



**UNODC**

United Nations Office on Drugs and Crime



The United Nations Convention against Corruption

# **National Anti-Corruption Strategies**

**A Practical Guide for  
Development and  
Implementation**



UNITED NATIONS OFFICE ON DRUGS AND CRIME  
Vienna

The United Nations  
Convention against Corruption

**National Anti-Corruption  
Strategies:**

A Practical Guide for Development  
and Implementation



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## Introduction

The United Nations Convention against Corruption is a comprehensive international instrument intended to combat the scourge of corruption around the world. As observed in the preamble to the Convention, corruption not only threatens the stability and security of societies, the institutions and values of democracy, ethical values and justice, sustainable development and the rule of law, but is also a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control it essential. With ratification by 176 States parties (as at 24 July 2015), the Convention has established opposition to corruption as a global norm and made the elimination of corruption a global aspiration.

States parties to the Convention must undertake effective measures to prevent corruption (chapter II, articles 7 to 14), criminalize corrupt acts and ensure effective law enforcement (chapter III, articles 15 to 42), cooperate with other States parties in enforcing anti-corruption laws (chapter IV, articles 43 to 50) and assist one another in the return of assets obtained through corruption (chapter V, articles 51 to 59). Moreover, in addition to calling for effective action in each of these specific areas, article 5 imposes the more general requirements that each State party: (a) develop and implement or maintain effective, coordinated anti-corruption policies; (b) establish and promote effective practices aimed at the prevention of corruption; and (c) periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption (see box 1). Furthermore, under article 6, each State party is required to ensure the existence of a body or bodies, as appropriate, that prevent corruption by implementing the policies referred to in article 5 and, where appropriate, overseeing and coordinating the implementation of those policies. Thus, one of the most important obligations of States parties under the Convention, and to which they are to be held accountable under the Mechanism for the Review of Implementation of the Convention established under article 63,<sup>1</sup> is ensuring that their anti-corruption policies are effective, coordinated and regularly assessed.

<sup>1</sup>See Conference of the States Parties to the United Nations Convention against Corruption resolutions 3/1 and 4/1 (contained in documents CAC/COSP/2009/15 and CAC/COSP/2011/14).

**Box 1. Article 5 of the United Nations Convention against Corruption (Preventive anti-corruption policies and practices)**

1. Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.
2. Each State Party shall endeavour to establish and promote effective practices aimed at the prevention of corruption.
3. Each State Party shall endeavour to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption.
4. States Parties shall, as appropriate and in accordance with the fundamental principles of their legal system, collaborate with each other and with relevant international and regional organizations in promoting and developing the measures referred to in this article. That collaboration may include participation in international programmes and projects aimed at the prevention of corruption.

For many countries, achieving the objective of article 5 of the Convention against Corruption may entail the drafting, publication and implementation of a national anti-corruption strategy; in other words a blueprint for a realistic, comprehensive and integrated plan for reducing corruption in that country. A formal, written strategy is by no means required for compliance with articles 5 and 6; States parties can maintain effective, coordinated anti-corruption policies without promulgating a strategy document. But, as referred to in the Kuala Lumpur statement on anti-corruption strategies (see annex), publishing a national anti-corruption strategy can be an effective way for States parties to ensure they meet their obligations under article 5. In the statement, which the Conference of the States Parties took note of in its resolution 5/4, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, it is also recognized that anti-corruption strategies could provide a comprehensive policy framework for actions to be taken by States in combating and preventing corruption and could be a useful tool for mobilizing and coordinating the efforts and resources of Governments and other stakeholders, for policy development and implementation and for ensuring the monitoring of policy implementation. Indeed, to date, UNODC has identified over 70 countries that have issued either a single national anti-corruption strategy or a set of documents that together constitute a comprehensive, coordinated anti-corruption framework of the kind foreseen in the Kuala Lumpur statement.

Existing national anti-corruption strategy documents vary widely in length, detail, scope and emphasis. This is both expected and desirable. There is no “one-size-fits-all” approach to producing an effective strategy, particularly given that different countries have very different legal, cultural and political traditions and face very different challenges, opportunities and constraints. But there has also been considerable variation, and often considerable disappointment, in how effective different countries’ strategy documents have been in achieving the goals outlined in the Kuala Lumpur statement. For example, in a 2014 report to the Council of the European Union and the European Parliament, the European Commission found that although in some cases, work on national anti-corruption strategies was a catalyst for genuine progress, in some others, impressive strategies had little or no impact on the situation on the ground.<sup>2</sup> Other assessments of

<sup>2</sup>European Commission, “Report from the Commission to the Council and the European Parliament: EU anti-corruption report”, document COM(2014) 38.

the experience with national strategies have likewise found considerable variation in their quality and impact.<sup>3</sup> Moreover, even though there is no single correct approach to developing a national anti-corruption strategy, there are common challenges and difficulties as well as lessons to be learned from past successes and failures.

Responding to a request by the Conference of the States Parties to the Convention in its resolution 5/4 to identify and disseminate good practices among States parties regarding the development of national anti-corruption strategies, and consistent with the responsibility of the United Nations Office on Drugs and Crime (UNODC) to provide technical assistance to States parties to help them meet their obligations under the Convention,<sup>4</sup> this Guide offers recommendations for countries considering drafting or revising a national anti-corruption strategy. Although the focus of the present Guide is on recommendations for the development of formal national anti-corruption strategy documents, many of the recommendations may also be relevant to countries that plan to meet their obligations under article 5 without adopting a formal strategy.

The analysis is broken down into the following five key aspects of an effective national anti-corruption strategy document:

1. The drafting process for the strategy should be overseen by a body that has sufficient autonomy, expertise and political backing, and should involve substantive input from key stakeholders from both inside and outside the Government;
2. The strategy should contain a preliminary evaluation and diagnosis of the main corruption challenges that the country faces, including the obstacles to the implementation of an effective anti-corruption policy. The preliminary diagnosis should also identify gaps or limitations in current knowledge or understanding of those issues;
3. Based on the preliminary evaluation and diagnosis, the strategy should contain an anti-corruption policy that lays out ambitious but realistic objectives, identifies top priorities in both the near term and longer term and establishes the appropriate sequencing of reforms;
4. The strategy should include an implementation plan in which responsibility for overseeing its execution is assigned to a coordination unit and mechanisms to ensure the various agencies carrying out different aspects cooperate with one another are provided for;
5. The strategy should contain a plan for monitoring and evaluating the plan's implementation and impact to ensure that the elements of the policy plan are properly executed, that they are having the desired impact and that they can be revised as necessary.

Two preliminary observations are in order before proceeding. First, a national anti-corruption strategy is not merely a technocratic document whose implementation depends on whether national leaders are sufficiently determined to do so. One purpose of developing and promulgating a national anti-corruption strategy is to help generate and

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<sup>3</sup>See United Kingdom of Great Britain and Northern Ireland, Department for International Development, *Why Corruption Matters: Understanding Causes, Effects and How to Address Them. Evidence Paper on Corruption* (London, January 2015); Southeast Europe Leadership for Development and Integrity, *Anti-Corruption Reloaded: Assessment of Southeast Europe*, rev. ed. (Sofia, Center for the Study of Democracy, 2014); United Nations Development Programme, *Anti-Corruption Strategies: Understanding What Works, What Doesn't and Why? Lessons Learned from the Asia-Pacific Region* (Bangkok, 2014); Maíra Martini, "Examples of national anti-corruption strategies", Anti-Corruption Helpdesk Answer (Berlin, Transparency International, 2013); Karen Hussmann, ed. *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC? Report of Six Country Case Studies: Georgia, Indonesia, Nicaragua, Pakistan, Tanzania and Zambia* (Bergen, Norway, U4 Anti-Corruption Resource Centre, 2007).

<sup>4</sup>See CAC/COSP/2009/15, sect. I.A, resolution 3/4, entitled "Technical assistance to implement the United Nations Convention against Corruption".

maintain the leadership, citizen demand and broad support necessary to act effectively against corruption. A strategy document that simply identifies a series of sound, sensible policies will not advance these objectives. The document, as well as the processes for drafting it and for ensuring post-promulgation implementation and revision, should create a sense of ownership and commitment among those both inside and outside the Government, and should establish targets and benchmarks that enable both domestic and foreign audiences to hold the Government accountable to the goals it has set for itself.

Second, an overarching theme of this Guide is that strategy drafters must strike a balance between ambition and realism. A strategy that is too cautious and limited—one that proposes only easy-to-achieve policy changes—may not address a country’s most pressing corruption concerns and will thus not generate the excitement, focus and pressure needed to make significant progress in preventing and combating corruption. On the other hand, an overly ambitious strategy, with grand objectives that are not feasible given the country’s resources and capacity, will be ignored or dismissed as impractical, and might further contribute to a sense of frustration and resignation among the citizenry. The balance between ambition and realism is not an easy one to strike, and the right approach will vary by country, but those responsible for developing the national anti-corruption strategy must be mindful of it at every stage of the process.



## Drafting process

The first step in formulating an effective national anti-corruption strategy is designing the process for drafting the document. Decisions regarding process are crucial, as they affect both the content of the document and the likelihood of its successful implementation. The particular institutions and individuals who will take responsibility for drafting the strategy will vary from country to country, and political considerations, resource constraints and other factors will dictate at least certain aspects of the process. Nonetheless, there are some general principles that may be worth following, or at least following as closely as possible, when setting up a process for drafting a national anti-corruption strategy. The eight principles listed below are worth emphasizing in particular.

### A. Assign responsibility for drafting the strategy to a small, semi-autonomous group

Designing the drafting process is critical and great care should be taken at this crucial first stage. A relatively small committee or organization should have primary responsibility for drafting the strategy document and should have a reasonable degree of autonomy in developing the draft. A clear directive from a senior political leader, preferably the Head of the Government, setting out the drafting unit's mandate and responsibilities, can be useful for clarifying responsibilities and avoiding "turf battles" among different agencies.<sup>5</sup>

Ideally, the drafting body should be chaired by an individual with sufficient stature, legitimacy and political influence to act as an effective "champion" for the drafting body, and ultimately for the strategy itself. The chair should serve both as an effective liaison with other senior political leaders and as the public face of the national anti-corruption strategy-drafting process. He or she need not necessarily be involved in the details or technical aspects of the drafting process, but should have an overall leadership and managerial role.

<sup>5</sup>In the United Kingdom, the Prime Minister issued a directive putting the Home Office and the Cabinet Office in charge of drafting the national strategy. See John Bray, "UK national anti-corruption plan: coming soon", *Integrity Matters*, No. 13 (London, Control Risks, 2014).

A balance must be struck when selecting the members of the drafting body because—as will be emphasized below—getting broad-based participation and support from a range of stakeholders is essential to producing an appropriate and effective strategy. At the same time, however, a national anti-corruption strategy is not likely to be effective if it is a long “wish list” or a haphazard collection of disconnected, unorganized ideas and suggestions. It is almost always advisable to identify a small number of primary drafters responsible for the language of the document. Such individuals must be carefully selected because they need to be able to consult broadly with a range of stakeholders and experts, but not have an attachment to any preconceived agenda. At the same time, the primary drafters also need to construct a strategy that has a coherent vision. They should have sufficient stature to be respected and sufficient technical expertise to be able to produce a rigorous, high-quality document. They should also be open to input from different sources and should represent a diverse group of people so that they are trusted by a wide range of stakeholders. These qualities are not always found in the same person, so it may be important to assign the primary drafting responsibilities to a diverse committee of individuals with different but complementary skill sets, who can work together effectively.

One approach that a number of countries have followed is to establish a high-level drafting committee supported by a small group of technical experts responsible for actually writing the strategy. In Cameroon, a six-person drafting team reported to an eight-member national commission representing relevant ministries, the legislature, the supreme court, civil society and the business community. In Pakistan, a small project team drawn from the anti-corruption bureau and key agencies worked under a steering committee chaired by a high-ranking government official and composed of senior figures from across State institutions, civil society, the media and the private sector.<sup>6</sup>

## **B. Ensure the continued support and involvement of senior political leaders**

It is vital that the national anti-corruption strategy has high-level political support, and that such support is maintained throughout the process. Ideally, senior political leaders, preferably the Head of State, should openly and publicly endorse the strategy-drafting process at the outset. During the drafting process, support from senior leaders can be demonstrated in a variety of ways, including speeches on the importance of having a comprehensive national anti-corruption strategy and public statements urging citizens to provide input to the committee. In addition to public endorsements at the beginning and end of the process, it is also helpful if senior political leaders are kept informed and involved throughout the development of the strategy, perhaps sometimes attending meetings of the drafting committee.

Once the drafting process is complete, a formal, legal endorsement of the final document strategy may be required. The form of this endorsement will depend on the nation’s legal and political traditions. Some countries may require the strategy to be submitted to parliament for approval by way of a resolution or even legislation; in others, an executive decree may suffice. Even where formal endorsement is not necessary, it can be a useful way of cementing support for the strategy. For many countries, a legislative vote of approval will be the best means of doing so.

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<sup>6</sup>Unless otherwise noted, information about a State’s strategy is taken from the text of its national anti-corruption strategy.

Admittedly, senior political leaders may sometimes have different views about the causes of corruption or the priorities for fighting it, and there are legitimate concerns that if such leaders are involved in the drafting process, they might use their influence in ways that many anti-corruption advocates (perhaps including some members of the drafting body) might view as weakening the strategy. But a national anti-corruption strategy is, by its nature, a “top-down” mechanism that relies on the efforts of a range of government ministries, agencies and institutions for its success. Without high-level political support and without the sense throughout every level of government that the senior leadership backs the strategy and its drafters, a national anti-corruption strategy is unlikely to be effective, no matter what it says on paper. If the senior leadership will not support a robust anti-corruption strategy, a better course may be to focus on the development of a broad-based consensus on problems and solutions, and defer drafting a strategy until some future date.

### C. Consult regularly with all government agencies that will be affected by the strategy

The national anti-corruption strategy-drafting process should ensure the appropriate participation of representatives of any government agency responsible for carrying out any part of the anti-corruption strategy. This will include executive branch agencies such as the ministries of justice and interior, the specialized anti-corruption agency, the ombudsman, the police, financial intelligence units, agencies responsible for public procurement and the civil service commission or other entities in charge of recruiting, promoting and disciplining public employees. Where the strategy will affect or require action by agencies outside the direct control of the executive—the judiciary, the legislature, independent entities such as the national audit agency, independent regulatory commissions and regional or local governments—they too must be part of the process. In Ghana, for example, strategy drafters sought input from parliamentarians and the judiciary, while in Estonia consultations were held with a number of entities independent of the Government, including the public prosecutor and the competition law agency. In Peru, special workshops were organized to hear the views of members of the judiciary and the supreme audit agency, and input from the ombudsman (*defensor del pueblo*) was sought throughout the drafting process.

The inclusion of various agencies in the strategy-drafting process is important for numerous reasons. Most obviously, representatives of different agencies have different kinds of expertise that may improve the quality of the strategy, for example by identifying problems and challenges that the lead drafters may have missed (or misunderstood) and by suggesting creative solutions. It is also vital that at least some participants in the drafting process can provide accurate financial and budgetary information, as these considerations will be critical to effective implementation. But perhaps even more importantly, different agencies will typically have responsibilities when it comes to implementing the strategy, and their acceptance and active support is critical if the strategy is to succeed. Participation in the drafting process will give them more of a sense of “ownership” of the strategy.

There is always a risk that representatives of government agencies will be overly resistant to reforms (a common, though not always justified, complaint about bureaucrats everywhere). The views of government agencies should be respected but not considered dispositive. On balance, it is better to involve representatives of all relevant government departments in the process early, and to have a chance to address their concerns, rather than to present them with a strategy that they were not involved in developing and thus may resist. Partly for that reason, the consultations should extend not only to the political

leadership of the various implementing agencies, but also to the technical staff or career civil servants who will play a key role in implementing the strategy's recommendations. Another advantage of involving multiple agencies in the strategy-drafting process is that it can improve these agencies' ability to coordinate and cooperate on anti-corruption issues; their interaction in the drafting process may facilitate cooperation on implementation, monitoring and evaluation—all of which are critical to the strategy's success.

