 28. Anti-corruption policies: implementability and implementation, Romanian Competition Council (*Continued*)

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Immediate reactions to notifications related to misbehaviour of employees	2.5	2.8	4.0	4.2	3.8
Publication of the contact details where complaints regarding misbehaviour related to integrity and anti-corruption policies can be registered	3.7	2.4	3.7	3.7	3.6
Declaring the goods received free of charge on the occasion of protocol actions	3.3	2.3	3.7	3.7	3.6
Whistleblowers protection procedures	2.6	2.8	3.8	4.2	4.0
Protecting the secrecy of documents, data and information received from companies/institutions	3.2	3.0	4.8	4.3	4.0
Procedures for ex-employees who wish to exercise a professional activity in the private sector	2.9	2.7	4.0	3.8	3.6
Existence and real activity of an ethics counsellor	3.0	2.9	4.1	3.9	3.7

Source: *SceMaps, MACPI 2020/2021.*

Table 29. Anti-corruption policies: effectiveness, Romanian Competition Council

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Filing assets and interests declarations	1.9	2.0	1.3
Training on integrity and combating corruption	2.8	2.8	1.4
Transparency of decision-making in the public administration	2.0	2.1	1.1
Free access to information of public interest	1.7	1.5	1.2
Immediate reactions to notifications related to misbehaviour of employees	2.7	2.7	1.3
Publication of the contact details where complaints regarding misbehaivour related to integrity and anti-corruption policies can be registered	2.4	2.3	1.1
Declaring the goods received free of charge on the occasion of protocol actions	1.8	1.9	1.1
Whistleblowers protection procedures	2.0	1.8	1.0
Protecting the secrecy of documents, data and information received from companies/institutions	2.2	2.2	1.3

Table 29. Anti-corruption policies: effectiveness, Romanian Competition Council (*Continued*)

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Procedures for ex-employees who wish to exercise a professional activity in the private sector	2.1	2.0	1.0
Existence and real activity of an ethics counsellor	2.1	2.1	1.1

Source: *SceMaps, MACPI 2020/2021.*

Table 30. Coverage with anti-corruption policies, Romanian Competition Council

Policies / Activities	1. Conducting investigations regarding the implementation of national and EU competition provisions	2. Decision making for cases of violation of national and EU competition provisions, as well as for cases of economic concentration	3. Effective implementation of decisions	4. Monitoring the imposed measures and the effects of the authorised economic concentrations conditioned through decisions;	5. Human resources management in the institution	6. Management of public procurement	7. Performing internal audit or any other similar activities (anti-corruption, integrity service etc)
Actual corruption pressure	7%	25%	0%	0%	–	–	–
1. Filing assets and interests declarations	53%	40%	47%	27%	33%	33%	40%
2. Training on integrity and combating corruption	80%	40%	80%	60%	40%	40%	20%
3. Transparency of decision-making in the public administration	33%	56%	89%	44%	44%	44%	33%
4. Free access to information of public interest	40%	50%	70%	50%	50%	60%	30%
5. Immediate reactions to notifications related to misbehaviour of employees	67%	17%	83%	50%	67%	50%	50%
6. Publication of the contact details where complaints regarding misbehaivour related to integrity and anti-corruption policies can be registered	86%	57%	71%	43%	57%	71%	71%
7. Declaring the goods received free of charge on the occasion of protocol actions	67%	67%	67%	56%	44%	56%	33%
8. Whistleblowers protection procedures	80%	80%	80%	80%	60%	60%	80%
9. Protecting the secrecy of documents, data and information received from companies/institutions	100%	83%	92%	75%	17%	33%	33%
10. Procedures for ex-employees who wish to exercise a professional activity in the private sector	80%	60%	70%	70%	20%	20%	20%
11. Existence and real activity of an ethics counsellor	71%	57%	71%	57%	86%	57%	57%

Source: *SceMaps, MACPI 2020/2021.*

National Integrity Agency

MACPI Officials – National Integrity Agency was conducted among 46 employees in June, 2020. 6 of the officials (13%) were with management functions and 40 (87%) – without management functions. Due to the small sample size, a cut-off of 3 respondents is adopted when presenting actual corruption pressure results. No scores could be computed for "*Human resources management in the institution*" and "*Management of public procurement by ANI*" since no employees or only one employee (respectively) assessed these two activities. Detailed counts are available in the table below. Some of the officials were involved in multiple activities.

Table 31. Number of employees involved in the different activities of the National Integrity Agency

Is your job in the organisation connected to one or more of the following activities?	Count	Share (%)
Activities related to checking and verifying wealth declarations	39	85%
Prevention of conflict of interest in the procedure for awarding public contracts	16	35%
Revision of the legal framework, formulation of views on draft normative acts governing the Agency's activity	4	9%
Ongoing professional training of integrity inspectors and staff in administrative departments	6	13%
Prevention and awareness in combating corruption through administrative means	17	37%
Allocation and redistribution of cases within ANI	5	11%
Management of databases or electronic platforms used by the institution	10	22%
Human resources management in the institution	0	0%
Management of public procurement by ANI	1	2%
Carrying out internal audit or any other similar activities (anti-corruption service, integrity, etc.)	2	4%
Total	***46***	***100%***

Source: *SceMaps, MACPI 2020/2021.*

Table 32. Activities and corruption pressure, National Integrity Agency

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is be for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Activities related to checking and verifying wealth declarations	8%	1.6	1.4	1.3	2.8
Prevention of conflict of interest in the procedure for awarding public contracts	13%	1.5	1.2	1.1	2.4

Table 32. Activities and corruption pressure, National Integrity Agency (*Continued*)

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is be for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Revision of the legal framework, formulation of views on draft normative acts governing the Agency's activity	25%	1.3	1.3	1.3	2.5
Ongoing professional training of integrity inspectors and staff in administrative departments	33%	1.2	1.2	1.3	1.7
Prevention and awareness in combating corruption through administrative means	12%	1.5	1.2	1.1	2.1
Allocation and redistribution of cases within ANI	20%	1.2	1.2	1.2	1.6
Management of databases or electronic platforms used by the institution	10%	1.4	1.1	1.1	1.5
Human resources management in the institution		NA	NA	NA	NA
Management of public procurement by ANI		NA	NA	NA	NA
Carrying out internal audit or any other similar activities (anti-corruption service, integrity, etc.)		1.5	1.5	2.0	2.5

Source: *SceMaps, MACPI 2020/2021.*

Table 33. Anti-corruption policies: implementability and implementation, National Integrity Agency

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Filing assets and interests declarations	3.6	2.7	4.5	4.5	4.6
Training on integrity and combating corruption	3.5	2.4	4.4	4.6	4.4
Transparency of decision-making in the public administration	3.3	2.5	4.3	4.5	4.3

Table 33. Anti-corruption policies: implementability and implementation, National Integrity Agency (*Continued*)

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Free access to information of public interest	3.3	2.6	4.3	4.4	4.4
Immediate reactions to notifications related to misbehaviour of employees	3.5	2.7	4.6	4.5	4.5
Publication of the contact details where complaints regarding misbehaviour related to integrity and anti-corruption policies can be registered	3.5	2.5	4.4	4.5	4.3
Declaring the goods received free of charge on the occasion of protocol actions	3.6	2.5	4.4	4.5	4.6
Whistleblowers protection procedures	3.1	2.6	4.4	4.5	4.4
Strict assurance of the state or service secret character	3.5	2.9	4.7	4.6	4.7
Procedures for ex-employees who wish to exercise a professional activity in the private sector	2.8	2.2	4.2	4.3	4.2
Existence and real activity of an ethics counsellor	3.6	2.6	4.6	4.5	4.6
Compliance with the provisions on the distribution and redistribution of works	3.8	3.0	4.8	4.8	4.7

Source: *SceMaps, MACPI 2020/2021.*

Table 34. Anti-corruption policies: effectiveness, National Integrity Agency

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Filing assets and interests declarations	2.8	2.8	2.8
Training on integrity and combating corruption	2.8	2.7	2.5
Transparency of decision-making in the public administration	2.6	2.5	2.5
Free access to information of public interest	2.5	2.5	2.5
Immediate reactions to notifications related to misbehaviour of employees	2.7	2.7	2.2

Table 34. Anti-corruption policies: effectiveness, National Integrity Agency (*Continued*)

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Publication of the contact details where complaints regarding misbehaivour related to integrity and anti-corruption policies can be registered	2.7	2.6	2.4
Declaring the goods received free of charge on the occasion of protocol actions	2.5	2.5	2.3
Whistleblowers protection procedures	2.7	2.6	2.5
Strict assurance of the state or service secret character	2.5	2.5	2.4
Procedures for ex-employees who wish to exercise a professional activity in the private sector	2.4	2.4	2.5
Existence and real activity of an ethics counsellor	2.4	2.5	2.2
Compliance with the provisions on the distribution and redistribution of works	2.6	2.7	2.2

Source: *SceMaps, MACPI 2020/2021.*

Table 35. Coverage with anti-corruption policies, National Integrity Agency, Romania

Policies / Activities	1. Activities related to checking and verifying wealth declarations	2. Prevention of conflict of interest in the procedure for awarding public contracts	3. Revision of the legal framework, formulation of views on draft normative acts governing the Agency's activity	4. Ongoing professional training of integrity inspectors and staff in administrative departments	5. Prevention and awareness in combating corruption through administrative means	6. Allocation and redistribution of cases within ANI	7. Management of databases or electronic platforms used by the institution	8. Human resources management in the institution	9. Management of public procurement by ANI	10. Carrying out internal audit or any other similar activities (anti-corruption service, integrity, etc.)
Actual corruption pressure	**8%**	**13%**	**25%**	**33%**	**12%**	**20%**	**10%**		**–**	**–**
1. Filing assets and interests declarations	96%	44%	22%	13%	33%	17%	15%	11%	4%	11%
2. Training on integrity and combating corruption	82%	72%	26%	49%	44%	15%	8%	21%	10%	10%
3. Transparency of decision-making in the public administration	60%	45%	43%	20%	45%	5%	8%	8%	10%	23%
4. Free access to information of public interest	74%	58%	21%	16%	40%	9%	9%	16%	26%	19%
5. Immediate reactions to notifications related to misbehaviour of employees	69%	34%	9%	31%	23%	11%	6%	46%	14%	31%

Table 35. Coverage with anti-corruption policies, National Integrity Agency, Romania (*Continued*)

Policies / Activities	1. Activities related to checking and verifying wealth declarations	2. Prevention of conflict of interest in the procedure for awarding public contracts	3. Revision of the legal framework, formulation of views on draft normative acts governing the Agency's activity	4. Ongoing professional training of integrity inspectors and staff in administrative departments	5. Prevention and awareness in combating corruption through administrative means	6. Allocation and redistribution of cases within ANI	7. Management of databases or electronic platforms used by the institution	8. Human resources management in the institution	9. Management of public procurement by ANI	10. Carrying out internal audit or any other similar activities (anti-corruption service, integrity, etc.)
6. Publication of the contact details where complaints regarding misbehaivour related to integrity and anti-corruption policies can be registered	83%	62%	7%	5%	36%	5%	12%	19%	12%	12%
7. Declaring the goods received free of charge on the occasion of protocol actions	71%	34%	13%	24%	53%	3%	8%	24%	8%	21%
8. Whistleblowers protection procedures	78%	53%	13%	28%	40%	5%	8%	28%	8%	18%
9. Strict assurance of the state or service secret character	87%	47%	11%	22%	24%	22%	38%	22%	16%	16%
10. Procedures for ex-employees who wish to exercise a professional activity in the private sector	80%	41%	21%	15%	41%	5%	5%	18%	8%	18%
11. Existence and real activity of an ethics counsellor	34%	18%	8%	21%	24%	5%	8%	63%	5%	24%
12. Compliance with the provisions on the distribution and redistribution of works	60%	31%	2%	7%	5%	64%	12%	10%	2%	5%

Source: *SceMaps, MACPI 2020/2021.*

Sinaia Municipality

MACPI Officials – Sinaia Municipality was conducted in December 2020. Only 12 employees participated in the survey (2 of them with management functions and 10 without management functions). This number of respondents is **insufficient** for MACPI Officials and therefore the results for Sinaia Municipality could be regarded as interim and the benchmarking scan as **partial**, covering only some of the activities. Two of the activities in the organisation were not assessed by any employees and two were assessed by only one employee and therefore no scores could be computed for half of the activities. Scores and ranks for the rest of the activities should also be interpreted carefully due to the very small sample size. Detailed counts are available in the table below. Some of the officials were involved in multiple activities.

Table 36. Number of employees involved in the different activities of the Sinaia Municipality

Is your job in the organisation connected to one or more of the following activities?	Count	Share (%)
Activities related to the legal department	5	42%
Managing investments and procurement	0	0%
Approving documents related to urban development	2	17%
Managing the budget of the institution	3	25%
Professional training for the employees	1	8%
Managing human resources	1	8%
Management of activities related to decision-making transparency	4	33%
Carrying out internal audit or any other similar activities (anti – corruption service, integrity, etc.)	0	0%
Total	***12***	***100%***

Source: *SceMaps, MACPI 2020/2021.*

Table 37. Activities and corruption pressure, Sinaia Municipality

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Activities related to the legal department	20%	1.0	1.2	1.0	1.4
Managing investments and procurement	NA	NA	NA	NA	NA
Approving documents related to urban development		2.0	2.0	2.0	3.0
Managing the budget of the institution		1.3	1.3	1.3	1.3
Professional training for the employees	NA	NA	NA	NA	NA
Managing human resources	NA	NA	NA	NA	NA
Management of activities related to decision-making transparency	50%	1.3	1.5	1.5	2.0
Carrying out internal audit or any other similar activities (anti – corruption service, integrity, etc.)	NA	NA	NA	NA	NA

Source: *SceMaps, MACPI 2020/2021.*

Table 38. Anti-corruption policies: implementability and implementation, Sinaia Municipality

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
Filing assets and interests declarations	3.8	3.3	4.8	4.6	4.4
Training on integrity and combating corruption	3.2	2.6	4.4	4.3	4.0
Transparency of decision-making in the public administration	3.1	2.7	4.3	4.3	4.0
Free access to information of public interest	3.2	2.5	4.4	4.4	4.2
Immediate reactions to notifications related to misbehaviour of employees	3.1	2.8	4.5	4.6	4.4
Publication of the contact details where complaints regarding misbehaivour related to integrity and anti-corruption policies can be registered	3.4	2.8	4.6	4.6	4.4
Declaring the goods received free of charge on the occasion of protocol actions	3.2	2.5	4.2	4.3	4.0
Whistleblowers protection procedures	3.4	2.6	4.6	4.3	4.2
Strict assurance of the observance of the character of state secret or service secret	3.3	2.5	4.3	4.5	4.2
Existence and real activity of an ethics counsellor	3.1	2.6	4.6	4.4	4.2

Source: *SceMaps, MACPI 2020/2021.*

Table 39. Anti-corruption policies: effectiveness, Sinaia Municipality

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/ policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Filing assets and interests declarations	2.3	2.5	1.8
Training on integrity and combating corruption	2.6	2.5	2.1
Transparency of decision-making in the public administration	2.6	2.5	1.8
Free access to information of public interest	2.2	2.2	2.0
Immediate reactions to notifications related to misbehaviour of employees	2.5	2.4	2.0
Publication of the contact details where complaints regarding misbehaivour related to integrity and anti-corruption policies can be registered	2.3	2.4	2.1

Table 39. Anti-corruption policies: effectiveness, Sinaia Municipality (*Continued*)

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/ policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
Declaring the goods received free of charge on the occasion of protocol actions	2.1	2.2	1.7
Whistleblowers protection procedures	2.7	2.6	2.0
Strict assurance of the observance of the character of state secret or service secret	2.3	2.1	2.0
Existence and real activity of an ethics counsellor	2.4	2.4	1.6

Source: *SceMaps, MACPI 2020/2021.*

Table 40. Coverage with anti-corruption policies, Sinaia Municipality, Romania

Policies / Activities	1. Activities related to the legal department	2. Managing investments and procurement	3. Approving documents related to urban development	4. Managing the budget of the institution	5. Professional training for the employees	6. Managing human resources	7. Management of activities related to decision-making transparency	8. Carrying out internal audit or any other similar activities (anti – corruption service, integrity, etc.)
Actual corruption pressure	–	–	–	–	–	–	–	–
1. Filing assets and interests declarations	75%	67%	75%	67%	33%	50%	58%	67%
2. Training on integrity and combating corruption	82%	82%	91%	73%	27%	46%	64%	73%
3. Transparency of decision-making in the public administration	75%	83%	75%	83%	42%	50%	92%	58%
4. Free access to information of public interest	58%	75%	83%	75%	25%	50%	83%	50%
5. Immediate reactions to notifications related to misbehaviour of employees	90%	100%	70%	90%	50%	70%	90%	70%
6. Publication of the contact details where complaints regarding misbehaivour related to integrity and anti-corruption policies can be registered	100%	100%	78%	78%	56%	67%	89%	67%
7. Declaring the goods received free of charge on the occasion of protocol actions	64%	73%	73%	73%	36%	55%	55%	46%
8. Whistleblowers protection procedures	86%	86%	100%	86%	43%	57%	57%	57%
9. Strict assurance of the observance of the character of state secret or service secret	83%	83%	75%	83%	33%	58%	58%	83%
10. Existence and real activity of an ethics counsellor	90%	90%	80%	90%	80%	80%	90%	80%

Source: *SceMaps, MACPI 2020/2021.*

MACPI SCAN: SPAIN

Valencian Anti-Fraud Agency

MACPI Officials – Valencian Anti-Fraud Agency was conducted among 31 employees (more than half of the officials employed in the organisation) in January-February, 2021. In addition to MACPI Officials, a MACPI Experts survey was also conducted among 16 external experts and the results were reported to the management of the organisation. As the Valencian Anti-Fraud Agency was the only organisation where MACPI Experts was implemented, results from the experts' assessment are not presented in this report.

Table 41. Activities and corruption pressure, Valencian Anti-Fraud Agency

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Analysis prior to the initiation of actions (alerts, complaints, information, etc.)	22%	1.7	1.4	1.2	2.6
Investigation	10%	2.0	1.4	1.2	2.8
Prevention, training and documentation	0%	1.3	1.2	1.2	2.0
Expertise and support to courts	20%	1.9	1.3	1.2	2.3
Legal affairs and sanctioning procedures	20%	2.0	1.2	1.2	2.4
Protection of the complainants	25%	2.1	1.3	1.2	2.6
ICT services (information management and infrastructure)		1.3	1.2	1.2	1.9
Human resources		1.5	1.3	1.2	2.3
Administration and economic management	20%	1.4	1.3	1.2	2.2
Directorate General	0%	2.0	1.2	1.1	2.3
Communication		1.8	1.3	1.1	2.1

Source: *SceMaps, MACPI 2020/2021.*

Table 42. Anti-corruption policies: implementability and implementation, Valencian Anti-Fraud Agency

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 –"completely disagree" to 5 –"completely agree" that "there is strict control for the enforcement of this policy")
Requirements and procedure for the election of the director.	3.4	3.7	4.7	4.8	4.8
The Governing Board replaces the Director of the Agency as the decision-making body in legal cases of his or her abstention or recusal.	3.2	3.0	4.0	4.2	3.8
Obligation of confidentiality and duty of secrecy.	3.0	2.7	4.7	4.2	3.9
Annual income and asset declaration for management staff.	3.7	3.3	4.3	4.0	3.9
Technical capacity and professional skills training actions.	3.3	2.4	4.5	4.0	3.9
External auditing by the Audit Office of the Valencian region and by the Valencian Parliament	3.4	3.5	4.7	4.7	4.6
Recruitment in the agency is reserved for civil servants.	3.4	3.7	4.8	4.7	4.7
"Special service" status of the public employee when joining the Agency.	2.8	3.3	4.5	3.9	4.0
Authorisation procedure to allow compatibility with any [external] activity likely to entail a conflict of interest in the service of the Agency.	3.1	2.6	4.2	3.7	3.7
Information security policy	2.9	2.8	4.4	4.3	4.2
Electronic document management policy	2.8	3.0	4.4	4.0	3.9
Anonymous complaints mailbox	3.2	3.5	4.4	4.3	4.3

Source: *SceMaps, MACPI 2020/2021.*

Table 43. Anti-corruption policies: effectiveness, Valencian Anti-Fraud Agency

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/ policy tool is gone")
Requirements and procedure for the election of the director.	2.7	2.7	2.3
The Governing Board replaces the Director of the Agency as the decision-making body in legal cases of his or her abstention or recusal.	2.1	2.7	1.8
Obligation of confidentiality and duty of secrecy.	2.5	2.6	2.3
Annual income and asset declaration for management staff.	2.3	2.3	1.7
Technical capacity and professional skills training actions.	2.1	2.0	1.6
External auditing by the Audit Office of the Valencian region and by the Valencian Parliament	2.3	2.3	2.0
Recruitment in the agency is reserved for civil servants.	2.4	2.4	2.2
"Special service" status of the public employee when joining the Agency.	2.2	2.0	1.7
Authorisation procedure to allow compatibility with any [external] activity likely to entail a conflict of interest in the service of the Agency.	2.7	2.7	2.3
Information security policy	2.3	2.5	2.0
Electronic document management policy	2.0	1.9	1.6
Anonymous complaints mailbox	2.4	2.5	2.2

Source: *SceMaps, MACPI 2020/2021.*

Table 44. Coverage with anti-corruption policies, Valencian Anti-Fraud Agency, Spain

Policies / Activities	1. Analysis prior to the initiation of actions (alerts, complaints, information, etc.)	2. Investigation	3. Prevention, training and documentation	4. Expertise and support to courts	5. Legal affairs and sanctioning procedures	6. Protection of the complainants	7. ICT services (information management and infrastructure)	8. Human resources	9. Administration and economic management	10. Directorate General	11. Communication
Actual corruption pressure	22%	10%	0%	20%	20%	25%	–	–	20%	0%	–
1. Requirements and procedure for the election of the director.	17%	17%	17%	17%	22%	17%	17%	22%	22%	91%	17%
2. The Governing Board replaces the Director of the Agency as the decision-making body in legal cases of his or her abstention or recusal.	59%	73%	50%	59%	91%	64%	18%	55%	50%	64%	32%
3. Obligation of confidentiality and duty of secrecy.	94%	94%	77%	90%	84%	97%	77%	81%	74%	87%	68%
4. Annual income and asset declaration for management staff.	25%	38%	38%	29%	38%	29%	21%	46%	38%	96%	38%
5. Technical capacity and professional skills training actions.	76%	86%	97%	86%	79%	76%	83%	86%	83%	76%	76%
6. External auditing by the Audit Office of the Valencian region and by the Valencian Parliament	38%	41%	45%	38%	41%	41%	48%	83%	90%	66%	41%
7. Recruitment in the agency is reserved for civil servants.	71%	77%	74%	77%	77%	74%	77%	94%	84%	65%	74%
8. "Special service" status of the public employee when joining the Agency.	63%	70%	70%	67%	70%	67%	70%	89%	74%	63%	67%
9. Authorisation procedure to allow compatibility with any [external] activity likely to entail a conflict of interest in the service of the Agency.	81%	89%	81%	85%	85%	85%	85%	92%	89%	81%	81%
10. Information security policy	84%	88%	56%	76%	80%	84%	88%	64%	64%	72%	72%
11. Electronic document management policy	88%	92%	88%	83%	92%	88%	88%	83%	88%	79%	75%
12. Anonymous complaints mailbox	89%	89%	32%	43%	50%	71%	54%	25%	25%	43%	32%

Source: *SceMaps, MACPI 2020/2021.*

Government of the Region of Murcia

MACPI Officials – Government of the Region of Murcia was conducted among 498 employees in February, 2021. 255 of the officials (51%) were with management functions and 243 (49%) – without management functions. All activities of the organisation were assessed by at least 40 respondents, detailed counts are available in the table below. Some of the officials were involved in multiple activities.