#### **D. Solicit the views of the political opposition whenever possible**

Perhaps more controversially, it may be advisable during the strategy-drafting process to involve not only members of the current Government, but also members of the political opposition (the parliamentary opposition, or possibly leaders of regional or local governments from opposition parties). Their involvement can be useful for many reasons. First, input from the opposition is a gesture of good faith by the Government—an endorsement of the idea that fighting corruption is not a partisan issue—and it may reduce the degree to which the national anti-corruption strategy is viewed as a political tool of the current administration. Second, opposition parties are often well-positioned to raise and represent the views of constituencies that might otherwise be marginalized in the drafting process; the opposition can also raise concerns if the strategy-drafting process is ignoring issues or concerns relating to certain communities. Third, Governments change—yesterday's opposition can become tomorrow's ruling party—and the long-term sustainability of a national anti-corruption strategy often depends on whether it continues to enjoy support following a change in Government.

The inclusion of opposition representatives in the drafting process is, however, not without risk. The presence of opposition representatives in drafting discussions may chill the free exchange of ideas, and in some cases opposition parties may exploit their role to advance their political interests or even to sabotage the process to deny the Government a politically popular achievement. Even when those fears are overblown, the Government may nonetheless be reluctant to include the opposition in the drafting process. Where direct participation by opposition representatives is not feasible or desirable, it would still be appropriate for the strategy's drafters to consult with leading opposition figures as part of a more general consultation with a range of experts.

#### **E. Engage all sectors of society in the drafting process**

The strategy drafters should find appropriate ways to engage broadly with those outside of the Government: civil society organizations, the business community, the media, academics, the general public and other stakeholders. The reasons are straightforward: first, such stakeholders may have valuable information and useful recommendations for crafting a more effective strategy that is better tailored to the country's particular needs and circumstances; second, inclusion of a broad range of voices in the drafting process may help build a common vision and increase the legitimacy of the strategy, and hence political support for it, in the wider society. Those who feel that their voices were heard in the creation of a policy are more likely to be allies in pushing the strategy forward and ensuring its effective implementation.<sup>7</sup>

<sup>7</sup>Elinor Ostrom, "Beyond markets and States: polycentric governance of complex economic systems", *American Economic Review*, vol. 100, No. 3 (2010), pp. 641-672.

Broad-based consultations are not without their risks, and although steps can be taken to minimize them and ensure a productive dialogue (see box 2), strategy drafters need to bear these risks in mind. Too much emphasis on achieving consensus or trying to reflect the input of all stakeholders can result in a watered-down strategy, one full of generalities and aspirations but short on concrete choices among competing priorities and approaches. It is also possible that including outside stakeholders in the drafting process might backfire: if participating stakeholders feel that their views were ignored, or that the consultations were a sham, they may feel alienated by the strategy-drafting process, and thus be less likely to become strong allies in its implementation. The strategy drafters must do their best to ensure that the various stakeholders feel that their views are taken seriously and that they have an impact on the drafting process. At the same time, drafters must be clear that, ultimately, the draft will integrate a range of views and perspectives into a coherent document, meaning that the final national anti-corruption strategy will not always do or say exactly what every stakeholder would like.

### Box 2. Ensuring a productive dialogue with stakeholders

To improve policy implementation, the Government of Australia issued a guidance note to ministries that included a chapter on stakeholder consultation. It recommends that before engaging stakeholders, the following questions be addressed:

- Is the purpose and benefit of stakeholder engagement during the implementation clear?
- Have the right stakeholders been identified?
- Has the cost-effectiveness of different communication channels been considered?
- Is a wide consultation process using social media beneficial?
- Has sufficient consideration been given to how stakeholder interactions will be managed during the implementation phase?
- Is there clear accountability for stakeholder engagement, including managing expectations?
- When is the best time for stakeholders to be engaged?
- How will the information obtained through stakeholder engagement be acted on?
- Is there a communication strategy for consulting with stakeholders?
- If government advertising is proposed, have relevant guidelines been considered and applied?
- Have staff been provided with guidance on identifying potential conflicts of interest? In particular, are there satisfactory arrangements to manage perceptions or instances of conflict of interest that may arise from consulting with stakeholders?

*Source:* Australia, Department of the Prime Minister and Cabinet and Australian National Audit Office, *Better Practice Guide: Successful Implementation of Policy Initiatives* (Canberra, 2014), p. 36.

These considerations have important implications for the timing of consultations with stakeholders as well. A key question is whether to wait until a rough draft of the strategy document is ready before engaging with stakeholders, or whether consultations should begin earlier in the process. Both alternatives carry risks. If drafters wait until they have a text, they might be accused of using the consultations not as a genuine effort to solicit outside input, but simply as a way to win support and legitimacy for what they wanted to do anyway. On the other hand, open-ended consultations can produce long, unfocused lists of suggestions. Not only can this be inefficient, but it also risks alienating those whose suggestions are not ultimately included in the final draft. One way to navigate

between these pitfalls might be to structure consultations in stages, first soliciting general input about the country's corruption challenges, then producing a preliminary draft or outline and then seeking more focused input. Another, complementary approach might be to structure early consultations around recent findings concerning the country's corruption problems. For instance, if there is a current survey reporting citizens' experiences with bribery in different government agencies, the strategy drafters could seek input from stakeholders on their perspective on these findings, and what might be done about them.

## **F. Emphasize communication, transparency and outreach throughout the drafting process**

In addition to (and perhaps in conjunction with) the consultations with stakeholders, the drafters of the national anti-corruption strategy should endeavour to be transparent about the process to the extent feasible (though of course sometimes confidentiality might be required, for example in the case of consultations with other government departments on sensitive internal matters). Besides maintaining transparency, the Government should have a plan to publicize the work of the national anti-corruption strategy-drafting body, so that the general public and interested stakeholders know that their input is welcome and to explain why fighting corruption, and having a national anti-corruption strategy, are considered priorities. An effective media and communications strategy serves many functions: encouraging more, and more diverse, input into the process; increasing the legitimacy of the strategy-drafting process; sending the signal that the Government is committed to fighting corruption; and sustaining interest and attention to the strategy-drafting process, particularly given that the process is likely to take time.

## **G. Allocate sufficient time and resources to drafting the strategy**

The strategy-drafting process needs adequate time and resources. It is simply not realistic to suppose that within the space of a few weeks the drafting committee will be able to consult widely with a broad range of stakeholders inside and outside of Government, assemble and review the relevant data and evidence, gather new data where there are critical gaps in the knowledge base required to produce a sound national anti-corruption strategy and develop a set of well-reasoned, coordinated policy proposals. Providing adequate time and resources is therefore critical.

How long it will take to draft the strategy will depend on several factors: does the strategy follow on from an earlier one? How much background research has already been done? How easy will it be to obtain information from different agencies about their activities? Another important consideration will be the time required to consult with different stakeholders. How difficult will it be to hold meetings across the country? How long will it take to schedule them?

Even with a good deal of background information at hand, drafters in Cameroon found it a major challenge to prepare a first draft in the three months allotted for that task.<sup>8</sup> Drafters in Pakistan were able to produce a draft in a little over 10 months, but much of the research they needed had already been done, and significant support from the donor community helped them accelerate the process. A 2014 survey by the United

<sup>8</sup>Cameroon, Commission Nationale Anti-Corruption, *Stratégie nationale de lutte contre la corruption 2010-2015* (Yaoundé, 2010), p. 13.

Nations Development Programme (UNDP) of strategies in the Asia-Pacific region found that drafting a strategy usually takes between one and two years.<sup>9</sup>

The point about the time and resources required for drafting a good strategy is worth emphasizing because the development of a national anti-corruption strategy is often prompted by a scandal, putting leaders under pressure to act quickly and decisively. In other cases, a newly elected Government may want to put an anti-corruption strategy in place quickly to demonstrate its commitment to a campaign pledge to fight corruption. Proponents of a national anti-corruption strategy may need to take advantage of these windows of political opportunity. In some cases, it might be necessary to accelerate the process of drafting a strategy for other reasons, such as completing the process within the current budget cycle. In contrast, when an election is pending, it may be unrealistic to expect significant progress on drafting a national anti-corruption strategy until after the election is concluded. Whatever the circumstances, all too often, countries allocate too little time and too few resources to producing a high-quality strategy document, and as a result the strategy has little impact in the long run.

## H. Take advantage of other countries' experience and expertise

Strategy drafters should make productive but judicious use of experts from other nations with experience of drafting, advising on or implementing national anti-corruption strategies. Many States parties to the Convention, particularly developing countries and countries in transition, may have significant technical capacity limitations, but all countries are likely to benefit from the expertise and differing views that outside experts can bring to the drafting process. Such knowledge exchanges are encouraged under article 60 of the Convention, in which States parties are called upon to consider affording one another the widest measure of technical assistance in their respective plans and programmes to combat corruption, including the mutual exchange of relevant experience and specialized knowledge. Foreign consultants can add significant value, both through the additional technical capacity they can bring to bear and their ability to draw from the experiences of other jurisdictions.

At the same time, however, it is vital that each country retains full ownership of its national anti-corruption strategy, and that the strategy is appropriately tailored to the specific needs and circumstances of that country. The drafting of a national anti-corruption strategy should not be “outsourced” to foreign experts. This is not only because foreign experts may not always fully understand the unique challenges and circumstances of a particular country, but also because a national anti-corruption strategy is likely to be effective only if there is a strong sense of domestic ownership and commitment. Too often, countries hire foreign consultants to draft their national anti-corruption strategy documents and there is only minimal input from the domestic officials who are entrusted with implementing the strategy and the citizens who the strategy is supposed to benefit. In these cases, when the foreign experts depart, the strategy is unlikely to be implemented effectively, and in many cases may languish in obscurity.

A related, and important, point concerns the role of donor support for the national anti-corruption strategy-drafting process. If taken seriously and done right, producing a national anti-corruption strategy will, as explained above, be resource- and time-intensive. For less affluent countries, therefore, international donor support can be essential.

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<sup>9</sup>*Anti-Corruption Strategies: Understanding What Works, What Doesn't and Why?*, p. 14.

Furthermore, international donors, and the increasing attention that the donor community pays to issues of corruption and good governance, may—along with the pressure arising from the Government’s obligation to comply with the provisions of the Convention against Corruption—provide countries with the impetus to move forward with a serious, substantive national anti-corruption strategy. At the same time, however, donors may not always have a clear understanding of a particular country’s circumstances, and may sometimes push in directions that are not appropriate for that country. Moreover, a national anti-corruption strategy that is produced mainly to please international donors is unlikely to have the sort of genuine domestic support and legitimacy that are prerequisites for long-term, lasting results. Thus, it is important to consider carefully the appropriate relationship between international donors and recipient countries, so that donor support can be used most productively in the development of an effective anti-corruption strategy.



## Preliminary diagnosis and situation analysis

An effective national anti-corruption strategy must be based on an accurate assessment of the problems and challenges that the particular country faces in combating corruption. This preliminary diagnosis, sometimes termed a “situation analysis”, consists of two main elements: an assessment of the nature, extent and impact of the country’s corruption problems and an assessment of the obstacles that may hinder the implementation of effective anti-corruption reform. These two elements are described in more detail below.

### A. Conduct a preliminary diagnosis of corruption challenges

Although corruption is a universal phenomenon, countries face very different types of corruption problems and challenges. It is impossible to combat a problem that is not understood. Therefore, as stressed in the *Technical Guide to the United Nations Convention against Corruption*, the first step in drafting an effective national anti-corruption strategy is the collection and analysis of information about the extent and nature of the nation’s corruption problem.<sup>10</sup> How severe is it? Who is affected the most by it? What kinds of harm is it causing? What forms does it take? What sectors of the economy are most affected? In what government agencies is it most prevalent? The more information the strategy drafters have about the answers to these questions, the greater their ability to set priorities, allocate resources and align the strategy’s objectives with the problems that confront the country.

Although a preliminary diagnosis of the country’s corruption problem is a critical input into a strategy, few strategies devote sufficient attention to this essential first step. A content analysis done for this Guide of 53 national strategies found that only 13 contained a detailed discussion of the state of corruption in the country.<sup>11</sup> The remaining 40 contained little diagnosis, merely referencing a few statistics or noting that certain sectors were more corrupt than others; some simply stated that corruption was a major

<sup>10</sup>UNODC and United Nations Interregional Crime and Research Institute (Vienna, 2009), p. 6.

<sup>11</sup>Examples of good preliminary diagnoses include the 2009 strategy for Armenia, the strategy for the former Yugoslav Republic of Macedonia for the period 2011-2015 and two strategies for Estonia, one for the period 2008-2012 and the other for the period 2013-2020.

problem. The lack of an adequate preliminary analysis in these strategies is consistent with the results of a 2007 review of national anti-corruption strategies by the U4 Anti-Corruption Resource Centre,<sup>12</sup> and a 2014 review by UNDP of anti-corruption strategies in the Asia-Pacific region.<sup>13</sup> Both of these reviews also found that the great majority of anti-corruption strategies contained little, if any, analysis of the corruption problems the country faced.

One reason policymakers may be tempted to skip an initial diagnosis and situation analysis is that they think corruption problems are obvious.<sup>14</sup> Obvious corruption problems, however, may not be the most severe or most damaging, but simply those that are most visible or salient. Focusing on such problems is often a misleading basis for designing public policy;<sup>15</sup> the most harmful problems may be hardly noticeable, or even invisible. Even when an obvious problem merits priority attention, an initial diagnosis is still crucial, because it can help policymakers understand the reasons for the problem and to craft a more effective response. More importantly, a key part of an initial assessment is estimating how severe different corruption problems are. This leads to the creation of a baseline against which the impact of the strategy can later be evaluated, another critical element in a national strategy discussed in chapter V, section A, subsection 3, below.

Moreover, the preliminary diagnosis of a country's corruption challenges is not simply an assessment of the scope or extent of corruption in the country. It must also include at least a preliminary attempt to evaluate the country's current experience in combating corruption. Are there important gaps in the laws? Are the laws enforced effectively? Do the agencies responsible for investigating and prosecuting corruption have sufficient resources and technical skills? Which agencies have responsibility for combating corruption or addressing associated issues? Are their roles and responsibilities clear, or are there gaps or redundancies? What other aspects of the country's laws and institutions may be contributing to the corruption problem? These and other questions should be taken into account when evaluating the challenges a country faces.

Assessing the nature and extent of a country's corruption problem, however, is challenging. Many of the available techniques are time- and resource-intensive, perhaps prohibitively so for some countries. As a first step in the process of developing a national anti-corruption strategy, the drafters will need to formulate a realistic plan for gathering information from a range of sources. All information sources have their strengths and weaknesses, and the drafters need to keep this in mind and use a diverse range of materials to develop at least a preliminary assessment of the main corruption problems. The eight sources of information listed below may prove useful in conducting this preliminary assessment, although, as noted, each has its own limitations and drawbacks.

<sup>12</sup>See Hussmann, ed., *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC?*.

<sup>13</sup>*Anti-Corruption Strategies: Understanding What Works, What Doesn't and Why?*.

<sup>14</sup>That is the reason Georgian officials gave for issuing an anti-corruption plan in 2000 without doing an evaluation first. See Jessica Schultz and Archil Abashidze, "Anti-corruption policy making in practice: Georgia—a country case study", in *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC?*, Hussmann, ed., p. 69.

<sup>15</sup>Daniel Kahneman, "Maps of bounded rationality: psychology for behavioral economics", *American Economic Review*, vol. 93, No. 5, pp. 1449-1475.

## 1. Self-assessments, peer reviews and other assessments

The corruption assessments and reviews done by international organizations and non-governmental organizations can be a valuable and easily accessible source of information. All parties to the Convention against Corruption have completed or are in the process of completing the first cycle of the Implementation Review Mechanism, during which compliance with chapter III (Criminalization and law enforcement) and chapter IV (International cooperation) was reviewed.