Table 45. Number of employees involved in the different activities of the Government of the Region of Murcia

Is your job in the organisation connected to one or more of the following activities?	Count	Share (%)
Human resources	54	11%
Public procurement	56	11%
Management of revenue, expenditure and assets	42	8%
Procedures without direct economic effects: authorizations, concessions, licenses, authorizations and others	56	11%
Procedures with direct economic effects: management of subsidies and grants, administrative agreements and others	109	22%
Inspection, control, surveillance, verification and sanction procedures	114	23%
Economic, legal and/or juridical consultancy	41	8%
Programming, planning and facultative technical advice	119	24%
Administrative and information management	201	40%
Total	***498***	***100%***

Source: *SceMaps, MACPI 2020/2021.*

Table 46. Activities and corruption pressure, Government of the Region of Murcia

Activity	Actual corruption pressure (experience based)	Estimated corruption pressure (assessment based)			
	Actual corruption pressure for this activity (% of respondents having actual experiences with this activity who were offered a bribe during the year preceding the survey)	**Outside pressure associated with activity** (external pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure)	**Susceptibility to pressure from outside** (how likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Pressure from above likelihood** (how likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)	**Evasion of regulations** (how likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely)
Human resources	7%	1.9	1.8	1.9	2.0
Public procurement	14%	2.1	1.9	2.0	2.4
Management of revenue, expenditure and assets	10%	1.7	1.7	1.6	2.2
Procedures without direct economic effects: authorizations, concessions, licenses, authorizations and others	14%	1.8	1.7	1.9	2.5
Procedures with direct economic effects: management of subsidies and grants, administrative agreements and others	12%	1.9	1.7	1.9	2.5
Inspection, control, surveillance, verification and sanction procedures	18%	1.9	1.8	1.8	2.5
Economic, legal and/or juridical consultancy	5%	1.7	1.6	1.8	2.2
Programming, planning and facultative technical advice	18%	1.7	1.7	1.9	2.1
Administrative and information management	14%	1.6	1.7	1.7	2.0

Source: *SceMaps, MACPI 2020/2021.*

Table 47. Anti-corruption policies: implementability and implementation, Government of the Region of Murcia

Anti-corruption policy	Implementability		Implementation		
	Ease of implementation (scale from 1 – "impossible to apply" to 4 – "very easily applicable")	**Difficult to evade** (scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade")	**Awareness** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is well-known to the employees whom it concerns")	**Strict implementation** (scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly")	**Strict control** (scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy")
System of complaints, suggestions and complaints	3.1	2.3	3.5	3.0	2.8
Internal control and supervision of the General Inspection	2.6	2.7	3.1	3.2	3.1
Active advertising, right of access to public information and citizen participation	3.1	2.5	3.4	3.0	2.9
Active advertising related to senior CARM officials	3.2	2.4	3.7	3.2	2.9
Duty of abstention and inhibition of senior position in situations of conflicts of interest	3.0	2.2	3.7	2.8	2.6
Duty of abstention of public officials and recusal mechanisms	3.1	2.2	3.9	3.0	2.7
Code of Conduct in Public Procurement of the Region of Murcia, including the declaration of absence of conflict of interest by all persons involved in a public procurement process	3.1	2.3	3.4	3.1	2.8
Duties, Incompatibilities and Responsibilities of Officials and Disciplinary Regime	2.9	2.2	3.8	2.8	2.6
Conferences and training actions on public integrity	3.4	2.0	3.6	3.1	3.0
Code of Good Practices and Code of Conduct for Senior Officials	3.1	2.1	3.6	2.9	2.8
Ex ante and ex post control and audit of expenditures of the CARM General Comptroller	3.1	3.0	3.8	3.8	3.7
Audit and accountability before external bodies	2.9	2.7	3.7	3.4	3.3

Source: *SceMaps, MACPI 2020/2021.*

Table 48. Anti-corruption policies: effectiveness, Government of the Region of Murcia

Anti-corruption policy	Effectiveness		
	Estimated potential effectiveness (scale from 1 – " the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them")	**Estimated actual effectiveness** (scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot")	**Practical effectiveness** (scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone")
System of complaints, suggestions and complaints	2.0	1.8	1.7
Internal control and supervision of the General Inspection	2.2	2.1	1.9
Active advertising, right of access to public information and citizen participation	2.3	2.1	2.1
Active advertising related to senior CARM officials	2.2	2.1	2.1
Duty of abstention and inhibition of senior position in situations of conflicts of interest	2.5	2.3	2.1
Duty of abstention of public officials and recusal mechanisms	2.4	2.3	2.1
Code of Conduct in Public Procurement of the Region of Murcia, including the declaration of absence of conflict of interest by all persons involved in a public procurement process	2.5	2.3	2.0
Duties, Incompatibilities and Responsibilities of Officials and Disciplinary Regime	2.4	2.2	2.1
Conferences and training actions on public integrity	2.1	1.9	1.6
Code of Good Practices and Code of Conduct for Senior Officials	2.3	2.2	1.7
Ex ante and ex post control and audit of expenditures of the CARM General Comptroller	2.6	2.5	2.4
Audit and accountability before external bodies	2.2	2.1	2.0

Source: *SceMaps, MACPI 2020/2021.*

Table 49. Coverage with anti-corruption policies, Government of the Region of Murcia, Spain

Policies / Activities	1. Human resources	2. Public procurement	3. Management of revenue, expenditure and assets	4. Procedures without direct economic effects	5. Procedures with direct economic effects	6. Inspection, control, surveillance, verification and sanction procedures	7. Economic, legal and/or juridical consultancy	8. Programming, planning and facultative technical advice	9. Administrative and information management
Actual corruption pressure	7%	14%	10%	14%	12%	18%	5%	18%	14%
1. System of complaints, suggestions and complaints	58%	49%	35%	65%	73%	51%	28%	24%	59%
2. Internal control and supervision of the General Inspection	62%	54%	42%	62%	74%	62%	38%	42%	57%
3. Active advertising, right of access to public information and citizen participation	76%	86%	46%	62%	74%	46%	39%	41%	54%
4. Active advertising related to senior CARM officials	62%	46%	37%	23%	30%	30%	24%	20%	30%
5. Duty of abstention and inhibition of senior position in situations of conflicts of interest	61%	85%	52%	63%	72%	66%	52%	38%	29%
6. Duty of abstention of public officials and recusal mechanisms	75%	79%	50%	63%	71%	74%	57%	41%	37%
7. Code of Conduct in Public Procurement of the Region of Murcia, including the declaration of absence of conflict of interest by all persons involved in a public procurement process	35%	90%	35%	32%	39%	37%	31%	27%	25%
8. Duties, Incompatibilities and Responsibilities of Officials and Disciplinary Regime	80%	66%	49%	54%	62%	60%	47%	45%	48%
9. Conferences and training actions on public integrity	73%	74%	49%	54%	60%	64%	49%	51%	68%
10. Code of Good Practices and Code of Conduct for Senior Officials	81%	79%	72%	65%	71%	72%	67%	60%	65%
11. Ex ante and ex post control and audit of expenditures of the CARM General Comptroller	41%	90%	83%	31%	71%	46%	25%	13%	13%
12. Audit and accountability before external bodies	54%	84%	75%	50%	71%	55%	41%	36%	36%

Source: *SceMaps, MACPI 2020/2021.*

APPENDIX 1. METHODOLOGY

The methodology behind MACPI is presented in detail in a dedicated MACPI toolkit.[22] A brief overview of the different indicators is provided here for clarity.

Based on the MACPI Officials survey (questionnaire available below) several **indicators are computed** for each activity and each anti-corruption policy of each public organisation:

- corruption pressure (both actual and estimated) for the different activities;
- implementability, formal and real implementation, and effectiveness for the different anti-corruption policies.

Based on the indicators assessments are carried out of the different policies, their potential shortcomings, of the corruption pressure of the different activities and whether higher-risk activities are covered adequately by effective and real anti-corruption policies. Additional analyses could include:

- **Activities**: ranking by corruption pressure
- **Anti-corruption policies**: ranking by implementability, implementation and effectiveness
- **Vulnerability zones**: finding gaps in the anti-corruption policies coverage of key risk activities
- **Discrepancies analysis** (if applicable): comparisons between different groups – employees with and without management functions, external experts, clients, etc.
- Assessment of possible systematic deviations/discrepancies compromising the whole **anti-corruption setup** in the public organisation

MACPI relies on several quantitative and qualitative indicators, described in **Table 50.** below. Quantitative indicators draw upon data from the surveys among employees, external experts and clients of the organisation. Qualitative indicators are based on in-depth interviews with the management of the organisation.

[22] CSD. *Monitoring Anti-Corruption in Europe. Bridging Policy Evaluation and Corruption Measurement*. Sofia: CSD, 2015

Table 50. MACPI Indicators

MACPI indicators	Survey questions (see Appendix 6) or source of data	What does the indicator measure
I. Corruption interest	In-depth interview	Types of corruption possible (%, base=4)
Abuse of power	In-depth interview	Present/Absent
Abuse of property	In-depth interview	Present/Absent
Nepotism	In-depth interview	Present/Absent
Clientelism	In-depth interview	Present/Absent
II. Anti-corruption policy coverage of activity		
III. Effectiveness of associated anti-corruption policies (average %)		
Number of associated anti-corruption policies	In-depth interview	Number of policies which theoretically could cover the activity's AC risks
AC policy coverage per activity	Q32.	For each activity – number of policies which are highly applicable to the activity (>80% of the respondents answer it is applicable) and number of policies which are with medium coverage for this activity (>50% and <=80%)
Effectiveness of the AC policy setup per activity		Policy 1 Coverage for this activity X Policy 1 Effectiveness + Policy 2 Coverage for this activity X Policy 2 Effectiveness … Policy N Coverage for this activity X Policy N Effectiveness
Specificity of AC policy	Q32	Policies directed at one or several particular activities vs. more "general" policies
Estimated potential effectiveness (average %)	Q24	Average of all applicable "Estimated potential effectiveness of policy"
Estimated real effectiveness (average %)	Q25	Average of all applicable "Estimated real effectiveness of policy"
IV. (Actual) Corruption pressure	A12.	% of people who answered that at least in some cases they were offered (directly or indirectly) a bribe or were threatened during the last year. A12A = 1 or A12A = 2 or A12A = 3 or A12B = 1 or A12B = 2 or A12B = 3 or A12C = 1 or A12C = 2 or A12C = 3
V. Estimated Corruption pressure	**Q8, Q9, Q10, Q12**	
1. Outside pressure associated with activity	Q8.	External pressure for bribes: on a scale from 1 to 4, where 1 is no pressure at all, 4 is high pressure
2. Susceptibility to pressure from outside	Q9.	How likely are employees involved with this activity to accept bribes: scale from 1 to 4, where 1 is not likely at all, 4 is very likely
3. Susceptibility to pressure from above	Q10.	How likely is for a superior to order his staff members to perform unauthorised activities: scale from 1 to 4, where 1 is not likely at all, 4 is very likely
4. Avoidance of regulations	Q12.	How likely are citizens or companies to try to evade the existing rules: scale from 1 to 4, where 1 is not likely at all, 4 is very likely

Table 50. MACPI Indicators (*Continued*)

MACPI indicators	Survey questions (see Appendix 6) or source of data	What does the indicator measure
VI. Implementability	**Q23, Q26**	
5. Ease of implementation	Q23.	Scale from 1 – "impossible to apply" to 4 – "very easily applicable"
6. Difficult to avoid	Q26.	Scale from 1 – "it is very easy to evade" to 4 – "it is very difficult to evade"
No cases of violation	Q29.	
VII. Implementation	**Q27A, Q27B, Q27C, Q27D**	
7. Awareness	Q27A.	Scale from 1 – "completely disagree" to 5 – "completely agree" that "this policy/ policy tool is applied strictly"
8. Strict implementation	Q27B.	Scale from 1 – "completely disagree" to 5 – "completely agree" that "there is strict control for the enforcement of this policy"
9. Strict control	Q27C	Scale from 1 – "the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them"
VIII. Effectiveness	**Q24, Q25**	
11. Estimated potential effectiveness	Q24	Scale from 1 – "the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool" to 3 – "yes, it could greatly reduce them"
12. Estimated real effectiveness	Q25	Scale from 1 – "the corruption risk remains the same as without these measures" to 3 – "reduces the corruption risk a lot"
13. Preventive power	Q31	Scale from 1 – " the number of corruption cases will remain the same, if this policy/policy tool is gone" to 3 – "the number of corruption cases will increase a lot, if this policy/policy tool is gone"

Source: *SceMaps, MACPI 2020/2021.*

APPENDIX 2. MACPI OFFICIALS QUESTIONNAIRE

(Questionnaire for public organisations)
[Programming instructions in brackets]

This is an anonymous survey, your individual answers will remain strictly confidential and will be used only for statistical analyses of the collected data.