Each implementation review begins with the State party under review submitting a self-assessment in which it identifies the steps taken to comply with the Convention, including legal provisions, national policies and proof of implementation of these through case summaries and statistics, as well as an outline of how the institutions forming part of the national anti-corruption framework operate, at both the domestic and international levels. Two States parties then act as peer reviewers and, working on the basis of consensus, make observations on gaps that have been identified and recommendations on how these can be addressed in order to strengthen the national anti-corruption framework. They also identify good practices. The State under review may also identify technical assistance needs. In many cases, one of the needs for technical assistance identified is the need to develop a national anti-corruption strategy or action plan in order to implement the recommendations and to strengthen anti-corruption reform (examples from the Convention review process appear in box 3). During the sixth session of the Implementation Review Group, a large number of countries reported on the national implementation efforts that had been triggered by the country reviews. Most frequently, these actions related to the development of national strategies in line with the Convention; legislative reforms, including in respect of transnational bribery, money-laundering and illicit enrichment; strengthening investigative, prosecutorial and judicial capacity; enhancing inter-agency coordination; and establishing measures to protect witnesses, experts and reporting persons.

### Box 3. Linkages between the findings of country reviews and the development of national anti-corruption strategies

- Tunisia is in the process of adopting a national plan of action that will be a cornerstone of the national anti-corruption strategy that is also being developed, and incorporates the recommendations arising from the review of implementation of the Convention.
- The Philippines has used the momentum generated by the implementation review process to establish a presidential inter-agency committee in order to formulate and develop plans, policies and response strategies to enhance compliance with the Convention.
- In Kenya, the State President has repeatedly affirmed his commitment to implementing the recommendations emanating from the review. This creates the political conditions to strengthen the existing national anti-corruption strategy.

In addition, the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organization for Economic Cooperation and Development (OECD), the Inter-American Convention Against Corruption, the African Union Convention on Preventing and Combating Corruption, and the Criminal Law Convention on Corruption and the Civil Law Convention on Corruption of the Council of Europe also require parties to undergo a review process to assess compliance. These reviews, which are also compulsory and include an element of peer review, often highlight areas

where the examined State is not in full compliance with its obligations under the relevant convention and include recommendations for further actions to address such areas.

In addition to these formal peer review reports, UNDP, the World Bank, the regional development banks and a number of non-governmental entities—domestic and international civil society organizations, universities and research centres—conduct country reviews that focus on or at least include assessments of corruption, integrity and governance. Prominent examples include Transparency International’s National Integrity System assessments, Global Integrity’s reports and the U4 Anti-Corruption Resource Centre’s country evaluations. Other relevant information may be gathered through assessments and evaluations on combating money-laundering and countering the financing of terrorism, such as the mutual evaluations carried out by the Financial Action Task Force, as well as the informal national risk assessments carried out by the World Bank.

All of these reports and reviews are particularly helpful because they not only provide information about the extent and nature of corruption, but they often contain essential information about gaps or weaknesses in a country’s anti-corruption laws, policies and institutions. Many States have used the process of evaluation and assessment as a starting point for reform. Of course, the fact that these reviews are qualitative rather than quantitative also introduces an element of subjectivity. Nonetheless, when such reviews exist, they should be carefully considered by the strategy drafters when conducting the preliminary diagnosis of the country’s main challenges in fighting corruption.

## 2. Cross-country comparisons of corruption or governance

To get a general sense of the extent of a country’s corruption problem, strategy drafters often consult international indexes that purport to compare the level of corruption or the quality of governance among different countries in a region or across the world. Strategy drafters (and others) may be particularly interested in how their country ranks in relation to other countries in the same region or with a comparable level of economic development. These international indexes are typically based on the opinions or perceptions of country experts, though some incorporate other data as well.

Two of the most commonly used indexes are Transparency International’s Corruption Perceptions Index and the World Bank’s Worldwide Governance Indicators.<sup>16</sup> The U4 Anti-Corruption Resource Centre, the World Bank, the Vera Institute of Justice and Transparency International’s Gateway Project have catalogued a wide range of additional measures. The U4 Anti-Corruption Resource Centre has compiled a guide to 14 of the most well-known comparative corruption indicators with a summary of what each purports to measure.<sup>17</sup> The World Bank has identified 39 cross-national corruption or integrity indicators<sup>18</sup> and the Vera Institute has compiled 53 different sources that compare governance performance across nations.<sup>19</sup> The Gateway Project’s search engine examines over 500 different data sources not only for cross-country indicators but for country-specific studies as well.<sup>20</sup>

<sup>16</sup>Both the Corruption Perceptions Index and the Worldwide Governance Indicators are composite measures. That is, they take data from other sources, standardize them and aggregate them to create a single number summarizing the underlying sources. They are both, in a sense, a “poll of polls”. See Transparency International, “Corruption Perceptions Index 2014: full source description” (Berlin, 2014); Laura Langbein and Stephen Knack, “The worldwide governance indicators: six, one, or none?”, *Journal of Development Studies*, vol. 46, No. 2, pp. 350-370.

<sup>17</sup>Sofia Wickberg, “How-to guide for corruption assessment tools”, Expert Answer No. 365 (Bergen, Norway, U4 Anti-Corruption Resource Centre, 2013).

<sup>18</sup>World Bank, AGI Data Portal, Links to Governance Indicators. Available at [www.agidata.org](http://www.agidata.org).

<sup>19</sup>Vera Institute of Justice, *Rule of Law Indicator Instruments: A Literature Review. A Report to the Steering Committee of the United Nations Rule of Law Indicators Project* (New York, 2008).

<sup>20</sup>Transparency International, Gateway: Corruption Assessment Toolbox. Available at <http://gateway.transparency.org>.

While a country's ranking on these various indicators can provide a first estimate of how severe the corruption problem is, care is required when interpreting these measures. The index scores are derived from different kinds of data, each with strengths and weaknesses that the strategy drafters must bear in mind if they decide to use these index scores when developing the initial corruption assessment. For example, the index scores based on subjective evaluations by experts can be distorted because experts read one another's writings and talk among themselves, and their perceptions may reflect a "conventional wisdom" rather than their independent judgement.<sup>21</sup> Moreover, while information on the perceived overall level of corruption in the country can be useful for mobilizing the public behind the strategy—for example, by demonstrating that corruption is viewed as a serious problem—this sort of aggregated national-level data are of little value in formulating the content of the strategy. To develop an appropriately tailored strategy to combat corruption, it is not enough to know how corrupt a country is perceived to be relative to other countries. What is required is precise, detailed information on the nature and source of corruption, and the leading cross-national indicators do not provide such information.

### 3. Country-specific surveys of corruption perceptions

Strategy drafters may also be able to draw on (or commission) in-depth surveys of the nation's citizens or businesses. These country-specific surveys are usually more detailed than cross-country surveys, with questions about the extent and nature of corruption, its seriousness and whether it has lessened or worsened over time, as well as questions about specific types of corruption or about corruption in particular sectors or government agencies. In addition to the general public, country-specific surveys may target investors, business executives, members of the news media or other experts in particular areas. Their views can be especially useful in areas such as bid-rigging and the purchase of defence equipment in which ordinary citizens are unlikely to have the specialized knowledge required on which to base their perceptions.<sup>22</sup>

The principal problem with perception surveys is that there can be a significant gap between perceptions of corruption and the actual extent of it.<sup>23</sup> The reasons for the divergence are several and may include the reluctance of respondents to truthfully answer questions about corruption,<sup>24</sup> the influence of respondents' characteristics (e.g., education, income and ethnic affiliation),<sup>25</sup> media coverage<sup>26</sup> and different views among respondents

<sup>21</sup>See Stephen Knack, "Measuring corruption: a critique of indicators in Eastern Europe and Central Asia", *Journal of Public Policy*, vol. 27, No. 3 (2007), pp. 255- 291; Daniel Treisman, "What have we learned about the causes of corruption from ten years of cross-national empirical research?", *Annual Review of Political Science*, vol. 10 (2007), pp. 211-244.

<sup>22</sup>These expert perception surveys are distinct from and serve a different function to the expert consultations, which are discussed in the preceding chapter and should be part of the strategy-drafting process. In some cases, the two may be linked.

<sup>23</sup>See Benjamin A. Olken, "Corruption perceptions vs. corruption reality", *Journal of Public Economics*, vol. 93, Nos. 7 and 8 (2009), pp. 950-964; Bonvin Blaise, "Corruption: between perception and victimization: policy implications for national authorities and the development community", in *Challenging Assumptions on Corruption and Democratization: Key Recommendations and Guiding Principles* (Bern, Swiss Agency for Development and Cooperation, 2008); Knack, "Measuring corruption"; Treisman, "What have we learned about the causes of corruption from ten years of cross-national empirical research?"; Michael Johnston, "Measuring the new corruption rankings: implications for analysis and reform", in Arnold J. Heidenheimer and Michael Johnston, eds., *Political Corruption: Concepts and Contexts*, 3rd ed. (New Brunswick, New Jersey, Transaction Publishers, 2002), part XIII, chap. 44, pp. 865-884.

<sup>24</sup>See Jan Sonnenschein and Julie Ray, "Government corruption viewed as pervasive worldwide: majorities in 108 out of 120 countries see widespread problem", *Gallup*, 18 October 2013; Aart Kraay and Peter Murrell, "Misunderestimating corruption", World Bank Policy Research Working Paper, No. 6488 (Washington, D.C., World Bank, 2013).

<sup>25</sup>See Diylan Donchev and Gergely Ujhelyi, "What do corruption indexes measure?", *Economics and Politics*, vol. 26, No. 2 (2014), pp. 309-331; Olken, "Corruption perceptions vs. corruption reality".

<sup>26</sup>Richard Rose and William Mishler, "Explaining the gap between the experience and perception of corruption", *Studies in Public Policy*, No. 432 (Glasgow, Centre for the Study of Public Policy, 2007).

about what constitutes corruption in the first place.<sup>27</sup> Perceptions of corruption can be important to understand in their own right and, at least in some cases, they may reflect an underlying reality, particularly when perception data are corroborated by other sources. Nonetheless, perception-based data should always be treated with caution and should never be the exclusive source for diagnosing a country's corruption challenges.

#### 4. Surveys of actual experience with corruption

Those responsible for developing the national anti-corruption strategy can also use or commission surveys that ask about respondents' actual experiences with corruption, in addition to, or instead of, asking them about their perceptions of corruption. Such experience surveys may, for example, ask citizens or businesses<sup>28</sup> about how often they have paid a bribe in the past year, and can also include questions on the agency to which the bribe was paid, how much was paid and the purpose of the payment. Some of the most detailed methodologies in this area were developed and tested by UNODC in its corruption research in Afghanistan, Iraq and the western Balkans. The UNODC household and business sector surveys<sup>29</sup> focus on the experience of those surveyed as victims of corruption, allowing for both a detailed identification and analysis of specific corruption scenarios and for pinpointing the most vulnerable sectors, agencies and groups. This kind of survey also provides data that may serve as a baseline for future monitoring and evaluation purposes. Experience surveys are an attractive source of information about corruption because they can offer a more objective, quantitative measure of at least some forms of corruption.

Because of the nature of this kind of survey, it is mostly suitable for detecting the typical cases of petty, administrative corruption. For obvious reasons, the majority of the population may have no direct experience with "grand corruption" involving political and business elites, trading in influence or procurement fraud. To address the inherent weaknesses of household surveys, experience-based surveys have also been carried out with the business sector, focusing on business practices, dealings with governmental authorities and participation in public procurement. In addition to the UNODC surveys, examples of such business surveys include the international crime against businesses survey by the United Nations Interregional Crime and Justice Research Institute, the UNODC crime and corruption business surveys, the Global Competitiveness Survey by the World Economic Forum, the World Business Environment Survey by the World Bank and the *World Competitiveness Yearbook* of the International Institute for Management Development.

There are other limitations that should be considered in relation to experience-based surveys. There is evidence that in some countries, respondents may be unwilling to admit that they have personally engaged in corrupt transactions, even when they are the victims in those exchanges.<sup>30</sup> In addition, differences in respondents' willingness to participate in a survey or to answer questions honestly may introduce biases into the results; this issue is too often neglected, but it can be a serious problem, especially when non-response rates are very high and very likely not to be random. In countries where large

<sup>27</sup>Sandra Sequeira, "Advances in measuring corruption in the field" in *New Advances in Experimental Research on Corruption*, Danila Serra and Leonard Wantchekon, eds. (Emerald Group Publishing, Bingley, United Kingdom, 2012), pp. 145-176.

<sup>28</sup>The World Bank regularly surveys firms in its client countries, asking detailed questions about whether they had to pay a bribe to obtain power, water or phone service or a construction or import licence and other matters associated with starting or operating a business. See World Bank, "World Bank's enterprise survey: understanding the questionnaire" (Washington, D.C., January 2011).

<sup>29</sup>See conference room paper entitled "Quantitative approaches to assess and describe corruption and the role of UNODC in supporting countries in performing such assessments" (CAC/COSP/2009/CRP.2).

<sup>30</sup>Kraay and Murrell, "Misunderestimating corruption".

segments of the population may not have a telephone or may be hard to reach in person, biases of this kind have been detected.<sup>31</sup> Collecting original survey data can be expensive and time-consuming and may require specialized skills, which may pose challenges, particularly in poorer countries where the required infrastructure is lacking. Nonetheless, when used properly, survey data can be a valuable source of information on corruption.

The costs of these surveys on corruption can be reduced in several ways. A preliminary assessment using other sources can be conducted, and the survey could be limited to those areas where it would be most productive. In some cases, questions about corruption can be added to a survey already planned by the Government, an international organization or a private entity. This will be far less expensive than commissioning an entirely new survey.

A number of countries and organizations have now chosen to combine experience and perceptions questions into a single survey to help offset the weaknesses of each. The most extensive cross-national experience and perception survey to date is Transparency International's 2013 Global Corruption Barometer, during which 114,000 citizens in 107 countries were asked not only about their perception of corruption in their country, but also if anyone in their household had had to pay a bribe to obtain a public service within the previous two years. UNODC has also conducted a number of mixed perception and experience surveys and can provide model questionnaires. The Government of Zambia made good use of a combined perception and experience survey in drafting its 2007 national anti-corruption strategy: 1,500 households, 1,000 public servants and managers of 500 businesses were asked about both their direct experience with corruption and their perceptions. The Government then used the responses to focus prevention efforts on departments where the results showed corruption to be especially pronounced.<sup>32</sup>

## 5. Internet platforms and social media

Although the traditional method for gathering information about citizens' personal experience with corruption has been through surveys, a recent innovation for gathering such information, spearheaded by civil society organizations, involves the use of websites or social media platforms where citizens can anonymously report a demand for a bribe by a government employee.<sup>33</sup> Many sites provide space for citizens to add details: the amount of the bribe requested, for example, and the agency employing the person who demanded the bribe. Site operators periodically report how many bribes have been requested, from which departments and what the average amount requested was, in addition to other relevant information.<sup>34</sup> The technique is still quite new, the reliability and validity of the data reported remain open to question<sup>35</sup> and many of the concerns noted above about more traditional surveys (such as response bias) may apply even more strongly to these new platforms. Nonetheless, when combined with other information, crowdsourced data on corruption can be useful and may emerge as an important source of quantitative data that strategy drafters and implementers can use for measuring corruption or monitoring

<sup>31</sup>See Ben Leo and others, "Do mobile phone surveys work in poor countries?", Working Paper No. 398 (Washington, D.C., Center for Global Development, 2015).

<sup>32</sup>Laurent C. W. Kaela, "Zambia: national governance baseline survey—report" (Lusaka, University of Zambia, Department of Political and Administrative Studies, 2004); Karen Hussman and Davies Chikalanga, "Anti-corruption policy making in practice: Zambia—a country case study", in *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC?*, Hussmann, ed., p. 217.

<sup>33</sup>See Dieter Zinnbauer, "Crowdsourced corruption reporting: what petrified forests, street music, bath towels, and the taxman can tell us about the prospects for its future", *Policy and Internet*, vol. 7, No. 1 (March 2015), pp. 1-24.

<sup>34</sup>One of the earliest and most celebrated of these efforts is described in Karthik Ramanna and Rachna Tahilyani, "I paid a bribe (dot) com", revised ed., *Harvard Business School Case Collection*, Case No. 112-078 (Boston, United States, Harvard Business School, 2014).

<sup>35</sup>Derek Ruths and Jürgen Pfeffer, "Social media for large studies of behavior", *Science*, vol. 346, No. 6213 (2014), pp. 1063 and 1064.

changes in corruption levels. Indeed, Governments may wish to consider closer collaboration with organizations gathering information on corruption through social media, or perhaps even launch their own social media platform as part of the process of gathering data for the development of their national anti-corruption strategy.

## 6. Information collected by government agencies

Many government agencies collect information in the course of their operations that can be used when making a preliminary diagnosis of the corruption problem (see box 4 for an example). Data on corruption complaints, corruption court cases and allegations of procurement fraud, for instance, provide direct evidence about the incidence and location of corruption. Other data offer evidence of the effectiveness of anti-corruption controls or point to areas vulnerable to corruption. The percentage of public servants failing to file their personal financial disclosures on time is one indicator of how effective integrity controls are. The number of requests an agency makes to deviate from the standard procedures for awarding a government contract, the number and amount of cost overruns on such contracts, the percentage by which an agency exceeds its budget and a failure to obtain a clean audit letter can all be indicators of corruption. Public expenditure tracking surveys and audit reports can reveal “leakages” (i.e. missing funds) that suggest the possibility of corruption.<sup>36</sup> Comparisons of the ratio of spending on particular items, such as infrastructure, to the quantity provided may also provide evidence of corruption.<sup>37</sup>

As with any data source, the accuracy of information generated by an agency’s operations must be verified, as agencies may falsify data for many reasons, such as pressure to meet performance targets, increase budgets or hide performance problems.<sup>38</sup> But where operational data are available and reliable, they are a useful and inexpensive source of information. Furthermore, because they are gathered on a regular basis, they can be a good source of continuing information on the strategy’s impact. If an agency is not regularly publishing data on its operations, the lack of data may itself be an indicator of corruption: the less data an agency produces, the easier it is to hide its activities from scrutiny. If strategy drafters find that an agency is publishing little or no information on its operations, the strategy should contain a call for that agency to regularly produce sufficient data for it to be properly monitored and have its leadership held accountable.

### Box 4. Using agency data: a lesson from Uganda

The Inspectorate of Government of Uganda has made particularly good use of administrative data to track corruption trends and identify areas where additional reforms are required. In perception surveys, Ugandans consistently rank the police, the civil service and the judiciary as the three institutions most prone to corruption. But the two categories of public servants against which Ugandans file the most corruption complaints are local government administrators and public officials. The difference may be because citizens do not know how and where to file a complaint against the police. As the Inspectorate noted in its fourth annual report, ensuring that citizens have the requisite information about registering complaints against the police is an important issue to

<sup>36</sup>See Ritva Reinikka and Jakob Svensson, “Local capture: evidence from a central government transfer program in Uganda”, *The Quarterly Journal of Economics*, vol. 119, No. 2 (2004), pp. 679-705; Asli Gurkan, Kai Kaiser and Doris Voorbraak, “Implementing public expenditure tracking surveys for results: lessons from a decade of global experience”, PREM Notes, No. 145 (Washington, D.C., World Bank, 2009).

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

<sup>38</sup>Zoe Radnor, “Hitting the target and missing the point? Developing an understanding of organizational gaming”, in *Performance Information in the Public Sector: How it is Used*, Wouter Van Dooren and Steven Van de Walle, eds. (London, Palgrave Macmillan, 2011), pp. 98-109.

address. The Inspectorate's fourth annual report also illustrates how administrative data can be used to measure areas that surveys cannot. The effectiveness of an agency's anti-corruption prevention programme, for example, cannot be observed directly; there is no way to measure how much of a reduction in corruption in an agency is attributable to a prevention programme. One indicator closely related to how well the agency prevents corruption is the efficacy of its financial controls. The Inspectorate thus includes data from the Auditor General's office reporting the percentage, if any, by which each agency exceeded its annual budget. The Inspectorate also gathers data on whether an agency received a clean audit certificate and what percentage of public contracts ran over time and budget.

*Source:* Uganda, Inspectorate of Government, *Tracking Corruption Trends in Uganda: Using the Data Tracking Mechanism*, 4th annual report (Kampala, 2014).

Of course, the data generated by government agencies—even if accurate—must be interpreted carefully, as much of it will be open to more than one interpretation. Government agencies may fail an audit not because of corruption but because their staff lack the proper training to comply with audit procedures. Public contracts may run over budget because of inadequate preparation, unforeseen events or simple mismanagement. Similarly, law enforcement and corruption complaint data can be misleading when considered in isolation: a large number of corruption prosecutions may mean more corruption, or it may mean better detection or more aggressive prosecutors; a lack of citizen complaints about corruption may mean corruption is low, or that citizens are unaware of corruption, unaware they have the right to complain, or too intimidated do so. In some cases, the correct interpretation will be obvious from the surrounding environment; in others, correctly interpreting the quantitative operational data will require consulting additional information sources.

## 7. Comparisons of different data sources

An emerging technique for measuring corruption is to compare different sources of quantitative data that would be expected to give similar results in the absence of corruption and to use the difference between them as evidence of corruption. For example, the difference between the recorded value of exports from country A to country B and the recorded value of imports to country B from country A can be evidence of corruption in customs agencies.<sup>39</sup> Actual data can also be compared with the predictions of an economic model, a method used to identify collusion in public procurement.<sup>40</sup> These techniques, which are becoming more widespread, can provide useful measures of corruption,<sup>41</sup> and in some cases the data required are readily available. Their principal disadvantage is that they measure only narrow forms of corruption. In addition, these techniques require accurate data from the different sources and the technical skills to conduct the comparisons—prerequisites that can be a challenge for resource-constrained States.

<sup>39</sup>See Raymond Fisman and Shang-Jin Wei, "Tax rates and tax evasion: evidence from 'missing imports' in China", *Journal of Political Economy*, vol. 112, No. 2 (2004), pp. 471-496; Raymond Fisman and Shang-Jin Wei, "The smuggling of art, and the art of smuggling: uncovering the illicit trade in cultural property and antiques", *American Economic Journal: Applied Economics*, vol. 1, No. 3 (2009), pp. 82-96; Sandra Sequeira and Simeon Djankov, "Corruption and firm behavior: evidence from African ports", *Journal of International Economics*, vol. 94, No. 2 (2014), pp. 277-294; Sandra Sequeira and Simeon Djankov, "Trade costs and corruption in ports", *Port Technology International*, No. 53 (2013).

<sup>40</sup>Josef Ålander, "Screening for cartels in procurement procedures: lessons learned", *Competition Policy International* (2014).

<sup>41</sup>For a survey of these "forensic economics" techniques, see Eric Zitzewitz, "Forensic economics", *Journal of Economic Literature*, vol. 50, No. 3 (2012), pp. 731-769.

## 8. Vulnerability assessments

Strategy drafters may consider conducting or commissioning vulnerability assessments, also called risk analyses, to identify areas where a government ministry, agency or department may be at particular risk for corruption. Such an analysis typically begins by categorizing the organization's functions into different activities and evaluating three issues within each activity: the general control environment, the inherent risk of corruption and the adequacy of existing safeguards.<sup>42</sup> Although a simple corruption vulnerability analysis can sometimes be completed in a few days, a more comprehensive assessment may take several months, particularly if agency staff members are uncooperative. And, as is true with respect to peer reviews and reports of non-governmental organizations, these assessments rely substantially on subjective, and potentially contestable, judgement calls by the assessors. It may be possible to assuage potential controversy over the results of such analyses by providing all those with an interest in the analysis with an opportunity to participate in the process and review the results, but of course there is the risk that the findings will be watered down to achieve consensus or avoid controversy.

## 9. Proxy measurements

While most of the tools and methods described above aspire to measure corruption occurrence directly, it is also possible to assess the scope of the integrity-related problems in a country by measuring “proxies”, or studying facts that may, through interpretation, give an idea of corruption-related problems. Examples of such proxy indicators may include the size of the grey economy in a country, time needed to complete a certain administrative procedure or, instead, measuring the availability in the country of a strong anti-corruption institutional infrastructure, assuming that if this infrastructure is in place, corruption is less likely to occur.<sup>43</sup>

All information sources have their advantages and disadvantages, and they need to be combined in appropriate ways. Strategy drafters should begin by reviewing what information is readily available and then consider what additional information might be most useful and can be obtained at a reasonable cost within a reasonable time. If the country's Convention against Corruption implementation review has revealed gaps in its anti-corruption laws, or if Transparency International's Global Corruption Barometer or a World Bank enterprise survey has shown high levels of corruption in particular government departments, the strategy drafters can follow up with targeted studies to identify the causes and suggest potential solutions. Where information is simply not available to the drafters, they should acknowledge that fact and tailor the policy proposals accordingly. They might also recommend additional information-gathering as part of the strategy itself, an approach adopted by the drafters of the national strategies for Cabo Verde, Greece, India and the United Republic of Tanzania.

The principal dilemma here is that developing the knowledge required for good policy-making can be expensive, time-consuming and intellectually challenging. Yet policymakers are often under pressure to act; in many countries the corruption problem is an urgent, pressing issue; the public is demanding a solution and policymakers want to address the nation's ills quickly. Spending too much time analysing the problem before

<sup>42</sup>Robert Klitgaard, *Controlling Corruption* (Berkeley, California, University of California Press, 1988), pp. 84 and 85. See also Council of Europe, “Project Against Corruption in Albania (PACA): technical paper—corruption risk assessment methodology guide”, document CMU-PACA-02/2011; Tony Scott, Alistair Carstairs and Doug Roots, “Corruption prevention: the Hong Kong approach”, *Asian Journal of Public Administration*, vol. 10, No. 1 (1988), pp. 110-119; Mauritius, Independent Commission Against Corruption, *Public Sector Anti-Corruption Framework Manual* (Port Louis, 2009).

<sup>43</sup>See UNDP and Global Integrity, *A Users' Guide to Measuring Corruption* (Oslo, UNDP Oslo Governance Centre, 2008).

producing a strategy document risks squandering a window of political opportunity. Indeed, sometimes those who benefit from the status quo will use the excuse of needing more research to dissipate political pressure to take action. But at the same time, the effectiveness of a national anti-corruption strategy depends on the depth and breadth of the knowledge base on which it rests. Without a thorough assessment of the prevalence of corruption and the ways in which it manifests itself, a strategy is likely to have little, if any, impact on corruption. If time or resource constraints prevent the construction of a robust knowledge base, then the ambitions of the strategy must be scaled back. Matching the means available with the desired goals and objectives is the essence of strategy—and a constant challenge.

## B. Assess obstacles to effective reform

The second step when conducting a preliminary diagnosis is to identify the most important obstacles to adopting and implementing the necessary reforms. For a national anti-corruption strategy, the two obstacles listed below are worthy of special attention.

### 1. Evaluate resource constraints

There is substantial variation between countries when it comes to the resources that they are able to devote to anti-corruption efforts, and a national anti-corruption strategy should explicitly take that into account and contain a realistic assessment of the resources (of different kinds) available for such efforts. Although some anti-corruption measures, such as changes in the formal law, may not require significant investments of time or material resources, their implementation may (see box 5 for an example). Other initiatives, such as dramatically stepped-up enforcement of anti-corruption laws, may be quite resource-intensive. Further, some anti-corruption measures require not only resources but specialized skills in forensic accounting, languages, information technology and other technical areas. Even seemingly straightforward measures such as amending a law or regulation may prove difficult in practice, as legislative or regulatory change can consume time, attention and space on a limited agenda.

#### Box 5. Implementing a right-to-information regime

Implementing a full-fledged access-to-information law takes time and resources. Thanks to the many model statutes available, drafting and enacting a new law can be done quickly. Ensuring that agencies can respond to citizen requests, however, often requires reforms to their record-keeping standards and procedures. A World Bank study suggests that an access-to-information law should be phased in gradually, beginning with a duty to publish key information about different agencies and their rules, and then slowly expanding the duty to include responding to individual requests. Such an approach not only gives agencies the time to modernize record-keeping standards and procedures, but also spreads the costs out over several years.

*Source:* Toby Mendel, "Legislation on freedom of information: trends and standards", PREM Notes, No. 93 (Washington, D.C., World Bank, 2004).

Resource needs and constraints can be integrated into the discussion of the specific elements of the anti-corruption policy as well as into the implementation and monitoring plan. As discussed in chapter III, section E, below, the strategy should ideally contain realistic estimates of the resources required for each element of those plans. The preliminary diagnosis should also provide a general discussion of available resources for

anti-corruption efforts and how to link financing to the country's budget cycle. Explicit discussion of resource constraints can be a helpful disciplining device, reminding strategy drafters of the need to be realistic and to make sometimes difficult trade-offs. A focus on resource limitations in the preliminary diagnosis may also reveal where more resources are required to combat corruption. If that is the case, exactly what is needed (more funding or specialized skills and institutional capacity), and why it is needed, should form part of the strategy.

## 2. Address potential opposition and support

Paying attention to resource constraints is important, but the principal obstacle to effective implementation of anti-corruption reforms is usually not technical or resource-based, but political. Individuals and organizations profiting from corruption will resist changes that leave them worse off, and they will therefore try to thwart the implementation of an anti-corruption strategy. Although, as explained in box 6, the essence of a strategy is anticipating opposition to its execution, few national anti-corruption strategies acknowledge the potential for opposition, let alone contain possible ways of countering it. Of the 53 strategies reviewed for this Guide, only a handful mentioned the possibility of opposition, and of those that did, most said it would be overcome through political will. None, however, defined what was meant by “political will”, how to recognize if it was present, or what to do if it was not.<sup>44</sup> Dismissing the risks of opposition to anti-corruption reforms by invoking the idea of “political will”, rather than analysing how it can actually be overcome, is a common failing in much writing on anti-corruption policy,<sup>45</sup> and it is thus not surprising that most national anti-corruption strategies do not take potential opposition into account.

### Box 6. Strategy defined

Strategy remains the best word we have for expressing attempts to think about actions in advance, in light of our goals and our capacities.

A strategy is much more than a plan. A plan supposes a sequence of events that allows one to move with confidence from one state of affairs to another. Strategy is required when others might frustrate one's plans because they have different and possibly opposing interests and concerns.

Source: Lawrence Freedman, *Strategy: A History* (New York, Oxford University Press, 2013), pp. x-xi.

There are, however, ways that opposition to combating corruption can be overcome. Indeed, the development and execution of a national strategy can itself be one. The creation of a solid, widely shared understanding of what the nation's corruption problems are, ensuring widespread consultations on how to address them, and, as will be discussed in chapter V below, issuing regular updates on the progress made in ameliorating them are all ways to build the political will required to overcome opposition to the strategy.

<sup>44</sup>As one commentator explains, political will is “the slipperiest concept in the policy lexicon. It is the sine qua non of policy success which is never defined except by its absence.” (Linn Hammergren, *Political Will, Constituency Building, and Public Support in Rule of Law Programs* (Washington, D.C., United States Agency for International Development, 1998), p. 12.)

<sup>45</sup>See Matthew Andrews, “Creating space for effective political engagement in development”, in *Governance Reform Under Real World Conditions: Citizens, Stakeholders, and Voice*, Sina Odugbemi and Thomas Jacobson, eds. (Washington, D.C., World Bank, 2008).

A critical step to checking opposition is identifying what groups are most likely to support the strategy and what groups are most likely to resist it.<sup>46</sup> Once supporters and opponents are identified, the strategy can be designed in a way that builds support for it and overcomes opposition. Phasing in controversial changes slowly while implementing popular ones quickly is one technique. Understanding the reasons for opposition is another important step. Civil servants might oppose the introduction of a stringent new ethics code for fear they would unknowingly run afoul of its provisions. If this is the case, strategy drafters can reduce opposition by coupling the introduction of the new code with the creation of a system allowing them to seek advice or approval in advance for conduct that might be subject to question.<sup>47</sup> Finally, as explained in box 7, facilitated deliberations among representatives of different groups can help achieve consensus on a reform programme.

#### Box 7. Overcoming opposition through deliberation

A deliberative process is one way to identify not only who will resist reform and why, but also to overcome that resistance. The World Bank has employed this technique to create support for anti-corruption action plans in a number of countries. Meetings of citizens, businesses, elected leaders and civil society groups were held, during which evidence of the harm corruption was doing to the nation was presented, along with alternatives for addressing it. A facilitator moderated a discussion that was aimed at developing a consensus around an effective reform agenda.