Part 1. General information
Q1. Are you a:
2. Staff member with management functions.
3. Staff member without management functions.

Q7. Is your job in [name of organisation] connected with one or more of the following activities?
(Please check all that apply)

[Please fill in your organisation's activities. Please use a level of generalisation which produces no more than 10 activities (you can aggregate similar activities). Human resources and public procurement are common activities for most public organisations and usually should be left the same.]
1. Activity 1
2. Activity 2
3. Activity 3
4. ….

Part 2. Activities
[Asked for relevant activities checked in Q7]

Q8. Would you say that the external pressure for corruption transactions (bribes, lobbying, etc.) for the following activity/activities is: high, medium, low or no pressure at all?

External pressure means people outside the institution (regardless whether citizens, members of other institutions, etc.) offering bribes or/and asking for favours

	High	Medium	Low	No pressure at all
Activity 1	4	3	2	1
Activity 2	4	3	2	1
Activity 3	4	3	2	1
….	4	3	2	1

Q9. Would you say staff members involved in carrying out the following activity/activities are likely to accept (or ask for) something in return, in order to do a particular service? (very likely… not likely at all)

	Very likely	Rather likely	Rather unlikely	Not likely at all
Activity 1	4	3	2	1
Activity 2	4	3	2	1
Activity 3	4	3	2	1
….	4	3	2	1

Q10. How likely would it be for a superior to order his staff members to perform unauthorised activities or services in the following areas?

	Very likely	Rather likely	Rather unlikely	Not likely at all
Activity 1	4	3	2	1
Activity 2	4	3	2	1
Activity 3	4	3	2	1
….	4	3	2	1

Q12. In your opinion, how likely are citizens or companies to try to circumvent (evade) the existing rules in the following areas *(that is, to try to evade due payments to the state; to try to receive special privileges during hiring/promotions; to evade inspection/investigation/penalties, etc.)*

	Very likely	Rather likely	Rather unlikely	Not likely at all
Activity 1	4	3	2	1
Activity 2	4	3	2	1
Activity 3	4	3	2	1
….	4	3	2	1

Part 3. Policies

Now, you will see described several anti-corruption policies or policy tools. Please answer several questions about each policy.

Q13. Are you familiar with each of the following anti-corruption policies/policy tools?

(Please, for each of the following policies/policy tools choose the answer which best describes how familiar you are with the policy. One answer for each row.)

[Please add policies relevant to the analysed public institution.]
[Random order of presentation of policies]

	Yes, I know everything about it	Yes, I am relatively familiar with it	I know that there is such a policy (policy tool), but I don't know any details	I have never heard of this anti-corruption policy / policy tool
AC Policy 1	1	2	3	4
AC Policy 2	1	2	3	4
AC Policy 3	1	2	3	4
…	1	2	3	4

1. [Name of policy – AC Policy 1]

Q32.1. In your opinion, to which of the following activities is this policy applicable? Please check all that apply.
1. Activity 1
2. Activity 2
3. Activity 3
4. …

Q23.1. How would you rate this policy/policy tool on the following scale?
1. Very easily applicable.
2. Rather easily applicable.
3. Rather difficult to apply.
4. Impossible to apply.

Q24.1. In your opinion, could the implementation of this policy/policy tool reduce the cases of corruption in [name of organisation]?
1. Yes, it could greatly reduce them.
2. Yes, it could reduce them a little.
3. No, the number of corruption cases would remain the same, regardless of the implementation of the policy /policy tool.
4. The number of corruption cases would increase as a result of the implementation of the policy/policy tool.

Q25.1. Do you think that this policy/policy tool reduces the corruption risk in [name of organisation]?
1. Yes, reduces the corruption risk a lot.
2. Yes, reduces the corruption risk a little.
3. The corruption risk remains the same as without these measures.
4. No, the corruption risk increases a little because of this policy/policy tool.
5. No, the corruption risk increases a lot because of this policy/policy tool.

Q26.1. In your opinion, is it easy to circumvent (evade) this policy / policy tool – not to fulfil what the measure requires from the employees without any consequences for them?
1. It is very easy to circumvent.
2. It is rather easy to circumvent.
3. It is rather difficult to circumvent.
4. It is very difficult to circumvent.

Q29.1. Are there cases of violation of (or non-compliance with) the requirements of this policy?
1. There are such cases
2. There are no such cases
3. I don't know if there are such cases or not

[Ask Q30 only if Q29 = 1, else skip to Q27]

Q30.1. In the cases when there were violations of (or non-compliance with) this policy, what were the consequences for the people responsible for the violations?

1. In all cases the responsible people were sanctioned
2. In some of the cases the responsible people were sanctioned
3. I don't know of anyone who was actually sanctioned for violating (not complying with) this policy

Q27.1. Do you agree or disagree with the following statements?

	Completely agree	Rather agree	Neither agree nor disagree	Rather disagree	Completely disagree
A. This policy/ policy tool is well-known to the employees whom it concerns.	5	4	3	2	1
B. This policy/ policy tool is applied strictly when it is applicable.	5	4	3	2	1
C. There is strict control for the enforcement of this policy.	5	4	3	2	1

Q31.1 In your opinion, will the number of corruption cases increase, if this policy/policy tool is gone?
1. The number of corruption cases will increase a lot
2. The number of corruption cases will increase a little
3. The number of corruption cases will remain the same
4. The number of corruption cases will rather decrease

[Repeat Q23 to Q31 for each of the following policies]
2. AC Policy 2
3. AC Policy 3
4. …

Part 4. (actual) Corruption pressure

A12. Whenever you have worked with citizens or employees of other institutions, how often in the last year they have:

One answer for each row.

1	In all cases
2	In most of the cases
3	In isolated cases
4	In no cases

A12A	Directly offered something to you (money, gift, favour) in return for you doing some service for them.	1	2	3	4	9
A12B	Not offered directly, but showed that they would give something (cash, gift or favour) in return for you doing some service for them.	1	2	3	4	9

EXCUTIVE SUMMARY (IN BULGARIAN LANGUAGE)

Настоящият доклад представя резултатите от оценката на приложението на антикорупционни политики и мерки в девет държавни институции с управленски, регулаторни или контролни функции в три икономически сектора – строителство, търговия с горива и търговия с лекарства – в България, Италия, Румъния и Испания. Като инструмент за оценка е използвана Системата за мониторинг на антикорупционни политики (МАКПИ)[12] – иновативно средство за измерване на приложимостта, степента на прилагане и ефективността на възприетите в конкретна институция антикорупционни мерки и политики, както и видовете корупционен риск, обхванати от тях. Целта на инструмента е да се наблюдава и оптимизира прилагането на тези политики, като при всеки цикъл на наблюдение се предлагат конкретни стъпки за подобряване на антикорупционната система на оценяваната институция.

МАКПИ се състои от три основни елемента, чрез които:

- се прави оценка на антикорупционните политики чрез количествени изследвания сред длъжностните лица в институцията и сред експерти, запознати с действащите в нея политики, с нейния организационния модел и начин на функциониране;
- се извършва мониторинг на равнището на корупционен натиск (въз основа на личен опит и приблизителни оценки/предположения) чрез виктимизационни изследвания сред длъжностните лица и клиентите на съответните институции;
- отговорите на различните групи респонденти се подлагат на сравнителен анализ, който дава съществена допълнителна информация за институцията, която се подлага на оценка.

Един пълен цикъл на оценка чрез МАКПИ включва използването и на трите основни компонента на системата, наречени на целевите групи, при които се прилагат: МАКПИ за служители, МАКПИ за експерти и МАКПИ за клиенти. Оценка може да бъде направена и само с първия инструмент, какъвто е настоящият случай. При първоначалния етап на прилагане на МАКПИ за служители се инвентаризират основните дейности на институцията/организацията. След приключване на описа се разглеждат теоретично потенциалните корупционни заплахи или рискове – какъв риск/заплаха би могъл да възникне при определена дейност. На този етап се картографират и прилаганите на институционално равнище антикорупционни мерки и до каква степен същите обхващат установените корупционни рискове. В края на тази подготвителна фаза се прави повторен преглед на дейностите, антикорупционните политики и възможните видове корупция през призмата на допълнително кабинетно проучване и дълбочинни интервюта с ръководния състав на

[12] Стоянов, А., Герганов, А., Ди Никола, А. и Костантино, Ф., *Мониторинг на антикорупцията в Европа. Оценка на антикорупционните политики и измерване на корупцията*. София: Център за изследване на демокрацията, 2015.

институцията. Вторият етап на приложение на инструмента се състои в провеждането на онлайн допитване сред длъжностните лица (служителите) в институцията. Въз основа на него се извеждат стойностите на няколко **показателя** за всяка от дейностите и за всяка от антикорупционните политики, описани на първия етап на оценката: (i) **корупционен натиск** (реален и предполагаем) при отделните дейности; (ii) **приложимост** на антикорупционните политики; (iii) степен на **приложение** на политиките и (iv) **ефективност** на отделните политики и мерки. Анализът съдържа оценки на: различните политики и възможните им слабости, корупционния натиск при различните дейности и наличието на конкретни адекватни и правилно прилагани политики, **отнасящи се** до дейностите, при които корупционният риск е най-висок. Прави се и критична съпоставка на резултатите от допитването при различните групи длъжностни лица (напр. служители и ръководство) с цел разпознаване на евентуална предубеденост на нагласите на респондентите и опити за прикриване на корупционни практики и факторите, които ги улесняват.

Диагностичен цикъл на МАКПИ

***Източник**: Център за изследване на демокрацията, 2021.*

Основни изводи

Прякото сравнение между организации от различни страни, които прилагат свои антикорупционни процедури, е невъзможно. Антикорупционните политики на държавните институции, които имат най-висок резултат от оценката, обаче могат да послужат за извличане на основните принципи, върху които се гради една добра антикорупционна политика, както за източник на идеи за други институции по света. Затова изнесените тук резултати могат да бъдат смислен ориентир при разработването на антикорупционни политики за институции с подобен профил.