*Sources:* Jane Mansbridge, "Deliberative and non-deliberative negotiations", HKS Faculty Research Working Paper Series, No. RWP09-010 (Boston, United States, Harvard Kennedy School, 2009); Carolien Klein Haarhuis, "Promoting anti-corruption reforms: evaluating the implementation of a World Bank anti-corruption program in seven African countries (1999-2001)", ICS dissertation series, No. 114 (Utrecht, Utrecht University, 2005).

Public attitudes towards corruption are also important to understand, and might be something that can be surveyed (in addition to public perceptions of or experiences with corruption). It would be useful to know, for example, whether citizens are outraged by corruption or grudgingly tolerant of it, or whether there are certain practices that they do not consider corrupt. Another area that could be explored is whether there are differences in how different groups in society—the business community, women, the poor, public servants and elected officials, for example—feel about these issues. It is useful to consider too how the politics of anti-corruption might evolve over time, in recognition of the fact that the politics around this issue are dynamic rather than static, and that certain policies may bring about dedication to the successful implementation of the strategy or staunch opposition to it.

<sup>46</sup>See Michael Johnston and Sahr Kpundeh, "Building a clean machine: anti-corruption coalitions and sustainable reform" (Washington, D.C., World Bank, 2002).

<sup>47</sup>Richard E. Messick, "Policy considerations when drafting conflict of interest legislation", in *Corruption and Conflict of Interest: A Comparative Law Approach*, Jean-Bernard Auby, Emmanuel Breen and Thomas Perroud, eds. (Cheltenham, United Kingdom, Edward Elgar Publishing, 2014), part II, chap. 8, pp. 113-123.





## Formulating anti-corruption measures

After conducting a preliminary diagnosis of the problems and challenges, the next step in drafting a national anti-corruption strategy is to formulate the actual policy goals and the practical ways of achieving them. This could take the form of a workplan or a broader statement setting out the way ahead. The steps foreseen may contain a combination of new legislation, organizational changes and other reforms that the country should pursue to combat corruption. The list of measures will vary from country to country, because nations differ both in their corruption problems and in their capacity to address them. No matter how the actual substantive part of the strategy is drafted, however, the following guidelines will help in formulating it.

### **A. Tailor the strategy to the diagnosis, taking account of constraints**

The policy should follow from, and be tailored to, the diagnosis of a country's major corruption problems and challenges, taking into account the relevant constraints. This may seem obvious, but few strategy documents reviewed for this Guide even attempted to link the diagnosis of problems and challenges to the specific elements of the proposed anti-corruption strategy. The strategy document should explicitly connect each proposed measure to the preceding diagnosis of the problems and challenges. On a closely related point, the strategy drafters should consider what measures would require new legislation or significant new budgetary allocations, and what measures can be implemented under existing legal authority or through redeploying existing resources.

### **B. Be ambitious but realistic**

The point of being ambitious but realistic, which is stressed repeatedly throughout the Guide, is especially important when identifying the substantive goals and proposals which may be formulated in a separate action plan. The balance between ambition and realism is a difficult one to strike. The goal of a strategy is not merely to announce a blueprint for policy reform, but to create pressure for change, and the strategy document should therefore set high standards and ambitious goals that go beyond minor changes to the

status quo. At the same time, if the strategy document contains proposals and objectives that are unrealistic in view of the constraints that a country faces, the strategy may be brushed aside as an impractical “wish list”. When such a national anti-corruption strategy later fails to deliver, it can fuel disillusionment and cynicism among citizens.

Strategy drafters should keep in mind that it is unlikely that the measures included in the national anti-corruption strategy will be implemented exactly as set forth. The national anti-corruption strategy is part of a process—one that is about building and sustaining political momentum to address corruption, as well as charting an initial course of action. That means that it will be continually revised and updated as circumstances change and new information comes to light. The fact that a national anti-corruption strategy is a political document as much as it is a technocratic document must be borne in mind when striking the appropriate balance between ambition and realism in the action plan.

### C. Identify concrete, specific measures to be taken

The strategy should outline specific, concrete steps that will help control corruption within the country. As noted above, it is unlikely that every item will be implemented exactly as laid out in the strategy. Moreover, actual implementation of specific policies may require a level of detail that would be out of place in a national strategy document, so it may be necessary to adopt a further action plan to complement the strategy. But it is still important that the strategy contains a set of concrete recommendations, rather than simply stating objectives in broad, abstract terms without connecting them to any specific reforms or policy changes. Because converting even concrete recommendations into specific action might require a level of detail that would be inappropriate for a national anti-corruption strategy document, the strategy might set out the recommended policy reforms and then call upon the implementing agencies (which, again, should ideally have had a role in the drafting process) to develop more specific implementation plans.

As for the areas the strategy should cover, or the types of reforms it should be aimed at advocating, this Guide does not offer specific substantive recommendations. The need to tailor the proposals to each country’s specific circumstances, and to make difficult trade-offs, means that a general Guide like this one cannot specify what particular measures a given country’s strategy should contain. At the same time, the Convention against Corruption supplies a useful template, or point of departure, for national anti-corruption strategy drafters to consider when developing the content of the action plan. The drafters can consider each of the main categories of anti-corruption activities that States parties are obliged to undertake under the Convention (see box 8), and further consider what sorts of actions, if any, might be appropriate in the particular circumstances of the country in question to fulfil those obligations.

#### **Box 8. United Nations Convention against Corruption: a framework for a national anti-corruption strategy**

The United Nations Convention against Corruption calls for a range of actions against corruption that drafters may find useful in formulating their own action plan. The Convention emphasizes the need for action in the following areas:

- (a) Strengthening anti-corruption law and law enforcement, including in such areas as:
  - (i) Laws against embezzlement or other misappropriation of property, in both the public and private sectors (articles 17 and 22);

- (ii) Anti-bribery laws, both domestic and foreign (articles 15 and 16);
  - (iii) Laws against improper trading in influence or other abuse of the functions of public office (articles 18 and 19);
  - (iv) Laws targeting the proceeds of corruption, including laws to counter money-laundering and measures to facilitate the identification, freezing, confiscation and return of illegally obtained assets (articles 14, 23, 24, 31 and 52 to 57);
  - (v) Adequate protection for whistle-blowers and witnesses (articles 13, 32 and 33);
  - (vi) Legal tools or reforms that may facilitate the effective prosecution of corrupt activities (to the extent that they are consistent with domestic legal traditions and basic principles of fairness) including liability for illicit enrichment, obstruction of justice, participation and attempt; recognition that knowledge or intent may be inferred from factual circumstances; liability of legal (as opposed to natural) persons; and appropriately extended statutes of limitations (articles 20, 25 and 26 to 29);
  - (vii) Meting out appropriate sanctions for corrupt behaviour (including both civil and criminal remedies) and doing so fairly (articles 30 and 34 to 35);
- (b) Implementing more effective measures to prevent corruption measures while reducing the incentives and/or the opportunities for corruption. Such reforms might include:
- (i) Measures to prevent corruption in the public sector, including through promotion of integrity in public administration, strengthening public sector ethics, addressing corruption risks in procurement and in the budgeting process and promoting transparency and civic participation (articles 7 to 10 and 13);
  - (ii) Measures to prevent corruption in the private sector, including transparency and reporting measures, accounting controls and auditing (article 12);
- (c) Establishing education programmes, publicity campaigns and awareness-raising initiatives intended to change attitudes towards corruption, shift cultural norms and encourage reporting (article 13);
- (d) Bolstering institutional capacity, providing adequate training and ensuring the effectiveness, autonomy and integrity of the government bodies that implement anti-corruption policy (articles 6, 11, 36, 58 and 60);
- (e) Improving both domestic and international coordination between law enforcement authorities and other agencies responsible for combating corruption, as well as between the public and private sectors (articles 37 to 39 and 43 to 50);
- (f) Enhancing the collection and analysis of data and other information on corruption, in order to address uncertainties and knowledge gaps (article 61).

## D. Describe the objective of each reform element

In addition to laying out reform proposals, the strategy should contain an explanation of what each reform is intended to accomplish, and why and how it will be accomplished. Again, these objectives should be grounded in the diagnosis of a country's current situation with respect to corruption challenges, and should be ambitious but realistic in terms of both number and reach. Articulating the objectives connected to each proposal (or a combination of proposals) is helpful not only when designing the strategy, but also in fostering accountability for implementation and generating feedback for ongoing revision, two topics discussed later in this Guide. It is often best to frame these objectives in terms of specific intermediate outputs (for example, increases in the number of cases prosecuted or citizen satisfaction), rather than deterrence of corruption or government legitimacy or similar general goals.

## E. Consider the costs, benefits, burdens, opposition and support for each element

The considerations governing resource costs and political constraints discussed in chapter II, section B, on diagnosing the problem, should be applied to each of the specific reforms and initiatives outlined in the policy. Thus, where possible, the strategy (or the more specific implementation plans produced by the implementing agencies) should provide at least a rough estimate of the resource requirements for each proposal, as well as a more general assessment of feasibility and cost-effectiveness.<sup>48</sup> National anti-corruption strategy drafters and implementing agencies should also consider and discuss how the burdens and benefits of implementing the proposal would be distributed (with respect to both the institutions responsible for implementation and the parties affected), and assess the likely political support and opposition for the proposals and what steps might be taken to increase the former and decrease the latter. In most cases, those political considerations would not appear in the formal published strategy, or would be referenced only obliquely and euphemistically. But they should still be considered and discussed explicitly when formulating the strategy, and elements of political considerations might be helpfully incorporated in the document itself, for example through discussions of the need to create “political space” for reform or the need to build supportive coalitions.

## F. Pay attention to prioritization and sequencing

Corruption is a complicated, multifaceted problem requiring a comprehensive, multi-pronged solution. At the same time, it is simply impossible to do everything, and not every possible reform is likely to be equally effective or equally feasible. One of the most important things drafters of a strategy document can do is to identify the areas of highest priority and the sequence in which a country should attempt to implement various reforms or tackle various aspects of the corruption problem. As a recent review of national anti-corruption strategies in South-Eastern Europe concluded, the failure to prioritize rendered these strategy documents simply an exhaustive list of all possible aspects of an anti-corruption plan, rather than a realistic road map for bringing corruption under control.<sup>49</sup>

In setting priorities, it is important to consider three factors with respect to each reform that might be included in the national anti-corruption strategy: (a) the significance of the problem targeted (the amount of harm it does to the society and the citizenry); (b) the likely effectiveness of the proposed policy reforms in reducing the problem; and (c) the expected cost of the proposed reform (including not only budgetary or economic cost, but also the amount of “political capital” or technical capacity or attention that must be expended to implement the reform effectively). The evaluation of the first factor, the magnitude of the targeted problem, should follow from the strategy’s preliminary diagnosis. The consideration of the second and third factors is equally important, however, because it is not always the case that the most resources should be devoted to the biggest problems. The relevant question is not the magnitude of the harm to be targeted, but how much any given reform can reduce the harm to society.

<sup>48</sup>For how to conduct cost-benefit analyses of governance and anti-corruption policies, see Jesper Johnson, “Cost-effectiveness and cost-benefit analysis of governance and anti-corruption activities”, U4 Issue No. 10 (Bergen, Norway, U4 Anti-Corruption Resource Centre, 2014).

<sup>49</sup>Southeast Europe Leadership for Development and Integrity, *Anti-Corruption Reloaded: Assessment of Southeast Europe*, p. 40.

Moreover, considering the impact of individual reforms in isolation is not sufficient. The discussion of prioritization and sequencing should include two other factors as well. First, close attention should be paid to how different elements of the overall reform strategy fit together, and what legal, institutional or social prerequisites must be in place before particular elements of the strategy are likely to be effective. An aggressive law enforcement strategy may require legal reforms that give investigators and prosecutors new tools to combat corruption along with extensive training on how to use them. When setting priorities and outlining a sequence of reforms, these sorts of links and interdependencies should be taken into account in a national anti-corruption strategy. Second, how different interventions might affect political support for anti-corruption efforts, and the rest of the strategy, should be considered. As discussed above, it may sometimes make sense to start with initiatives that can yield tangible and politically popular results in the relatively short term as a way to build confidence and political support (see box 9 for an example). In some situations, it may also sometimes be prudent to delay initiatives that would provoke fierce political opposition in the short term, in order to build support and momentum for reform over time. On the other hand, in some circumstances it may be important to tackle certain challenging problems first, while there is a political window of opportunity (created, perhaps, by recent corruption scandals) that might close if too much time passes. Again, there is no right answer; the important thing is that the drafters of the national anti-corruption strategy pay explicit attention to these issues.

#### **Box 9. Benefits of an early attack on corruption in education**

Reports by the United Nations Educational, Scientific and Cultural Organization (UNESCO), Transparency International and UNDP have revealed that corruption infects every level of education in insidious ways, from the sale of grades to the purchase of degrees to the demand for sexual favours in return for a pass mark. An early attack on corruption in the education sector can therefore be advantageous both substantively and politically. Substantively, having a well-educated citizenry is critical for economic growth, political stability and social well-being; corruption thus undermines national development. Politically, for many citizens, providing their children with a high-quality education is a high priority, and programmes to stamp out corruption in education are likely to draw enthusiastic support from a wide swath of society. Nor is an attack on corruption in education likely to generate the kind of opposition that it might in other sectors, because education corruption often involves small groups in different schools and different regions who do not have connections to, or the support of, powerful interests.

*Sources: UNESCO, Education for All: 2000-2015—Achievements and Challenges (Paris, 2015); Transparency International, Global Corruption Report: Education (Abingdon, United Kingdom, Routledge, 2013); UNDP, Fighting Corruption in the Education Sector: Methods, Tools and Good Practices (New York, 2011).*

## **G. Specify implementation times for different reforms**

Different reforms take different amounts of time to implement and different lengths of time to have an effect. As explained in box 5 above, a right-to-information law can be enacted quickly, but implementation often takes several years, and its effect on corruption may take several more. The strategy should contain an explicit acknowledgement of the different time periods required for different measures to take effect and an explanation of why, and should emphasize the need for patience with respect to those that will take years to achieve. A strategy promising citizens that a fully-fledged system allowing access to information will be quickly established can create disillusionment or cynicism when

it does not immediately materialize. Identifying realistic timeframes for implementing reforms is one area where the experience of other nations can be particularly valuable. To help manage citizens' expectations, it is important to provide periodic reports on progress, and setbacks, in achieving the objectives, a point stressed in chapter V below.

Given the variation in the time needed to implement various anti-corruption measures, proposed policy reforms and objectives should be categorized by timeframe within the strategy document, with reform objectives sorted into those that are short term (for example, those that can be implemented within the next 6 to 18 months), medium term (within two to five years) and long term. Short-term goals should, where possible, be connected to the current budget cycle. For those countries with a national planning process, which often spans three to five years, it may make sense to link the national anti-corruption strategy to more general national development plans, particularly for the medium-term goals. Longer-term goals must be understood as more aspirational. Circumstances and Governments change, the situation evolves and it is difficult to envision, let alone plan and budget for, anti-corruption efforts that need to be implemented over a decade (or longer). Nonetheless, setting longer-term goals can still perform a useful function in the planning process and can help keep up the pressure on Governments to follow through on more ambitious objectives. It can also be helpful for the strategy to contain a discussion of the links between the short- or medium-term goals, which can be described in more concrete terms and implemented within the next budget cycle or national planning period, and the longer-term objectives of the strategy.

# IV.



## Ensuring effective implementation

The successful implementation of a national anti-corruption strategy requires concerted action by a range of ministries, departments and agencies and will often require coordination with entities that operate independently of the Government: prosecution services, supreme audit agencies and regulatory authorities. Implementation may also require cooperation from the judicial and legislative branches of Government and from regional and local governments as well. Coordinating the implementation of a national anti-corruption strategy is a major challenge. One particular challenge is that some individuals or agencies charged with implementation may benefit from the corrupt status quo and may therefore look for ways to undermine implementation. Even putting that problem aside, the changes put forward in a strategy document often put additional burdens on government agencies, making it more difficult for them to carry out their missions and thus creating resistance among agency staff, clients and others.<sup>50</sup> The need for coordination and cooperation across agencies may pose additional challenges for organizations that are not accustomed to working with one another and that may have different cultures, objectives and interests.<sup>51</sup>

Simply formulating a strategy that calls on government agencies to adopt new rules and policies to fight corruption is therefore not enough. A successful national anti-corruption strategy must not only lay out a comprehensive set of substantive policy reforms, but also provide the means for ensuring coordinated implementation—at a minimum for the activities of executive branch agencies, and in many instances for coordinating the work of independent agencies, separate branches of Government and subnational government units. A number of strategies have been adopted in the past on the assumption that high-level support from the Head of Government would suffice to ensure effective and coordinated implementation of the strategy. However, although high-level support is necessary, it is rarely sufficient over the longer term. Heads of Government and cabinet ministers

<sup>50</sup>For example, the primary mission of a public works ministry is planning, procuring and maintaining roads, bridges and other infrastructure. Instituting new procurement processes, introducing more audits or requiring other changes in the name of controlling corruption will slow the construction of new works and the maintenance of existing ones and will also drive up costs (at least in the short term). Even if the net benefit of such changes will be positive, agency personnel, construction companies, engineering and consulting firms, trucking companies and power consumers, to name but a few with an interest in infrastructure, are unlikely to see it that way, and they are likely to undermine, if not resist, measures that slow down infrastructure development or appear to increase its cost.