Две от **антикорупционните политики с най-висок резултат** от оценката са свързани с **наемането на кадри**. Документът „Изисквания и процедура за избор на директор“ на Агенцията за борба с измамите във Валенсия е определен като политиката, която оставя най-малко възможности за заобикаляне на процедурата, като в същото време се спазва най-точно и спазването му се контролира най-строго в самата агенция. Тази политика се нарежда на второ място и по трите показателя за ефективност. По невъзможност за заобикаляне на процедурите и леснина на прилагане на първо място се нарежда Политиката за изключване от изпълняването на определени функции на лица, осъдени (дори без окончателна присъда) за престъпления срещу държавната администрация, съставена от Областната управа на Емилия-Романя (Италия). По степен на спазване и контрола върху него същата се нарежда на трето място, но бележи най-високи стойности по два от трите показателя за ефективност и е на второ място по третия такъв показател. В случаите, когато автоматизираното разпределение на кадрите на случаен принцип е невъзможно, би било ефективно това да става на **ротационен принцип**. Мярката „Ротиране на екипите, извършващи проверки на стоки с висок фискален риск“ на Националната агенция по приходите (България) се класира на първо място както по степен на спазване, така и по строгост на контрола върху него, и на четвърто (от общо 11) – по всички показатели за ефективност.

Друг вид антикорупционна политика с високи показатели, чиято основна функция е да **контролира ключовите процеси**, осъществяващи се в институцията, е *Политиката за предварителен и последващ контрол и ревизия на разходите от Главния ревизор*, въведена от Областната управа на Мурсия (Испания). Според оценката, тази политика е най-трудна за заобикаляне, спазва се и спазването ѝ се контролира най-строго и е най-ефективната от всички политики на институцията. Друг пример от същата група е *Политиката за контрол върху декларациите за имущество* на Дирекцията за национален строителен контрол (България). Според показателите, тя е сравнително лесна за заобикаляне, но е най-строго спазваната политика, като същевременно е и с най-висок резултат по отношение контрола на спазването и показателите за ефективност. Декларациите за имущество са широко разпространена антикорупционна мярка, но изискват да се следва строго процедурата по проверка на декларираните обстоятелства, която е гаранция, че мярката се прилага ефективно. Това налага въвеждането на допълнителни процедури за проверка на декларациите, за да може подобна политика да доведе до желания антикорупционен ефект.

Приема се, че **електронните услуги** са ефективно средство за намаляване на рисковете от административна корупция. При условие, че те се съчетаят с мерки за прозрачност, се получава относително ефективна политика, чието спазване се контролира лесно. Това сочат например резултатите на политиката „Предоставяне на възможност за проверки в секцията „Прозрачна администрация“ на интернет страницата на институцията“, прилагана от Търговската камара на Тренто (Италия).

Съществуват разбира се и антикорупционни политики с много ниски резултати по отношение както на реалното им приложение, така и на

контрола върху спазването им и на ефективността им. Тези политики са **по-неефективни**, тъй като лесно могат да се заобиколят и/или са трудни за прилагане. Сред примерите за това са „Деклариране на стоки, получени без заплащане, при протоколни действия" на Румънския съвет за конкуренция, „Процедури за бивши служители, желаещи да упражняват професионална дейност в частния сектор" на Националната агенция за интегритет (Румъния), „Етичен кодекс и харта на клиента" и мярката „Организиране на срещи между бизнеса и НАП и провеждане на уведомителни кампании" на Националната агенция за приходите (България). Може също да се твърди, че документи и обучения, които съдържат допълнителни препоръки и обяснения към законодателството в съответните страни, са от вида антикорупционни политики, които остават само на хартия и обикновено имат твърде малък ефект върху реалните равнища на корупция.

Дейностите, при които **равнището на корупционен натиск** е **най-високо**, обикновено са свързани с **контрол** и **инспекции** на клиенти (лица и фирми) и с управление на **обществени поръчки**. В повечето случаи предполагаемият корупционен натиск е по-висок от реалния, който се измерва чрез броя на случаите на предлагане на подкуп през последната година, споменати в отговорите на участвалите в допитването служители на съответната институция. Налице са обаче и случаи, при които предполагаемият корупционен натиск е по-нисък от реалния, както при процедурите по инспекция, контрол, наблюдение, проверка и санкции на Областната управа на Мурсия и при дейността по събиране на данъци на Националната агенция по приходите в България. Това е признак за вероятно наличие на слаби места в съответната политика, тъй като означава, че липсва адекватна представа за реалния риск, още повече, че съществува възможност служителите в институцията да не споделят всички реални случаи в отговорите си.

В идеалния случай, достатъчния брой антикорупционни политики би трябвало да доведе до намаляване на корупционния натиск, но някои дейности по своето естество предизвикват по-голям корупционен натиск и интерес от други. Затова е важно именно тези дейности да бъдат обхванати от конкретни високоефективни и стриктно прилагани политики. Ако те са засегнати само в общи по характер документи с нисък резултат, това означава, че е налице **проблем в цялостната антикорупционна система на институцията**. Споменатите вече процедури по инспекция, контрол, наблюдение, проверка и санкции са уредени подробно само в две от антикорупционните политики на Областната управа на Мурсия – „Задължение за въздържане от гласуване и механизми за отвод" и „Кодекс на добрите практики и кодекс за поведение на ръководните служители". Те обаче са твърде общи, като обхващат в подробности четири от петте дейности и в същото време резултатите за стриктност на контрола на спазване и на самото приложение на тези две политики са сред най-ниските, а тези за ефективност – на средно ниво.

Другата дейност, за която е характерен висок корупционен натиск, обаче – обществените поръчки – е добре подсигурена, като се разглежда в осем от политиките на областната управа, някои от които са конкретно

насочени към нея, а останалите са сред политиките с най-висок резултат на институцията.

Като цяло, към ръководството на всяка от институциите се отправя съвета да формулира **конкретна антикорупционна политика за въпросната високорискова област**. Дейности с голям корупционен натиск като контрола върху строителните книжа и контрола върху строителството, които са функции, осъществявани от Дирекцията за национален строителен контрол (България) са предмет най-вече на документи от общ характер, отнасящи се и до редица други дейности. Въпросните рискови дейности са разгледани в подробности, но антикорупционната система на институцията би могла допълнително да се подобри, ако се въведе политика за **ротиране** или автоматизирано **разпределение на случаен принцип** на служителите, извършващи тези дейности.

В заключение би могло да се каже, че резултатите от проведената оценка с помощта на МАКПИ говорят за **добра антикорупционна система** при повечето обследвани институции. Това не е изненадващо, предвид факта, че институциите, които биха се съгласили да участват в независимо външно оценяване подобно на МАКПИ обикновено разполагат със солиден набор от антикорупционни мерки срещу широк спектър корупционни рискове. Трябва обаче да се отбележи, че МАКПИ е инструмент, предвиден най-вече за измерване ефективността на политиките срещу административната корупция и следователно не би бил особено подходящ за оценка на други видове корупция, зараждащи се по високите етажи на властта, какъвто е случая със завладяването на държавата.

EXCUTIVE SUMMARY (IN ITALIAN LANGUAGE)

Il presente rapporto riassume i risultati della valutazione dell'attuazione delle politiche anticorruzione in nove organizzazioni pubbliche che esercitano funzioni di *governance*, regolamentazione o controllo in tre settori economici (edilizia, commercio all'ingrosso di combustibili e commercio all'ingrosso di prodotti farmaceutici) in quattro Paesi dell'Unione Europea (Bulgaria, Italia, Romania e Spagna). La metodologia utilizzata è denominata *Monitoring Anti-corruption Policy Implementation* (MACPI)[13], uno strumento innovativo che valuta l'attuabilità, l'attuazione, l'efficacia e la copertura del rischio delle politiche anticorruzione adottate da un'istituzione pubblica. Il suo scopo è quello di monitorarle e facilitarne l'attuazione, nonché di fornire consulenza concreta alla dirigenza dell'ente per migliorare l'assetto anticorruzione esistente.

Più nel dettaglio, MACPI utilizza tre strumenti per:

- valutare le politiche anticorruzione dell'organizzazione attraverso indagini quantitative somministrate a funzionari pubblici (dipendenti) ed altri esperti che abbiano familiarità con tali politiche;
- monitorare i livelli di pressione corruttiva (sia reale che percepita) attraverso indagini di vittimizzazione somministrate ai funzionari (dipendenti) e ai clienti dell'organizzazione;
- incrociare le risposte di diversi gruppi di rispondenti per ricavare ulteriori importanti informazioni sull'organizzazione pubblica oggetto di valutazione.

I tre strumenti utilizzati nel ciclo MACPI prendono il nome dai diversi gruppi *target*: *MACPI Officials* (MACPI Funzionari), *MACPI Experts* (MACI Esperti) e *MACPI Clients* (MACI Clienti). La valutazione, tuttavia, può essere effettuata anche solo attraverso il primo di questi, come avvenuto nel progetto in corso.

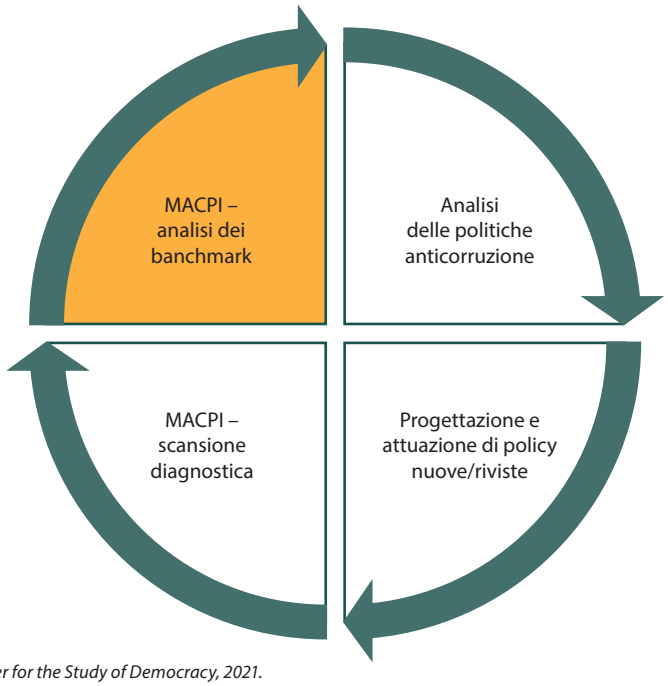
La prima fase di *MACPI Officials* è costituita dall'elencazione delle attività dell'organizzazione. Per ciascuna di esse vengono analizzati, dal punto di vista teorico, i potenziali rischi di corruzione a cui è esposta. Viene successivamente effettuata una mappatura delle politiche e misure anticorruzione esistenti nell'ente, cercando di capire quanto le esistenti strategie coprano i rischi identificati. Al termine della fase istruttoria, gli elenchi prodotti contenenti attività, rischi e politiche anticorruzione vengono riesaminati e finalizzati attraverso una combinazione di ricerche documentali e interviste in profondità con i dirigenti dell'organizzazione sottoposta alla valutazione.

La fase successiva della metodologia MACPI si sostanzia in un'indagine rappresentativa che viene somministrata online in modo anonimo ai funzionari (dipendenti) dell'ente. In tale indagine, a partire dagli elenchi precedentemente prodotti, vengono calcolati diversi **indicatori** per ciascuna attività e ciascuna politica anticorruzione: (i) **pressione corruttiva** (sia reale che percepita) nelle diverse attività; (ii) **attuabilità** delle politiche anticorruzione; (iii) **livello**

[13] Stoyanov, A., Gerganov, A., Di Nicola, A., and Costantino, F., *Monitoring Anti-Corruption in Europe. Bridging Policy Evaluation and Corruption Measurement*. Sofia: Center for the Study of Democracy, 2015.

di attuazione delle politiche anticorruzione; e (iv) **efficacia** delle politiche anticorruzione. L'analisi include una valutazione delle diverse politiche e delle loro potenziali carenze nonché della pressione corruttiva sulle singole attività dell'organizzazione. Viene inoltre valutato se le attività sottoposte ad un'elevata pressione corruttiva sono sufficientemente **coperte** da misure anticorruzione efficaci e ben implementate. Le risposte fornite da diversi gruppi di funzionari (ad esempio dipendenti e dirigenti) vengono analizzate in modo incrociato per evidenziare potenziali *bias* o tentativi di nascondere l'esistenza vulnerabilità/pratiche corruttive.

Il ciclo diagnostico di MACPI



***Fonte**: Center for the Study of Democracy, 2021.*

Risultati principali

Organizzazioni diverse, situate in Paesi diversi con procedure anticorruzione diverse non sono direttamente comparabili. Tuttavia, l'analisi delle politiche adottate dagli enti pubblici che ottengono i punteggi più elevati può essere utile nell'identificazione di buone pratiche. Per questo motivo, i risultati qui esposti possono rappresentare una guida nello sviluppo di future politiche anticorruzione in organizzazioni con caratteristiche simili.

Due delle politiche anticorruzione che hanno **ottenuto i punteggi migliori** sono legate alle **procedure di assunzione del personale**. Nell'Agenzia Antifrode di Valencia (Spagna), la misura denominata "*Requisiti e procedura per l'elezione del direttore*" è stata considerata la più difficile da eludere e, allo stesso tempo, la più rigidamente attuata e controllata all'interno dell'organizzazione (si posizione inoltre al secondo posto in tutti gli indicatori di efficacia). Nella Regione Emilia-Romagna (Italia), la misura "*Esclusione dai vari incarichi dei condannati (anche senza sentenza definitiva) per reati contro la pubblica amministrazione*" si colloca al primo posto con riferimento sia alla facilità di attua-

zione che alla difficoltà di elusione. Ha ricevuto invece il terzo punteggio per quanto riguarda l'implementazione e il controllo, ottenendo però *score* molto elevati in tema di efficacia. Laddove non sia possibile la nomina casuale dei dipendenti tramite sistemi elettronici, una politica molto efficace è rappresentata dalla **rotazione**. Ad esempio, nell'Agenzia Nazionale bulgara delle Entrate la misura "*Rotazione del personale nelle attività relative al controllo dei beni ad alto rischio fiscale*" è al primo posto per la rigorosità di attuazione di controllo e al quarto (su 11) in tutti gli indicatori di efficacia.

Un altro tipo di politiche anticorruzione che sono state molto ben valutate si riferisce alle procedure di **controllo sui processi chiave dell'organizzazione**. Nel governo della Regione di Murcia (Spagna) la misura "*Controllo e audit ex ante ed ex post delle spese da parte del General Controller*" è stata considerata, fra tutte quelle adottate dall'ente, quella più difficile da eludere, la più rigidamente attuata e controllata e la più efficace. Un altro esempio di questo gruppo è costituito dal "*Controllo sulle dichiarazioni patrimoniali*" attuato dalla Direzione Nazionale bulgara per il Controllo delle Costruzioni. Sebbene valutata non molto positivamente riguardo alla possibilità di elusione, ha ricevuto il punteggio più alto in materia di rigorosità dei controlli e di efficacia percepita. Le dichiarazioni patrimoniali sono misure anticorruzione molto comuni: tuttavia, rigorose procedure di *follow-up* finalizzate all'accertamento della veridicità di quanto dichiarato sono necessarie per garantirne l'efficacia. Risultano pertanto fondamentali procedure aggiuntive affinché si produca l'effetto anticorruttivo desiderato.

Gli **strumenti elettronici** sono stati generalmente considerati efficaci nel ridurre i rischi di corruzione amministrativa. Se combinati con procedure finalizzate a garantire la trasparenza, inoltre, producono politiche sia facili da controllare che relativamente efficaci. Questo è quanto emerge, ad esempio, dall'analisi della misura "*Esistenza e possibilità di consultazione della sezione Amministrazione Trasparente nel sito istituzionale*" della Camera di Commercio di Trento (Italia).

All'estremo opposto, alcune politiche anticorruzione hanno ricevuto punteggi molto bassi in tema di effettiva attuazione, controllo e efficacia: sono pertanto politiche **meno efficaci** in quanto facili da eludere e/o difficili da attuare. Alcuni esempi sono costituiti dalla misura "*Dichiarazione delle merci ricevute gratuitamente in occasione di azioni protocollari*" del Consiglio Rumeno per la Concorrenza, dalle "*Procedure per ex dipendenti che desiderano esercitare un'attività professionale nel settore privato*" dell'Agenzia Nazionale rumena per l'Integrità, dal "*Codice etico e la carta del cliente*" e dalla misura sulla "*Conduzione di incontri regolari e campagne di informazione con le imprese*" dell'Agenzia Nazionale bulgara delle Entrate. I documenti e i corsi di formazione che aggiungono ulteriori raccomandazioni e spiegazioni rispetto alle leggi nazionali esistenti sono state inoltre considerate politiche che rimangono sulla "sulla carta", con impatti reali molto limitati.

Le **attività** ritenute **maggiormente esposte alla pressione corruttiva** sono solitamente quelle legate ai **controlli** e alle **ispezioni** dei clienti (sia persone fisiche che giuridiche), nonché quelle relative alla gestione degli **appalti pubblici**. Nella maggior parte dei casi, la pressione corruttiva percepita è superiore a quella reale (ovvero quella segnalata dai funzionari a cui è stata

offerta una tangente nell'ultimo anno). Esistono tuttavia anche casi di segno opposto, come nel caso delle attività di "*Ispezione, controllo, sorveglianza, verifica e procedure sanzionatorie*" del governo della Regione di Murcia (Spagna) e di "*Riscossione delle tasse*" nell'Agenzia Nazionale bulgara delle Entrate: in questi casi la percezione è risultata essere inferiore rispetto alla pressione esistente. Ciò indica una potenziale vulnerabilità in quanto il rischio reale di corruzione potrebbe non essere correttamente percepito o addirittura sottovalutato dai dipendenti dell'organizzazione.

Sebbene idealmente una **buona copertura** dei rischi da parte delle politiche anticorruzione potrebbe portare ad un declino della pressione corruttiva, alcune attività sono intrinsecamente esposte a maggiori pressioni e interessi corruttivi rispetto ad altre. È importante che tali attività siano adeguatamente indirizzate da politiche anticorruzione specifiche, sufficientemente efficaci e applicate in modo rigoroso. Quando infatti le attività ad alta pressione sono coperte solo da politiche di carattere generale e di basso livello, l'**assetto anticorruzione** dell'organizzazione è esposto a **potenziali vulnerabilità**. Per esempio, la sopra citata attività "*Ispezione, controllo, sorveglianza, verifica e procedure sanzionatorie*" (governo della Regione di Murcia, Spagna) è coperta in modo adeguato solo da due politiche anticorruzione, ovvero dall'"*Obbligo di astensione dei pubblici ufficiali e meccanismi di ricusazione*" e dal "*Codice di buone e pratiche e codice di condotta per gli alti Funzionari*". Si tratta però, in entrambi i casi, di politiche abbastanza generali che offrono copertura a svariate attività (rispettivamente a 4 la prima e a 5 la seconda) e che hanno inoltre ricevuto degli *score* bassi in tema di rigorosità del controllo e dell'attuazione (e punteggi medi per quanto riguarda la loro efficacia).

Al contrario, l'altra attività ad alta pressione corruttiva presente nella stessa organizzazione ("*Appalti pubblici*") presenta una copertura molto migliore essendo soggetta a 8 diverse misure, sia specificatamente dedicate all'attività sia di natura generale (ma valutate molto positivamente).

A livello generale, si consiglia alle figure manageriali delle organizzazioni di inserire **politiche anticorruzione dedicate in modo specifico alle singole attività ad alto rischio**. Per esempio, le attività di "*Controllo sui documenti di costruzione*" e di "*Controllo sulla costruzione*" della Direzione Nazionale bulgara per il Controllo delle Costruzioni sono coperte principalmente da politiche di carattere generale (e finalizzate a salvaguardare diverse funzioni dell'ente). Sebbene la copertura sia quindi presente, l'esistenza una misura specifica quale la **rotazione/selezione casuale** e automatica dei dipendenti coinvolti in queste attività potrebbe migliorare ulteriormente l'assetto anticorruzione dell'organizzazione.

In conclusione, è possibile dire che i risultati della metodologia MACPI mostrano **buoni assetti anticorruzione** nella maggior parte delle organizzazioni analizzate. Questo dato non sorprende, dal momento che le organizzazioni che accettano di collaborare a valutazioni esterne e indipendenti solitamente dispongono di un sistema di misure solido e in grado di coprire adeguatamente i rischi esistenti. Deve essere tuttavia sottolineato che la metodologia MACPI si concentra principalmente sulla corruzione amministrativa e non è sempre in grado di valutare adeguatamente le altre forme "dall'alto verso il basso", come lo *state capture*.

EXCUTIVE SUMMARY (IN ROMANIAN LANGUAGE)

Raportul rezumă rezultatele evaluării implementării politicilor anticorupție în nouă instituții publice, care exercită funcții de guvernanță, reglementare sau control în trei sectoare economice pre-selectate (construcții, comerț en-gros cu combustibili și comerț en-gros cu produse farmaceutice) în Bulgaria, Italia, România și Spania. În cadrul evaluării am pus în practică instrumentul inovator privind *Monitorizarea Implementării Politicii Anticorupție* (Monitoring Anti-corruption Policy Implementation - MACPI)[14] - care evaluează aplicabilitatea, implementarea, eficacitatea și acoperirea riscurilor măsurilor și politicilor anticorupție la nivelul instituției publice. Scopul său este de a monitoriza și facilita aplicarea acestor politici și de a oferi recomandări concrete conducerii instituției cu privire la îmbunătățirea cadrului anticorupție.

MACPI utilizează trei seturi de instrumente pentru:

- evaluarea politicilor anticorupție ale organizației prin sondaje cantitative aplicate funcționarilor publici (angajați) și experților, care sunt familiarizați cu politicile și activitatea efectivă a organizației;
- monitorizarea nivelului de presiune a corupției (atât experiențe reale, cât și estimări) prin sondaje de victimizare atât în rândul oficialilor (angajaților), cât și al clienților organizației respective;
- examinarea comparativă a răspunsurilor diferitelor grupuri de respondenți, oferind informații suplimentare importante despre organizația publică evaluată.

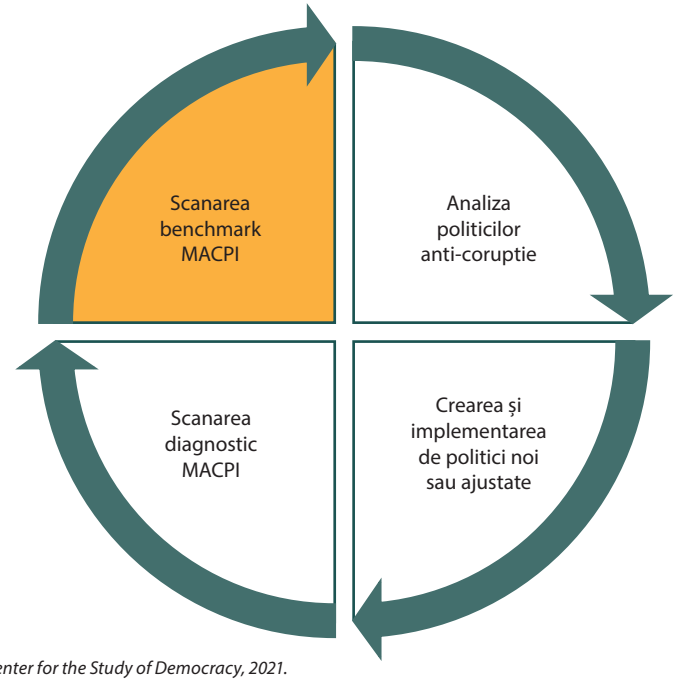
Ciclul complet MACPI constă în implementarea a trei instrumente principale, numite după grupurile țintă: Oficialii MACPI, Experții MACPI și Clienții MACPI. Cu toate acestea, evaluarea ar putea fi făcută doar prin punerea în practică a primului instrument, după cum am procedat în proiectul de față. Instrumentul privind Oficialii MACPI pornește de la listarea activităților organizației monitorizate. Odată ce lista este gata, potențialele amenințări sau riscuri de corupție sunt discutate dintr-o perspectivă teoretică: ce tipuri de corupție sunt posibile pentru diferitele activități ale organizației monitorizate. Acoperirea riscurilor recunoscute cu politici și măsuri anticorupție este discutată în această etapă și se elaborează o listă a acestora. La sfârșitul fazei pregătitoare, listele de activități, politicile anticorupție și posibilele tipuri de corupție sunt examinate din nou și finalizate printr-o combinație de cercetare și interviuri aprofundate cu angajații de la nivel executiv al organizației.