<sup>51</sup>Geert Bouckaert, B. Guy Peters and Koen Verhoest, *The Coordination of Public Sector Organizations: Shifting Patterns of Public Management* (Basingstoke, United Kingdom, Palgrave Macmillan, 2010), pp. 25-32.

generally cannot give the implementation of the strategy—and the inter-agency coordination such implementation often requires—the frequent and continued personal attention that is needed.

Unfortunately, the strategies reviewed for this Guide contained little in the way of discussion or analysis of the coordination issue, a finding that is consistent with an analysis by the U4 Anti-Corruption Resource Centre of an earlier generation of strategies.<sup>52</sup> How best to coordinate the implementation of an anti-corruption strategy will depend upon a variety of country-specific factors, but experience with implementing earlier strategies, as well as studies of public sector management, offer six lessons strategy drafters should observe. These are listed below.

## A. Put a single, high-level entity in charge of coordination and implementation

A particular body or agency should be put in charge of coordinating implementation and monitoring compliance with the national anti-corruption strategy's policies and objectives. If a country has a specialized anti-corruption agency, that agency may seem like a natural candidate for this role. However, as a 2014 review by UNDP of the experience with anti-corruption strategies in the Asia-Pacific region found,<sup>53</sup> anti-corruption agencies may not be well suited to this task. They may have neither sufficient resources nor adequate power to compel other departments and agencies to follow their direction. This conclusion was also reached by the U4 Anti-Corruption Resource Centre in its case studies on the implementation of an early generation of strategies.<sup>54</sup> This is not surprising; most anti-corruption agencies were created relatively recently,<sup>55</sup> and may be outside governmental hierarchies or not have cabinet-level status, thus putting them at a disadvantage when dealing with government ministries or other powerful, well-established agencies with direct access to the Head of Government.

One alternative to putting the anti-corruption agency in charge of coordination is entrusting this responsibility to a centrally staffed unit or designated ministry that reports to the president, prime minister or other senior figure in Government. This is a common method for coordinating any policy that involves several agencies, and it is usually accompanied by giving the coordinating unit the authority to pass orders issued from the senior official in charge to the different agencies and to monitor their compliance.<sup>56</sup> No organizational set-up will be right for every Government, but in the Kuala Lumpur statement it is recommended that, whatever entity is the designated coordinator, it should be housed within a high-level government agency.

A second alternative is to create a commission chaired by a senior official and comprising representatives from key ministries to coordinate implementation. For example, the 2012 strategy for Croatia established the Monitoring Committee for Implementation of Corruption-Suppression Measures, headed by the Minister of Justice. And in Bulgaria, as explained in box 10, a separate technical secretariat was created to support a

<sup>52</sup>See Hussmann, ed., *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC?*.

<sup>53</sup>*Anti-Corruption Strategies: Understanding What Works, What Doesn't and Why?*.

<sup>54</sup>See Jessica Schultz, "Anti-corruption policy making in practice: Pakistan—a country case study", and Hussmann and Chikalanga, "Anti-corruption policy making in practice: Zambia—a country case study", in *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC?*, Hussmann, ed.

<sup>55</sup>Samuel De Jaegere, "Principles for anti-corruption agencies: a game changer", *Jindal Journal of Public Policy*, vol. 1, No. 1 (2012), pp. 79-120.

<sup>56</sup>Bouckaert, Peters and Verhoest, *The Coordination of Public Sector Organizations*, pp. 38 and 39.

high-level coordination unit. Furthermore, even when the national anti-corruption agency is not well-suited to lead strategy implementation, it may be very well placed to serve as a consultant or adviser to the main implementation unit. Again, there is no single correct approach, but States may find a two-level structure along these lines helps strike the right balance between the political and technical aspects of coordinating effective implementation of the national anti-corruption strategy.

## B. Provide the coordination and implementation body with sufficient authority

More important than the coordination unit's structure are its mandate and authority. In some countries, the unit responsible for coordinating the implementation of the national anti-corruption strategy has lacked the authority to compel other agencies to align their policies and actions with the national strategy, thereby undercutting implementation. In other countries, in contrast, the coordinating entity enjoys considerably more authority, with the result that other agencies are more likely to work together to implement the strategy (see box 10). The coordinating entity should therefore have a clear mandate,<sup>57</sup> in the form of a law, regulation or decree setting out its responsibilities and powers, and the Head of Government needs to make it clear he or she fully supports that mandate and expects all other government departments and agencies to cooperate with it. Coordinating units should not overreach, however, by trying to redefine an implementing agency's mission or to micromanage it. Doing so would be seen as an invasion of the implementing agency's responsibilities, making the unit a competitor rather than a neutral judge of performance. Coordination units have neither the skills nor the staff to micromanage other government departments, and attempts to do so, or to compel departments to assume new responsibilities, will only create friction.<sup>58</sup>

### Box 10. Coordination units: lessons from Bulgaria and the United Republic of Tanzania

In the United Republic of Tanzania, the Good Governance Coordination Unit, a small office under the President, coordinated the first national anti-corruption strategy. In Bulgaria, a small office served as the secretariat to the commission responsible for coordinating actions against corruption, headed by the Minister of Justice, with senior officials from key agencies as members. The Unit in the United Republic of Tanzania had no power to force agencies to align their policies and actions with the national strategy; it could only urge them to do so. The secretariat of the coordination commission in Bulgaria, by contrast, had the authority to convene meetings with each agency to assess its compliance with the national strategy's objectives; the commission reinforced the secretariat's authority through weekly meetings where it reviewed the secretariat's work and issued directives to agencies where compliance was lagging. In the United Republic of Tanzania, agencies went their own way, ignoring the Good Governance Coordination Unit's requests. In Bulgaria, the coordination secretariat succeeded in getting ministries and agencies to work together to implement the strategy.

Sources: Hussman, ed. *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC?*; Council of Europe, Group of States against Corruption, "First evaluation round compliance report on Bulgaria" document Greco RC-1 (2004) 3E, pp. 3-4.

<sup>57</sup>Organisation for Economic Co-operation and Development, *OECD Integrity Review of Italy: Reinforcing Public Sector Integrity, Restoring Trust For Sustainable Growth* (Paris, 2013), p. 49; See also Hussmann, ed., *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC?*.

<sup>58</sup>See James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York, Basic Books, 1989), pp. 270-274.

Moreover, because a chief source of power in government bureaucracy is control over budgets and personnel, consideration might be given to providing the coordinating unit with the authority to provide input into budget development and execution. This would increase its influence and help ensure that the agencies charged with implementing various elements of the national anti-corruption strategy have sufficient resources to do so.

### C. Foster cooperation between the coordination body and the implementing agencies

The coordinating unit's formal authority gives it "hard power" over implementing agencies. But as all government managers soon learn, formal legal authority often does not suffice to control the actions of the staff of those agencies.<sup>59</sup> Hence, the coordinating unit must also cultivate the respect of the implementing agencies to further voluntary compliance (a form of "soft power"). For example, it is important that the coordination unit has the capacity to intelligently evaluate agency reports; the more skill it displays in evaluating agency reports, the more respect it will engender from agency professionals, strengthening its authority and lessening the chance of agencies ignoring its directions. It is also important to remember the need for the coordinating unit to maintain the support and respect of not only the senior officials at the implementing agencies but also the mid-level agency staff who are critical to the success of the implementation of the anti-corruption strategy.

There are a variety of other ways to foster inter-agency cooperation, such as including each agency's contribution to inter-agency coordination as part of their overall performance assessments, seconding employees of one agency to another and holding joint training sessions.<sup>60</sup> More generally, coordinating units can promote compliance with the national anti-corruption strategy by appealing to shared values and by engaging in an ongoing dialogue about the implementation of the strategy, which is an approach followed in Brazil (see box 11). These softer approaches may be especially important with respect to agencies and institutions over which the coordinating unit lacks any direct supervisory power, such as independent agencies, the legislature and the judiciary,<sup>61</sup> and autonomous subnational government entities.

### D. Harness the power of reputation

Somewhere between "hard" compulsion and "soft" persuasion, the coordinating unit can attempt to harness the power of reputation—using public praise or criticism to motivate agencies to act effectively. This is another technique that may be particularly appropriate

<sup>59</sup>A classic study from the United States on the challenge of controlling "street-level" bureaucrats is Michael Lipsky, *Street-Level Bureaucracy: The Dilemmas of the Individual in Public Services* (New York, Russell Sage Foundation, 2010). The inability of internal audit controls to curb agency behaviour is recounted in Michael Power, *The Audit Society: Rituals of Verification* (Oxford, Oxford University Press, 1997).

<sup>60</sup>A variety of different methods for fostering collaboration across agencies are listed in Patricia M. Noonan, Mary E. Morningstar and Amy Gaumer Erickson, "Improving interagency collaboration: effective strategies used by high-performing local districts and communities", *Career Development and Transition for Exceptional Individuals*, vol. 31, No. 3 (2008), pp. 132-143. The authorities in the province of Alberta, Canada, found that collaboration was enhanced when senior officials' performance, and thus their pay, was dependent in part on how well they facilitated inter-agency coordination (Australia, State Services Authority of the government of Victoria, *Victorian Approaches to Joined Up Government: An Overview* (Melbourne, 2007), p. 34).

<sup>61</sup>As stated in UNODC, *The United Nations Convention against Corruption: Implementation Guide and Evaluative Framework for Article 11* (Vienna, 2015), p. 3, the primary responsibility for strengthening integrity among members of the judiciary rests with the judiciary itself.

with respect to more independent entities. For example, regular reports on the progress the judiciary is making in resolving corruption cases or on the prosecution service's success rate in prosecuting corruption cases might encourage these organizations to improve their performance. Cultivating broad-based support for the national anti-corruption strategy and its implementation among the public, the media and civil society organizations will also help with the coordinating unit's mission. The coordinating unit can use its position, and the national anti-corruption strategy document, to encourage more media coverage and public scrutiny of implementation, which may give other agencies more of an incentive to comply with their obligations under the strategy.

## E. Have each agency agree to an implementation, monitoring and evaluation schedule

As noted in chapter I, the inclusion of senior representatives from each agency that will be responsible for implementing elements of the national anti-corruption strategy in the drafting process increases the chances that those agencies will support and work to implement the strategy. Besides including those agencies in the deliberations on drafting, it is often advisable for the strategy drafters, as part of the process of preparing the policy, to reach explicit agreements with each agency on what measures that agency will take to implement the strategy, and how and when each agency's implementation performance will be evaluated.<sup>62</sup> This helps ensure that those responsible for overseeing the coordinated implementation of the strategy will receive ongoing feedback on the strategy's progress, including any delays or bottlenecks.

### Box 11. Coordinating anti-corruption policy in Brazil

The National Strategy for Combating Corruption and Money-Laundering (*Estratégia Nacional de Combate à Corrupção e à Lavagem de Dinheiro*) is the coordinating body for policies on combating money-laundering and corruption in Brazil. Over 70 federal government organizations are members, including the prosecution service, different offices within the police, the judiciary and the legislature. Independent control and oversight bodies (the Comptroller General, the Federal Audit Court, the Brazilian Securities Commission, the Council for Financial Activities Control, the National Pension Plan, the Central Bank, the Brazilian Intelligence Agency and the Brazilian Federation of Banks) are also members. The Ministry of Justice serves as the secretariat, and civil society organizations and a variety of state and local agencies also participate.

Member agencies meet once a year in plenary to examine the work of the past year and agree a plan for the coming year. Working groups assigned to carry out particular measures meet throughout the year, and an office that monitors implementation meets every two months.

The Strategy's achievements include developing and implementing a national training programme on combating corruption and money-laundering; standardizing requests for obtaining information on suspects' bank accounts; creating a group to improve the work of the Brazilian judicial system; setting up Wiccla, a "wiki" encyclopaedia with information about patterns of criminal activity and relevant criminal laws; and developing anti-corruption legislation.

<sup>62</sup>Jody Zall Kusek and Ray C. Rist, *Ten Steps to a Results-Based Monitoring and Evaluation System: A Handbook for Development Practitioners* (Washington, D.C., World Bank, 2004), pp. 66-67.

## **F. Do not underestimate the challenges of coordinating implementation**

As emphasized throughout this Guide, the substantive objectives laid out in the national anti-corruption strategy must be drafted with an eye towards what can be realistically achieved. Where coordination is likely to prove excessively difficult—for example where regional governments are in the hands of different parties or the judiciary or independent agencies have resisted meaningful participation in the drafting of the strategy—the strategy’s objectives and elements should be adjusted accordingly. The strategy might be scaled back in the light of the obstacles to implementing more ambitious measures, or might incorporate efforts to build support and implementation capacity for more ambitious action at a later date. It remains critical that strategy drafters resist the temptation to create a far-reaching strategy that is simply not possible to implement in the current environment. While the failure to effectively implement the strategy’s recommendations can always be blamed on a lack of political will, that can all too easily be used to excuse faulty analysis during the crafting of a strategy.



## Monitoring, evaluating and reporting

Regular monitoring, evaluating and reporting are essential if a national anti-corruption strategy is to have its desired effect. Monitoring provides data on the strategy's progress over time in achieving its objectives; evaluation uses these data to determine which elements are working, which ones are not, and what changes need to be made. Reporting the results of monitoring and evaluation helps maintain support for the strategy, not only by keeping stakeholders and citizens abreast of progress, but also by candidly revealing setbacks and explaining what is being done to address them. Periodic reporting helps citizens hold Government accountable for strategy results<sup>63</sup> and provides opportunities for citizen input into strategy execution.<sup>64</sup>

The importance of monitoring, evaluation and reporting for the successful realization of the strategy's goals are underlined in the Kuala Lumpur statement on anti-corruption strategies (see box 12). However, as analyses of anti-corruption strategies by the U4 Anti-Corruption Resource Centre<sup>65</sup> and UNDP<sup>66</sup> have found, in the past, few national anti-corruption strategy documents have paid sufficient attention to monitoring and evaluation. This does appear to be changing: several strategies reviewed during the preparation of this Guide do list the policies to be monitored and evaluated for effectiveness, and the measures that will be used to do this. Nonetheless, most strategies continue not to address this essential element in sufficient detail, or else leave vague how the monitoring and evaluation will be conducted.

<sup>63</sup>Steven Van de Walle and Floor Cornelissen, "Performance reporting: what it is and where it comes from" in *The Oxford Handbook of Public Accountability*, Mark Bovens, Robert E. Goodin and Thomas Schillemans, eds. (Oxford, Oxford University Press, 2014), chap. 7, pp. 441-455.

<sup>64</sup>Alfred Tat-Kei Ho, "Reporting public performance information: the promise and challenges of citizen involvement", in *Performance Information in the Public Sector: How it is Used*, Van Dooren and Van de Walle, eds., pp. 198-201.

<sup>65</sup>Monitoring and evaluation have been almost entirely ignored and there has been a lack of information for and communication with implementing agencies, political actors, the media and the public about the progress of strategies (Husmann ed., *Anti-Corruption Policy Making in Practice: What can be Learned for Implementing Article 5 of UNCAC?*, p. viii).

<sup>66</sup>*Anti-Corruption Strategies: Understanding What Works, What Doesn't and Why?*, p. 4. According to this review, the most prevalent weakness of anti-corruption strategies is lack of adequate attention to monitoring and evaluation.