Următoarea fază MACPI implică aplicarea unui sondaj online reprezentativ anonim în rândul oficialilor (angajaților) instituției. Pe baza acestui sondaj, sunt calculați mai mulți **indicatori** pentru fiecare activitate și fiecare politică anticorupție din listele identificate anterior: (i) **presiunea de corupție** (atât reală, cât și estimată) pentru diferitele activități; (ii) **aplicabilitatea politici-**

[14] Stoyanov, A., Gerganov, A., Di Nicola, A., and Costantino, F., *Monitoring Anti-Corruption in Europe. Bridging Policy Evaluation and Corruption Measurement*. Sofia: Center for the Study of Democracy, 2015.

lor anticorupție; (iii) **nivelul de implementare** a politicilor anticorupție; și (iv) **eficacitatea** diferitelor politici anticorupție. Analiza include o evaluare a diferitelor politici și a potențialelor lor neajunsuri, evaluarea presiunii corupției asupra diverselor activități din organizație și dacă activitățile cu presiune ridicată sunt acoperite în mod adecvat de politici anticorupție eficiente și bine implementate. Răspunsurile oferite de diferite grupuri de oficiali (de exemplu, angajați vs. conducere) sunt suprapuse în mod critic pentru a expune o eventuală prejudecată în răspunsuri și încercări de a ascunde vulnerabilitățile și practicile de corupție.

Ciclul de diagnostic MACPI



***Sursa**: Center for the Study of Democracy, 2021.*

Principalele concluzii

Organizații din țări diferite cu proceduri anticorupție distincte nu sunt direct comparabile. Cu toate acestea, politici anticorupție la nivelul organizațiilor publice cel mai bine clasate ar putea oferi informații despre ceea ce constituie o politică bună anticorupție și ar putea oferi idei pe care să le urmeze alții. Prin urmare, rezultatele furnizate aici ar putea servi drept îndrumare pentru dezvoltarea viitoare a politicii anticorupție în organizații similare.

Două dintre **cele mai bine clasate politici anticorupție** sunt legate de **angajarea de personal nou**. „**Cerințele și procedura pentru alegerea directorului**" Agenției Antifraudă din Valencia (Spania) este clasată drept cel mai dificil de eludat, fiind în același timp cea mai strict implementată și controlată procedură în cadrul organizației. De asemenea, este pe locul doi în toți cei trei indicatori de eficiență. „**Excluderea condamnaților** (chiar și fără o hotărâre definitivă) pentru infracțiuni împotriva administrației publice din diferite sarcini" în regiunea italiană Emilia-Romagna este pe primul loc atât în ceea ce privește ușurința implementării, cât și dificultatea de eludare. În ceea ce

privește **implementarea și controlul**, aceasta este pe locul trei, dar eficacitatea sa primește cele mai mari scoruri la doi dintre cei trei indicatori de eficiență și este pe locul doi cu privire la cel de-al treilea indicator. În cazul în care numirea aleatorie a angajaților prin servicii electronice nu este posibilă, o politică foarte eficientă este **rotația**. De exemplu, „Rotația personalului în activități legate de controlul mărfurilor cu risc fiscal ridicat" în Agenția Națională de Administrare Fiscală din Bulgaria se plasează pe primul loc atât în ceea ce privește implementarea strictă, cât și controlul strict și pe-al patrulea (din 11) cu privire la toți indicatorii de eficacitate.

Un alt tip de politică anticorupție bine clasată se referă **la procedurile de control asupra proceselor esențiale ale organizației**. „Controlul ex-ante și ex-post și auditul cheltuielilor de către Controlorul General" din Guvernul Regiunii Murcia (Spania) este clasificat drept politica anticorupție cel mai dificil de evitat, cel mai strict implementată și controlată și cea mai eficientă din politicile organizației. Un alt exemplu din acest grup este „Controlul asupra declarațiilor de avere" implementat în Direcția Națională de Control a Construcțiilor. Politica este evaluată ca slabă din punct de vedere al dificultății eludării, dar este cel mai strict implementată politică și primește cel mai mare scor pentru control strict și eficacitate estimată. Declarațiile de avere reprezintă o măsură anticorupție foarte comună, însă necesită proceduri stricte de urmărire pentru verificarea efectivă a informațiilor declarate pentru a asigura punerea eficientă în practică. Prin urmare, sunt necesare proceduri suplimentare pentru verificarea declarațiilor de avere pentru ca această politică să aibă efectul anticorupție dorit.

Serviciile electronice sunt în general considerate eficiente în reducerea riscurilor de corupție de tip administrativ. Atunci când sunt combinate cu eforturile pentru asigurarea transparenței, rezultă o politică ușor de controlat și relativ eficientă în practică. Aceste rezultate se aplică politicii „Existența și posibilitatea consultării secțiunii *Administrație transparentă* pe site-ul instituțional" a Camerei de Comerț din Trento, Italia.

La celălalt capăt al spectrului se află politicile anticorupție care primesc scoruri foarte mici atât în implementarea efectivă, cât și în control și eficacitate. Acestea sunt **politici mai puțin eficiente**, deoarece sunt ușor de eludat și/sau dificil de implementat. Exemple sunt „Declararea gratuită a bunurilor primite cu ocazia acțiunilor de protocol" în cadrul Consiliului Concurenței din România, „Proceduri pentru foști angajați care doresc să exercite o activitate profesională în sectorul privat" în Agenția Națională de Integritate din România, „Codul etic și carta Clientului" și „Desfășurarea de întâlniri periodice și campanii de informare cu mediul de afaceri" la Agenția Națională de Administrare Fiscală din Bulgaria. În plus, documentele și instruirile care adaugă alte recomandări și explicații pe lângă legile naționale existente se numără, de asemenea, printre politicile anticorupție, care rămân doar „pe hârtie" și au de obicei un impact foarte mic asupra nivelului de corupție în realitate.

Activitățile care **sunt expuse la cea mai mare presiune de corupție** sunt de obicei legate de **controlul și inspecțiile** clienților (cetățeni și mediul de afaceri) și **gestionarea achizițiilor publice**. În majoritatea cazurilor, presiunea estimată a corupției este mai mare decât presiunea reală a corupției, raportată de acei oficiali cărora li s-a oferit mită în ultimul an. Cu toate acestea, există

și cazuri opuse, cum ar fi activitatea „Proceduri pentru inspecție, control, supraveghere, verificare și sancționare" aplicată de Guvernul Regiunii Murcia, Spania și „colectare de impozite" în Agenția Națională Fiscală din Bulgaria, când presiunea estimată este mai mică decât cea efectivă. Acest lucru indică o vulnerabilitate potențială în politica respectivă, deoarece riscul real de corupție ar putea să nu fie perceput sau ar putea fi chiar sub-raportat de către angajații organizației.

În timp ce o **acoperire** bună cu politici anticorupție ar duce în cele din urmă la scăderea presiunii corupției, unele activități sunt inerent supuse mai multor presiuni și interese de corupție decât altele. Este important ca activitățile cu presiune crescută să fie bine acoperite cu suficiente politici anticorupție extrem de eficiente, strict aplicate și specifice. Atunci când activitățile cu presiune ridicată a corupției sunt acoperite numai de politici generale, cu scor scăzut, acest lucru poate fi considerat o vulnerabilitate potențială în configurația anticorupție a organizației. De exemplu, activitatea „Proceduri pentru inspecție, control, supraveghere, verificare și sancționare" menționată mai sus este acoperită suficient doar de două dintre politicile anticorupție ale organizației: „Obligația de abținere a funcționarilor publici și mecanisme de recuzare" și „Codul de Bune Practici și Codul de Conduită pentru Înalții Funcționari ". Cu toate acestea, ambele politici sunt destul de generale, oferind o acoperire ridicată a 4 și respectiv 5 activități și, în același timp, primesc printre cele mai mici scoruri pentru control și implementare strictă și scoruri medii pentru eficacitate.

Prin contrast, cealaltă activitate cu presiune ridicată a corupției din aceeași organizație - „Achiziții publice", primește o acoperire mult mai bună printr-un număr de 8 politici, asigurând o acoperire ridicată pentru aceasta, care includ atât politici specifice direcționate numai către această activitate, cât și unele dintre cel mai bine clasate politici din organizație în general.

În general, conducerii organizației i se recomandă să adauge **o politică anticorupție specifică, dedicată activității cu risc ridicat în cauză**. De exemplu, activitățile cu presiune ridicată „Controlul asupra documentelor de construcție" și „Controlul asupra construcțiilor" ale Direcției Naționale de Control a Construcțiilor, sunt acoperite în principal de politici generale legate de activități multiple. În timp ce acoperirea pentru ambele activități este temeinică, o politică specifică precum rotația sau selecția automată aleatorie a angajaților care desfășoară aceste activități ar putea îmbunătăți și mai mult configurația anticorupție a organizației.

În concluzie, s-ar putea spune că rezultatele MACPI ilustrează existența unor **aranjamente anticorupție bune** în majoritatea organizațiilor monitorizate. Acest lucru nu este surprinzător, deoarece organizațiile care sunt de acord să colaboreze la evaluări externe independente, cum ar fi MACPI, au de obicei seturi solide de măsuri anticorupție cu o acoperire bună a riscurilor de corupție. Cu toate acestea, trebuie remarcat faptul că MACPI se concentrează în principal pe corupția administrativă și nu poate evalua întotdeauna în mod adecvat alte căi de sus în jos către corupție, cum ar fi capturarea statului.

EXCUTIVE SUMMARY (IN SPANISH LANGUAGE)

El presente informe resume los resultados de la evaluación de la implementación de políticas anticorrupción en nueve organizaciones públicas que ejercen funciones de gobernanza, regulación o control, en tres sectores económicos preseleccionados (construcción, venta al por mayor de combustibles y venta al por mayor de productos farmacéuticos) en Bulgaria, Italia, Rumanía y España. La evaluación aplica el sistema de Monitoreo de la Implementación de Políticas Anticorrupción (MACPI[15], por sus siglas en inglés), un instrumento innovador que evalúa la capacidad de implementación, aplicación, eficacia y cobertura de riesgos de las medidas y políticas anticorrupción a nivel de cada institución pública. Su objetivo es supervisar y facilitar la aplicación de estas políticas y proporcionar asesoramiento concreto a la dirección de la institución para mejorar el sistema anticorrupción.

MACPI utiliza tres conjuntos de instrumentos para

- evaluar las políticas anticorrupción de la organización mediante encuestas cuantitativas entre funcionarios (empleados) y expertos, que conocen las políticas y el trabajo reales de la organización;
- controlar los niveles de presión de la corrupción (tanto las experiencias reales como las estimaciones) mediante encuestas de victimización entre funcionarios (empleados) y clientes de la organización correspondiente;
- examinar las respuestas de los distintos grupos de encuestados entre sí, lo que proporciona información adicional importante sobre la organización pública evaluada.