**Box 12. Monitoring and evaluation: the Kuala Lumpur recommendations**

Monitoring and evaluation are so critical to the success of a national anti-corruption strategy that the Kuala Lumpur statement on anti-corruption strategies contains six separate recommendations addressing their inclusion and use in national strategies:

- (a) Make monitoring, evaluation and reporting an integral part of the strategy by incorporating them into it at the design phase;
- (b) Develop clear measures for monitoring progress and establish baselines for comparing changes over time;
- (c) Ensure that reliable data for each measure are available;
- (d) Report regularly on the monitoring and evaluation data;
- (e) Ensure that clear lines of responsibility exist for monitoring, evaluating and reporting;
- (f) Be sure the agency or agency assigned to monitor, evaluate and report on the strategy has sufficient resources to meet those responsibilities.

There are a variety of ways to monitor policy interventions, and many techniques for evaluating them.<sup>67</sup> For a national anti-corruption strategy, the best approach will usually combine two types of monitoring and evaluation: one that assesses implementation and a second that reviews impact. To illustrate the distinction between these approaches, we can consider the example of a national anti-corruption strategy under which delays in prosecuting corruption cases must be reduced, procedures to obtain a business licence must be streamlined and agencies must increase access to information about their activities. Implementation monitoring and evaluation would focus on whether the measures required to achieve these three objectives are being put into effect. Are delay-reduction measures being introduced? Have rules streamlining the licensing procedure been written and promulgated? Impact monitoring and evaluation, in contrast, asks what effect these policy changes are having. Are corruption cases being resolved faster? Are business licences being issued with less red tape? Is more information about Government in the hands of citizens? More generally, and more importantly, impact monitoring and evaluation will assess whether these measures have contributed to a reduction in corruption.

Although implementation monitoring and evaluation and impact monitoring and evaluation are frequently done in parallel, they are analytically distinct and are described separately below.

## A. Monitoring and evaluating implementation

Each element of an anti-corruption policy should be monitored to ensure that it is being implemented in accordance with the timetable and dictates of the strategy. While the first step is to establish a coordinating authority with sufficient mandate, autonomy and influence to oversee implementation, that alone is not sufficient. The coordinating agency, as well as the agencies responsible for implementing different elements of the strategy, the political leadership and the general public, all need ways to measure whether the

<sup>67</sup>For useful reviews, see Jesper Johnson and Tina Søreide, “Methods for learning what works and why in anti-corruption: an introduction to evaluation methods for practitioners”, U4 Issue No. 8 (Bergen, Norway, U4 Anti-Corruption Resource Centre, 2013); Elliot Stern and others, *Broadening the Range of Designs and Methods for Impact Evaluations: Report of a Study Commissioned by the Department for International Development*, Working Paper, No. 38 (London, Department for International Development, 2012); UNDP, *Handbook on Planning, Monitoring and Evaluating for Results* (New York, 2009); Peter H. Rossi, Mark W. Lipsey and Howard E. Freeman, *Evaluation: A Systematic Approach*, 7th ed. (Thousand Oaks, California, Sage Publications, 2004).

various components of the strategy are being implemented. The particular techniques for appropriate implementation monitoring will depend on the circumstances—the type of policy reform or initiative in question, the country’s capacity and other factors. Nonetheless, experience with implementing national anti-corruption strategies, as well as with other public policies, shows the value of following the eight guidelines listed below.

## 1. Disaggregate policy reforms into discrete steps

It will often be useful to break down the implementation of each programme into a series of steps and evaluate progress step by step. Even in the seemingly simple case of whether a new law has been enacted, breaking the enactment process into a series of steps (for example, drafting by a ministry, submission to the cabinet for approval, transmission to the legislature, referral to a committee, approval by that committee and a vote by the full legislature) can be helpful. Implementation monitoring would then consist of regular updates on which steps have been accomplished, how long it took to clear each step in the process, and how long a measure has been pending at a particular stage. Evaluation would consist of determining whether there has been an inordinate delay at any step and, if so, identifying the reason for that delay. This approach can help speed up implementation because those responsible for each step in the process will know that any tardiness in fulfilling their duty will be revealed. An example of how to implement a more complex element, an anti-corruption education programme, is shown in box 13.

## 2. Select one or more indicators of progress

The second step is to select an indicator or indicators that measure progress in putting each separate action or element into effect. A good indicator should be “SMART” (specific, measurable, achievable, relevant and time-bound).<sup>68</sup> How these sensible guidelines are translated into specific indicators will depend on a variety of factors, many of them specific to the agency and policy programme in question. For the examples above (enactment of a law and establishing an anti-corruption education programme), several implementation indicators are straightforward, and can take the form of a simple “completed” or “not completed” assessment for each step (or “milestone”) on the path to implementation. In other cases, the indicator might be quantitative. If the strategy calls for training all civil servants on ethics within three years, one indicator could be the number trained each quarter or each year, and a second could be the total number trained to date. If the strategy provides for strengthening the enforcement of the anti-corruption laws, an indicator might be the number of investigations opened in a given period, for example six months or a year, with progress being a steady increase in that number over time.

A problem with many indicators is the difficulty of attributing changes in the indicator to the programme or policy being monitored. Consider, for example, the indicator suggested above, on the number of investigations opened. The number of investigations opened in a given period will be dependent on more than the investigating agency’s effort. The underlying (and unobserved) rates of corrupt or suspicious activity will also affect the number of investigations opened, as will changes in the agency’s budget and other factors outside of the implementing agency’s control. The ideal indicator is one where any change can be attributed solely to the actions of the agency being monitored. In practice, however, it will often be difficult to find such indicators. In some cases statistical techniques can be used to isolate the effect of an agency’s action on the indicator;

<sup>68</sup>*Handbook on Planning, Monitoring and Evaluating for Results*, see p. 58.

**Box 13. Model structure for monitoring an anti-corruption education programme**

PARTICIPATION OF SOCIETY, AWARENESS-RAISING AND EDUCATION				
PRIORITY 1		ANTI-CORRUPTION EDUCATION		
Description	Efforts will be made to introduce anti-corruption education at all stages of the Georgian educational system, including at the primary, high school and university levels. This will require cooperation between government departments, particularly the Ministry of Education, and academic institutions. Support can also be provided by the United Nations Office on Drugs and Crime.			
Outcome 1	<b>Integrity education integrated into Georgian primary schools</b>			
Outcome indicators	<ul style="list-style-type: none"> <li>Percentage of schools teaching integrity issues</li> <li>Percentage of children reaching the required standard as part of the course</li> </ul>			
Benchmark	Benchmark completion	Completion date	Implementation bodies	Cost
1.1 Survey conducted of existing anti-corruption and integrity teaching in Georgian primary schools	Survey has been completed, with the participation of over 50 per cent of Georgian primary schools from all regions of Georgia	February 2014	Ministry of Education	5 000
1.2 Workshop held to evaluate present gaps in integrity education	Workshop concluded with agreement on key gaps in integrity education and key features of possible curriculum	March 2014	Ministry of Education, primary school teachers, civil society	5 000
1.3 Draft integrity curriculum developed for primary school students	Draft curriculum completed and amended following consultation with workshop participants	July 2014	Ministry of Education	15 000
1.4 Curriculum piloted in a limited number of schools	Curriculum is taught successfully in a minimum of 30 primary schools across Georgia	September 2014	Ministry of Education, selected primary schools	5 000
1.5 Curriculum revised in line with feedback from piloting institutions	Updated curriculum completed incorporating comments from all schools participating in pilot programme	January 2015	Ministry of Education, selected primary schools	10 000

Source: UNODC training materials for national workshops held in Egypt and Georgia in 2014.

in others, reliance on different contextual factors will be necessary to try to interpret the meaning of changes in the indicator value.

The frequency with which data on an indicator is collected will also depend upon a host of agency-specific factors. Arrest rates for corruption may be available as often as

monthly, whereas data on implementing prevention measures may take longer to compile and report. What is important is that the data are reported often enough and in a timely enough manner to be useful.

### 3. Choose a baseline for each indicator

A baseline is information about the value of the indicator at the beginning, or just prior to, the monitoring period. It is the starting point against which changes during the period of strategy execution are measured. For the passage of a new law or the adoption of a new programme, the baseline will be zero. Baselines for quantitative indicators are sometimes less straightforward. The baseline for the indicator of the total number of civil servants completing ethics training might be zero, but if some civil servants had been trained before the strategy was initiated, it would not. If 3,000 had already been trained, then the baseline would be 3,000. The baseline for the number of investigations opened would be the number of investigations opened in the period before the strategy commences. This could be easy or difficult to determine, depending on the state of record-keeping at the relevant agency or agencies. In some cases, a baseline study may need to be commissioned to determine conditions at the outset.<sup>69</sup> When a baseline cannot be determined for a particular indicator, the indicator must be replaced by one for which a baseline can be ascertained.

### 4. Establish realistic targets for each implementation indicator

Once an indicator has been selected and a baseline determined, an implementation target should be set. For the passage of a law, it would be the time required for enactment. For an indicator on the number of investigations opened, the target might be a certain percentage increase each year. Targets should be ambitious but realistic, which requires attention to past performance and to the availability of resources. If the legislative process is particularly slow and cumbersome, and it normally takes at least 18 months to enact new legislation, setting a six-month target for passing a new law is not realistic; an ambitious one might be 15 months. If the strategy calls for expanding the use of existing e-procurement methods to all government departments and in the past it has taken two years and significant resources to convert one department from a paper system to an e-procurement system, a target of converting three departments within the first 18 months of the strategy is unrealistic. Likewise, if the government budget is under pressure owing to a downturn in the economy or some other reason, it may be unrealistic to expect that the funding needed for the rapid conversion of a large number of departments will be forthcoming.

The evaluation process should include a comparison of current indicator levels against the targets and, more generally, consideration of how the indicator values change over time, in order to measure the pace of progress.<sup>70</sup> As noted earlier, it is important that the coordinating body and the implementing agencies agree on realistic targets for the implementation indicators, and that implementing agencies are held accountable for meeting those targets. This is an area where monitoring by civil society can be particularly valuable. In the Republic of Moldova, the East Europe Foundation monitors agency compliance with the strategy, issuing regular updates showing which agencies are fulfilling their obligations and which ones are lagging behind.<sup>71</sup>

<sup>69</sup>International Federation of the Red Cross and Red Crescent Societies, “Baseline basics” (Geneva, 2013), p. 2.

<sup>70</sup>Kusek and Rist, *Ten Steps to a Results-Based Monitoring and Evaluation System*, pp. 129-136.

<sup>71</sup>Mircea Manoli, “Evaluation report on implementation of the national anti-corruption strategy for the years 2011-2015 (2012-2013 period)” (Chişinău, East Europe Foundation Moldova, 2014).

## 5. Watch for indicator manipulation

When selecting indicators, and when evaluating progress using those indicators, the coordinating unit must be mindful of a common problem: when agencies or individuals know they will be evaluated according to certain metrics, they have incentives to behave in ways that improve performance on those metrics but that might not actually represent meaningful, substantive improvement on the dimension of performance that the metric is supposed to measure.<sup>72</sup> If a law enforcement unit is evaluated according to how many successful convictions it secures, it might spend considerable resources on low-level, easily proved violations to improve its performance in terms of number of convictions (or conviction rate), even if those cases are not important. Were all aspects of implementation easy to define and measure, “indicator gaming”, as it is sometimes called, would not be a problem. In most cases, however, the indicators that are selected are imperfect. The unit responsible for monitoring and evaluation must be aware of the problem of implementing agencies altering their behaviour in ways that improve their score on the indicators without improving the genuine implementation of the strategy.

## 6. Be cautious when using agency self-evaluations

An agency’s own report on its progress in implementing a strategy component can be a useful indicator. It is inexpensive, based on direct observation, and can reduce the potential for friction or antagonism between the coordinating agency and the implementing agencies. Indeed, resource and technical capacity constraints mean that, in many cases, there will be no alternative but to assign each implementing agency primary responsibility for monitoring its own implementation performance. Experience shows, however, that agencies are often overly optimistic when assessing how well they are doing in implementing a programme, and many strategies have fallen short because of an excessive reliance on the implementing agencies monitoring their own progress. The agency responsible for coordinating implementation of the strategy should therefore ensure, to the extent possible, that there is some independent evaluation of progress toward implementing the strategy. In some cases, it may be advisable to request that an agency conduct a preliminary self-evaluation and then compare the results to an independent evaluation or audit (perhaps by the coordinating unit, another government department or an external monitor such as a civil society group or outside consultant). Among other advantages, doing so might help the implementing agencies understand how they can better assess their own performance.

## 7. Utilize evaluations to adjust implementation targets and strategy goals

Monitoring data alone will show only whether the different elements of the strategy are being implemented on time. It is the analysis of the data (the “evaluation”) that identifies the reasons why implementation of a particular element is behind schedule or over budget and that will allow for suggestions on ways to address delays and cost overruns. Evaluations serve other purposes as well. Where implementation is proceeding smoothly, or an agency has devised an innovative solution to a problem, the evaluation can lead to lessons that will be applicable in other contexts. What is critical is that the evaluations are used to make adjustments to the implementation process and even to strategy design. It is simply not possible for the strategy drafters to get all the details of implementation and design correct at the outset. This is one reason why it is critical that, as explained

<sup>72</sup>Radnor, “Hitting the target and missing the point?”.

below, policymakers and the public should be provided with clear, easy-to-read reports on the evaluations. They cannot act on the evaluations, or push for action on them, if they are not aware of them or do not understand them.

## 8. Allocate sufficient time and adequate resources for evaluation

Although it has been suggested that, as a rule of thumb, a typical implementation evaluation takes approximately three months and requires basic policy analysis skills,<sup>73</sup> at best this is a very rough estimate. The time, cost and technical skill required to conduct an evaluation will vary depending upon what is being evaluated and what the monitoring reveals. An indicator for enhancing corruption prevention might be the number of corruption vulnerability assessments conducted every six months. If the monitoring data reveal a sharp decline in assessments during the previous reporting period, the evaluation might require no more than a phone call to the agency responsible for vulnerability assessments to determine the reason for the drop. If, on the other hand, an evaluation is undertaken to determine why fewer corruption complaints were filed in the current year than the previous one, more in-depth research will be needed. That research could include an examination of the overall trend in corruption in the country, changes in the incentives to report and other issues that might have affected reporting levels.

## B. Monitoring and evaluating impact

In section A, above, the importance of monitoring and evaluation to ensure that the different components of a national anti-corruption strategy were actually being implemented was emphasized. That type of monitoring and evaluation, although essential, tells only whether the policies adopted are being put into place. It does not reveal whether those policies are reducing corruption. Monitoring and evaluating policies to determine their effect on the level of corruption are also vital, perhaps more so. After all, because, as discussed earlier, knowledge about the best way to combat corruption is limited, and because the particular circumstances of each country are so different, even a well-designed national anti-corruption strategy may contain significant errors, omissions and limitations that must be corrected over time. Thus, an essential element of an effective national anti-corruption strategy is monitoring and evaluating its impact (as well as the impact of the individual policies that comprise it) on corruption, and providing mechanisms for revising and updating those policies, and the strategy as a whole, as new evidence comes to light.

A number of the techniques for monitoring and evaluating the impact of the strategy on corruption will parallel the techniques examined in chapter II for conducting an initial assessment of a country's corruption problem. Many of the information sources used to make that initial assessment (country evaluation reports, surveys, government data, etc.) can be used again to help determine whether the overall corruption situation in the country has improved, worsened or stayed the same. The strengths and weaknesses of those various data sources were discussed in chapter II and will not be repeated here. However, some special issues arise when using these data sources not just to provide a "snapshot" of the corruption situation, but to evaluate progress over time and the impact of individual policy interventions. Such considerations entail six additional

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<sup>73</sup>Gloria M. Rubio, "Key choices for a menu of evaluations", in *Building Better Policies: The Nuts and Bolts of Monitoring and Evaluation Systems*, Gladys Lopez-Acevedo, Philip Krause and Keith MacKay, eds. (Washington, D.C., World Bank, 2012), pp. 124 and 125.

recommendations concerning best practices for monitoring and evaluating the impact of the national anti-corruption strategy and its component policies on corruption. Those recommendations are listed below.