El ciclo completo de MACPI consiste en la aplicación de tres herramientas principales, que reciben el nombre de sus grupos objetivos: MACPI Officials (empleados públicos), MACPI Experts (expertos externos) y MACPI Clients (usuarios). Sin embargo, la evaluación podría realizarse mediante la aplicación sólo de la primera de ellas, como en el presente proyecto.

MACPI Officials comienza con la enumeración de las actividades de la organización examinada. Una vez que la lista está lista, se analizan las posibles amenazas o riesgos de corrupción desde una perspectiva teórica: qué tipos de corrupción son posibles en las diferentes actividades de la organización examinada. Durante esta fase se establecen la cobertura de los riesgos identificados con las políticas y medidas anticorrupción y se elabora una lista de dichas políticas. Al final de la fase preparatoria, las listas de actividades, las políticas anticorrupción y los posibles tipos de corrupción se examinan de nuevo y se finalizan mediante una combinación de investigación documental y entrevistas en profundidad con empleados directivos de la organización que emprende el MACPI.

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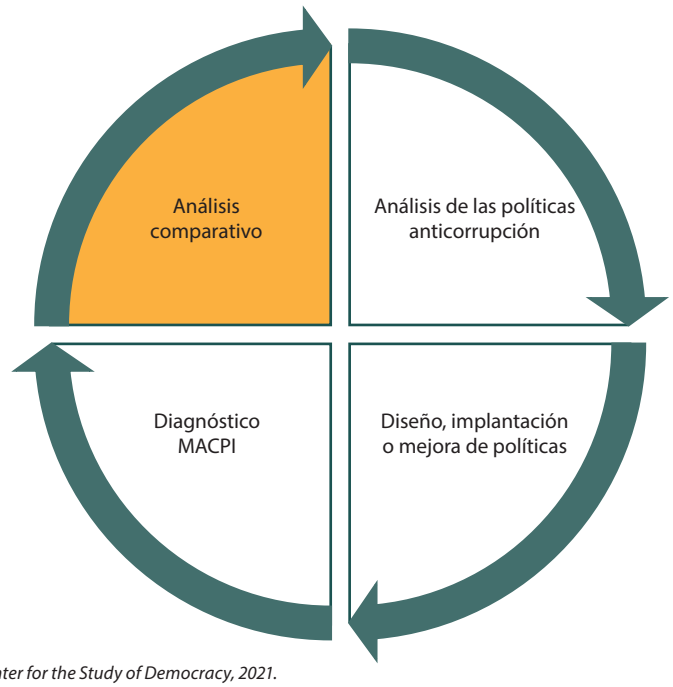
[15] Stoyanov, A., Gerganov, A., Di Nicola, A., y Costantino, F., *Monitoring Anti-Corruption in Europe. Bridging Policy Evaluation and Corruption Measurement*. Sofia: Center for the Study of Democracy, 2015.

La siguiente fase de MACPI consiste en una encuesta online, anónima y representativa entre los empleados de la organización. A partir de esta encuesta, se computan **varios indicadores** para cada actividad y cada política anticorrupción a partir de las listas identificadas de antemano: ι) la presión de la corrupción (tanto real como estimada) en las diferentes actividades; ιι) la implementabilidad de las políticas anticorrupción; ιιι) el nivel de implementación de las políticas anticorrupción; y ιϖ) la efectividad de las diferentes políticas anticorrupción.

El análisis incluye una evaluación de las diferentes políticas y sus posibles deficiencias, la evaluación de la presión de la corrupción en las diferentes actividades de la organización y si las actividades que sufren de alta presión de la corrupción están **protegidas** adecuadamente por políticas anticorrupción eficaces y bien aplicadas.

Las respuestas proporcionadas por diferentes grupos de funcionarios (por ejemplo, empleados frente a directivos) se yuxtaponen de forma crítica para exponer posibles sesgos en las respuestas e intentos de ocultar vulnerabilidades y prácticas de corrupción.

Figura 2. Ciclo de Diagnóstico MACPI



***Fuente**: Center for the Study of Democracy, 2021.*

Principales conclusiones

Las organizaciones de distintos países con distintos sistemas anticorrupción no son directamente comparables. Sin embargo, las políticas anticorrupción mejor valoradas en el ámbito de las organizaciones públicas podrían proporcionar información sobre lo que constituye una buena política anticorrupción, y podrían aportar ideas para que otras las sigan. Por lo tanto, los resultados

proporcionados en el presente documento podrían servir de orientación para el desarrollo de futuras políticas anticorrupción en organizaciones similares.

Dos de **las políticas anticorrupción mejor valoradas** están relacionadas con la **contratación de nuevo personal**. Los *"Requisitos y procedimiento para la elección del director"* de la Agencia Antifraude de la Comunidad Valenciana, en España, están clasificados como el procedimiento más difícil de eludir y, al mismo tiempo, como los de más estricta implementación y control en la organización. Asimismo, ocupa el segundo lugar en los tres indicadores de eficacia.

"La exclusión de los condenados (incluso sin sentencia firme) por delitos contra la administración pública en varios cometidos" de la región italiana de Emilia-Romagna ocupa el primer lugar tanto en facilidad de aplicación como en dificultad de evasión. En cuanto a la aplicación y el control, ocupa el tercer lugar, pero su eficacia recibe las puntuaciones más altas en dos de los tres indicadores de eficacia y es el segundo en el tercero.

Cuando no es posible el nombramiento aleatorio de empleados por vía electrónica, una política muy eficaz es la **rotación**. Por ejemplo, la *"Rotación del personal en las actividades relacionadas con el control de los bienes de alto riesgo fiscal"* en la Agencia Tributaria Nacional de Bulgaria ocupa el primer lugar tanto en aplicación estricta como en control estricto y el cuarto (de 11) en todos los indicadores de eficacia.

Otro tipo de política anticorrupción altamente valorada hace referencia a los procedimientos de **control de los procesos clave** para la organización. *"El Control y auditoría ex ante y ex post de los gastos por parte de la Intervención General"* en el Gobierno de la Región de Murcia (España) está clasificado como la política anticorrupción más difícil de eludir, la más estrictamente implementada y controlada y la más eficaz de todas las políticas de la organización. Otro ejemplo de este grupo es el *"Control de las declaraciones de bienes"* implementado en la Dirección Nacional de Control de la Construcción de Bulgaria. Esta política recibe una valoración relativamente baja en términos de dificultad de evasión, pero es la política más estrictamente implementada y recibe la mayor puntuación en cuanto a control estricto y eficacia estimada. Las declaraciones de bienes son una medida anticorrupción muy común, sin embargo, requieren procedimientos estrictos de seguimiento sobre la comprobación real de las circunstancias declaradas para garantizar su aplicación efectiva. Por lo tanto, se necesitan procedimientos adicionales para verificar las declaraciones de bienes para que esta política tenga el efecto anticorrupción deseado.

Los servicios electrónicos se consideran generalmente eficaces para reducir los riesgos de corrupción administrativa. Cuando se combinan con esfuerzos por la transparencia, el resultado son políticas fáciles de controlar y relativamente eficaces en la práctica. Estos resultados se aplican a la medida *"Existencia y posibilidad de consultar la sección de Administración Transparente en el sitio web institucional"* de la Cámara de Comercio de Trento, Italia.

En el otro extremo del espectro se encuentran las políticas anticorrupción que reciben una puntuación muy baja tanto en su aplicación real como en su control y eficacia. Se trata de **las políticas menos eficaces**, que son fáciles de eludir y/o difíciles de aplicar. Ejemplos de ello son *"Declaración de los bienes*

recibidos gratuitamente con ocasión de acciones protocolarias" en el Consejo de la Competencia de Rumanía, *"Procedimientos para los ex empleados que desean ejercer una actividad profesional en el sector privado"* en la Agencia Nacional de Integridad de Rumanía, *"Código de ética y estatuto del consumidor"* y *"Realización de reuniones periódicas y campañas de información con las empresas"* en la Agencia Tributaria Nacional de Bulgaria. Además, los documentos y las formaciones que añaden recomendaciones y explicaciones adicionales a las leyes nacionales existentes también forman parte de las políticas anticorrupción, que se quedan sólo «sobre el papel» y suelen tener muy poco impacto en los niveles de corrupción reales.

Las **actividades expuestas a la mayor presión de la corrupción** suelen estar relacionadas con el **control** e **inspecciones** a clientes (ciudadanos y empresas) y la gestión de la **contratación pública**. En la mayoría de los casos, la presión de la corrupción estimada es superior a la presión de la corrupción real, declarada por aquellos funcionarios a los que se les ha ofrecido un soborno en el último año. Sin embargo, también se dan los casos contrarios, como en la práctica de *"Inspección, control, vigilancia, verificación y procedimientos sancionadores"* en el Gobierno de la Región de Murcia, España, y *"Recaudación de impuestos"* en la Agencia Tributaria Nacional de Bulgaria, cuando la presión de la corrupción estimada es inferior a la presión de la corrupción real. Esto indica una posible vulnerabilidad en la respectiva política, ya que el riesgo real de corrupción podría no ser percibido o incluso podría no ser denunciado por los empleados de la organización.

Aunque en condiciones ideales una buena **protección** con políticas anticorrupción acabaría por reducir la presión de la corrupción, algunas actividades están intrínsecamente sujetas a más presión e intereses corruptos que otras. Es importante que las actividades de alta presión estén bien amparadas con suficientes políticas anticorrupción de alta eficacia, aplicadas estrictamente y de forma específica. Cuando las actividades sometidas a una alta presión de corrupción están protegidas únicamente por políticas generales de bajo rango, puede considerarse una **vulnerabilidad potencial en la configuración de la lucha contra la corrupción** de la organización. Por ejemplo, la citada actividad de *"Inspección, control, vigilancia, verificación y procedimientos de sanción"* sólo recibe una elevada protección por parte de dos de las políticas anticorrupción de la organización: *"Deber de abstención de los funcionarios públicos y mecanismos de recusación"* y *"Código de Buenas Prácticas y Código de Conducta para Altos Funcionarios"*. Ambas políticas, sin embargo, son bastante generales, ya que proporcionan una alta cobertura a 4 y 5 actividades respectivamente y, al mismo tiempo, reciben una de las puntuaciones más bajas en cuanto a control estricto y aplicación y una puntuación media en cuanto a eficacia.

Por el contrario, la otra actividad con alta presión de corrupción en la misma organización, la *"Contratación pública"*, recibe una cobertura mucho mejor con 8 de las políticas, lo que proporciona una alta cobertura para esta actividad, que incluye tanto políticas específicas dirigidas sólo a esta actividad en particular como algunas de las políticas de mayor rango en la organización en general.

En general, se aconseja a la dirección de la organización **añadir una política anticorrupción específica, dedicada a la actividad de alto riesgo** en cuestión.

Por ejemplo, las actividades de alto riesgo *"Control de los documentos de construcción"* y *"Control de la construcción"* de la Dirección de Control Nacional de la Construcción de Bulgaria están cubiertas principalmente por políticas generales relacionadas con múltiples actividades. Aunque la cobertura de ambas actividades es completa, una política específica como la **rotación** o la **selección aleatoria** automática de los empleados que realizan estas actividades podría mejorar aún más la configuración anticorrupción de la organización.

En conclusión, podría decirse que los resultados del MACPI muestran una **buena configuración anticorrupción** en la mayoría de las organizaciones analizadas. Esto no es de extrañar, ya que las organizaciones que aceptan colaborar en evaluaciones externas independientes como el MACPI suelen tener un sólido sistema de medidas anticorrupción con una buena cobertura de los riesgos de corrupción. Sin embargo, hay que tener en cuenta que el MACPI se centra principalmente en la corrupción administrativa y no siempre puede evaluar adecuadamente otras vías verticales de corrupción, como la captura del estado.