## 1. Do not use year-to-year changes in corruption index scores to measure strategic impact

Countries sometimes try to measure their success or failure in combating corruption by tracking whether the country's score on the Transparency International Corruption Perceptions Index or other international indexes has improved or worsened. However, year-to-year changes in these index scores are generally not meaningful or useful measures (see box 14). Therefore, even though these indexes may be useful for some purposes, they should not be employed to evaluate the impact of the national anti-corruption strategy on corruption levels. Indeed, fixating on these index scores can be distracting, confusing and counterproductive. For that reason, the national anti-corruption strategy should not only eschew their use as an evaluative tool, but should explain why it does. There remains a great deal of misunderstanding about these indicators,<sup>74</sup> and one purpose of a strategy document is educational: to explain what the nation's corruption problems are, how they arose and what can be done to eliminate them. That explanation should include a discussion of why some of the widely publicized measures of corruption are not useful for assessing the nation's progress in combating corruption. This would help to ensure changes in the scores from year to year do not mislead citizens into thinking the strategy is failing or succeeding when it is not.

### Box 14. Why yearly changes in corruption perceptions are not a reliable measure

Many of the major international corruption indexes, such as the Transparency International Corruption Perceptions Index, are not comparable across years. Year-to-year changes in the scores can be, and often are, caused by the addition or subtraction of data sources, or by changes in the underlying data sources that themselves are not comparable across years.

The statistical margins of error associated with these indexes are often quite large, and even though the better indexes (like the Corruption Perceptions Index and the World Governance Indicators) report these margins of error, they are often ignored when making year-to-year comparisons. In reality, only a tiny number of year-to-year changes are statistically significant, and there is so much inherent "noise" in the data that even substantively meaningful changes might not show up as statistically significant.

Perceptions of corruption are not only often inaccurate, but they are also slow to change over time, and genuine changes may take years to be captured in perceptions.

Changes in perceptions can also be affected by changes in things other than the actual level of corruption, including the anti-corruption strategy itself, an effect that could, in theory, go in both directions. The adoption of a strategy may convince evaluators that the country is serious about tackling corruption, causing its score to improve even if the strategy has not made a real impact. Alternatively, adoption of the strategy could underline the country's corruption problems, worsening its perception score even if the strategy is in fact having a positive effect.

<sup>74</sup>See, for example, Claire Provost, "Is Transparency International's measure of corruption still valid?", *The Guardian* (London), 3 December 2013.

Even if these perception indexes could be used to detect meaningful changes (or a lack thereof) to a country's level of corruption, it would be very difficult to know what that implies for the impact of the strategy, because the critical question is: "How would the country be doing without the strategy?" To answer that question, it is not enough to know how the country's perceived corruption differed before and after the adoption of the strategy; what is needed is information about what would have happened (what the change would have been over the same time period) had the strategy not been adopted. And such information is generally impossible to find out from the available data.

## 2. Select impact indicators that can be compared over time

The problems of relying on international corruption perception indexes are part of a larger measurement issue: to be useful for impact monitoring and evaluation, the indicators selected should be comparable over time. For many indicators, intertemporal comparisons are fairly straightforward: for example, the number of corruption complaints received, the percentage of people saying they were solicited for a bribe or the amount of money found missing in a public expenditure tracking survey can all be compared year to year. Indeed, although measuring corruption and assessing the impact of policy interventions may seem like a daunting task, it is sometimes both possible and cost-effective to measure changes in corruption (or likely corruption) relatively directly, through investigations, audits and spot checks. Even for relatively poor countries, audits and spot checks can be a cost-effective technique for assessing corruption and related outcomes of interest. Financial audits can reveal the amount of money that disappears, without adequate explanation, from government programmes. Spot checks can reveal whether public employees such as teachers<sup>75</sup> and health-care workers<sup>76</sup> are actually showing up to their jobs.

But even when appropriate indicators that can be compared over time have been identified, it is still important to be careful not to misinterpret the significance of year-to-year changes in these indicators. For example, as noted earlier, an increase in corruption complaints might indicate that corruption is getting worse, or it might indicate that citizens are more aware of or more willing to report incidents of corruption. This is perhaps not such a concern with regard to audits and spot checks, but it should still be taken into account. A decrease in the amount of "missing money" detected in audits or expenditure tracking surveys might mean that corruption has decreased, but it might also mean that corrupt actors have become better at fooling the auditors or have shifted to other, less easily detected modes of corruption. As stressed in the discussion on conducting a preliminary analysis, data on corruption are often open to more than one interpretation, and it is important to look at the context to determine the correct interpretation.

## 3. Isolate the impact of the policies implemented pursuant to the strategy

Even if valid and reliable measures or proxies for corruption can be identified, assessing the impact of the various policies adopted to implement the national anti-corruption strategy will still be challenging, as it is often difficult to disentangle the effect of the

<sup>75</sup>Esther Duflo, Hanna Rema and Stephen P. Ryan, "Incentives work: getting teachers to come to school", *American Economic Review*, vol. 102, No. 4 (2012), pp. 1241-1278.

<sup>76</sup>Abhijit V. Banerjee, Rachel Glennerster and Esther Duflo, "Putting a band-aid on a corpse: incentives for nurses in the Indian public health care system", *Journal of the European Economic Association*, vol. 6, Nos. 2 and 3 (2010), pp. 487-500.

policy from all of the other factors that may have had an effect as well. Again, before-and-after comparisons, while sometimes helpful, can be misleading, because what is important when evaluating a policy is the comparison of what happened with the policy in place with what would have happened had it not been there.

One way to deal with this issue, first used to test the effectiveness of new drugs and increasingly employed to evaluate public policies,<sup>77</sup> is the use of randomized controlled trials. In a randomized controlled trial, a new policy is applied to certain randomly selected units (such as particular villages or offices), but not to others (which then serve as controls). The randomization allows any difference in average outcomes between the two groups to be attributed to the policy intervention rather than confounding factors. Randomized controlled trials are considered the most rigorous method for evaluating a policy's impact and have been used to evaluate, for example, the effectiveness of different methods for reducing corruption in road construction<sup>78</sup> and different techniques to ensure that teachers come to work.<sup>79</sup> These trials can and should be used much more often in the context of anti-corruption policy. They may be particularly appropriate when a new policy is to be introduced in stages, for example with a pilot project. If the implementation of the pilot project is randomized and the outcomes are assessed, a wealth of useful, reliable information can be provided on the policy's impact.

Randomized controlled trials do, however, have a number of limitations. For many countries, the most important of these limitations is cost: a well-designed randomized controlled trial takes time, resources and expertise. Additionally, while they are well suited to addressing the impact of specific, narrowly defined interventions, they are less well suited to assessing complex interactions among multiple policy interventions and certainly could not be used to assess the impact of the anti-corruption strategy taken as a whole.<sup>80</sup> There are other limitations as well. For example, sometimes the short-term impact of a pilot programme differs from the impact observed when a policy is implemented more broadly. Despite these limitations, randomized controlled trials are increasingly being used for policy evaluation, and national anti-corruption strategy drafters should consider, in the context of their impact evaluation plans, opportunities for expanding their use.

When randomized controlled trials are not feasible or appropriate, other impact evaluation techniques will be required to separate out the impact of the national anti-corruption strategy, and the individual anti-corruption reforms that comprise that strategy, from confounding factors. Sometimes, the best alternative will be to try to take as many other confounding factors into account and explicitly control for them in a statistical model.<sup>81</sup> When this is not possible either, those overseeing the strategy need to explore other options, including gathering qualitative or survey data (assessing what those close to the policy reform think, based on their subjective impressions of its impact). None of these alternatives is ideal, but what is critical is that the impact evaluation process at least makes some attempt to disentangle the effects of the policy reforms associated with the strategy from confounding factors, rather than relying on simple before-and-after comparisons, which can often be misleading.

<sup>77</sup>Rossi, Lipsey and Freeman, *Evaluation: A Systematic Approach*, pp. 238-252.

<sup>78</sup>See Benjamin A. Olken, "Monitoring corruption: evidence from a field experiment in Indonesia", *Journal of Political Economy*, vol. 115, No. 2 (2007), pp. 200-249.

<sup>79</sup>See Duflo, Rema and Ryan, "Incentives work: getting teachers to come to school".

<sup>80</sup>See Chris Elbers and Jan Willem Gunning, "Evaluation of development programs: randomized controlled trials or regressions?", *World Bank Economic Review*, vol. 28, No. 3 (2014), pp. 432-445.

<sup>81</sup>See Johnsen and Søreide, "Methods for learning what works and why in anti-corruption".

#### 4. Be sensitive to the cost and time required

The cost of an indicator or evaluation technique in terms of money, time and attention is always a relevant factor. As is true with the setting of substantive goals and policy proposals, techniques for evaluating a strategy's impact must be realistic, taking into account the constraints under which the country must operate. A public expenditure tracking survey, which compares the funds the central Government allocates to sub-national units for various programmes with the amount that each recipient actually receives, can provide an accurate measure of how much money is lost to corruption or other "leakage" along the way. Implementing such a survey can, however, cost anywhere from 75,000 to 400,000 United States dollars, depending on the size of the country and the number of services covered. It can also take a year to conduct.<sup>82</sup> For many countries, this investment is well worth it given the rich data such a survey may provide, to say nothing of its potential deterrent effect. But in other countries, public expenditure tracking surveys are too expensive and take too long to undertake on a regular basis.

For some policy interventions, it will simply be impossible to measure their impact on corruption directly, or even to find reliable, affordable proxies.<sup>83</sup> In these cases, the best that can be done is to base the policies on the best available theory and evidence, and to work to ensure appropriate implementation. There are also second-best ways of judging impact. Assessing what those close to the policy reform think is one. Companies that bid for public contracts can be asked whether they think reforms to the public procurement law have reduced corruption. Another alternative is to probe deeper into policy implementation.<sup>84</sup> How much effort is being devoted to it? How carefully is it being put into effect? How efficiently? A third option is to commission an open-ended research programme looking at all aspects of the programme: the theory of change behind it, stakeholder feedback, programme management and other real-time, operational, action-research that can fill in gaps in the evidence and theory behind the policy.<sup>85</sup> What is critical is that some form of evaluation is conducted on each element of the strategy. Otherwise, policymakers and citizens will be asked to take it on faith that it is working as planned.

#### 5. Involve civil society organizations, scholars, research organizations and citizens

There are several reasons for broadening participation in monitoring and evaluation exercises. Civil society groups, academic researchers and citizens may be able to provide rich, helpful qualitative information on how the national anti-corruption strategy is working, or at least on how it is perceived. In addition, keeping civil society groups and citizens involved in the evaluation process can help maintain their support for the strategy. Regular interaction between the coordinating entity, the government agencies responsible for implementation, civil society groups, researchers and the general public can also generate new ideas and approaches, leading to the continual improvement of the strategy over time.

<sup>82</sup>Gurkan, Kaiser and Voorbraak, "Implementing public expenditure tracking surveys for results", p. 7.

<sup>83</sup>The challenges include abundant possible causes, insufficient theory, weak data, competing estimation techniques and the possibility of deep heterogeneity (Robert Klitgaard, *Addressing Corruption Together* (Paris, Organisation for Economic Co-operation and Development, 2015), p. 47).

<sup>84</sup>Theodore Poister, *Measuring Performance in Public and Nonprofit Organizations* (San Francisco, California, Jossey-Bass, 2003).

<sup>85</sup>Stern and others, *Broadening the Range of Designs and Methods for Impact Evaluations*, p. 4.

## 6. Provide methods for ongoing revision to the strategy

A major purpose of monitoring and evaluating the impact of a strategy is to allow for its ongoing revision as new information comes to light. The national anti-corruption strategy, although issued at a particular point in time and intended to be comprehensive, must be a living document. A strategy document can provide a helpful set of guidelines and a preliminary plan. However, given that corruption is such a complicated issue, to be dealt with over a long time period in a complex, fluid environment, the strategy must incorporate within it a mechanism for constant feedback, re-evaluation and potential revision. The strategy should, when possible, explicitly discuss and describe the process for feedback and revision over time, so that the document remains relevant both as a technical guide to sound policy and as a means for building political support and fostering political accountability for the effective implementation of anti-corruption policy.

### C. Public reporting of results of monitoring and evaluation

Reporting on the implementation of the anti-corruption policy and on the findings contained in the monitoring and evaluation reports is an important element of the overall accountability mechanism that should be built into every strategy. Reporting improves coordination, enables organizations to learn from past mistakes, ensures transparency of the process, stimulates public involvement and may generate support for anti-corruption efforts, sometimes even increasing pressure in favour of anti-corruption reforms.

Reporting may have multiple dimensions, all feeding into the expected results outlined above. The three types of reporting set out below are used to work towards achieving slightly different policy goals.

#### 1. Internal reporting as part of coordination mechanisms, ensuring the accountability of the implementation process

Internal reporting is an indispensable element of the process of managing the implementation of anti-corruption policy. It enables the leadership of an organization to have a clear picture of whether and how specific activities within the framework of the overall anti-corruption strategy are being implemented.

#### 2. Reporting to higher authorities in the executive or parliament

As a part of the overall coordination and implementation mechanisms, State bodies share information on how they implement the policy and provide information to the central institution in charge of policy coordination and implementation. Such reporting ensures the internal accountability of the system to the higher-level bodies of the executive (council of ministers, prime minister, president) or to the parliament. Sometimes, specialized anti-corruption structures may also be the recipients of this type of report (particularly in the case of specialized policy coordination commissions).

#### 3. Public reporting ensures transparency in the implementation of the national strategy

The importance of reporting to the public, although critical, is often overlooked. Sharing the results with the public may have an educative effect about the strategy and the

challenges in implementing it. This will both keep up public pressure for full implementation of the national anti-corruption strategy and help temper expectations when difficulties arise. Regular public reporting on progress towards implementing the strategy will also increase citizen support for the strategy when it faces political roadblocks. The reporting process should include ways the public can provide input into strategy execution, as citizens will often have different perspectives or insights from those managing the strategy.<sup>86</sup> Ultimately, reporting to the public is also required in order to ensure the transparency of the process and to strengthen public support for anti-corruption reforms. Such reporting could be a part of an overall communication strategy, aiming at strengthening public support, informing the public and reducing opposition to sometimes difficult reforms. In this context, development of a public communication plan is of crucial importance; it should take into account and utilize all possible information mediums, including social media, without prejudice to traditional and tested approaches such as town hall meetings and public hearings.

Monitoring and evaluation reports should therefore be aggressively publicized, shared with media outlets and civil society organizations and posted on the Internet. More generally, a communication plan may be part of the overall anti-corruption strategy.<sup>87</sup> To facilitate effective citizen understanding of and engagement with the implementation, monitoring and evaluation process, public reports should be presented in a clear, simple and easily understandable format, keeping technical language to a minimum, avoiding large “data dumps” and using charts, graphs and other visual aids when appropriate.<sup>88</sup> While the reports will usually originate with the implementing agencies, the coordination entity should be ultimately accountable for their timely publication and distribution. Therefore, when budgeting for this entity, provision should be made for a public affairs office or similar unit to ensure the capacity for effective public reporting.

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<sup>86</sup>Tat-Kei Ho, “Reporting public performance information”, pp. 198-201.

<sup>87</sup>For how to craft a media plan, see Elaine Byrne, Anne-Katrin Arnold and Fumiko Nagano, *Building Public Support for Anti-Corruption Efforts: Why Anti-Corruption Agencies Need to Communicate and How* (Washington, D.C., World Bank, 2010).

<sup>88</sup>Kusek and Rist, *Ten Steps to a Results-Based Monitoring and Evaluation System*, pp. 129-137.





## Annex. Kuala Lumpur statement on anti-corruption strategies<sup>a</sup>

On 21 and 22 October 2013, high-level representatives of anti-corruption authorities and national planning authorities from South, East and South-East Asia and anti-corruption experts from around the world gathered in Kuala Lumpur at the invitation of the United Nations Office on Drugs and Crime (UNODC) and the United Nations Development Programme (UNDP), in partnership with the Government of Malaysia, to discuss a set of guidelines for anti-corruption strategies that could instruct the process of developing, designing and implementing sustainable anti-corruption strategies.

The participants included several officials of anti-corruption authorities, other anti-corruption practitioners and representatives from national planning authorities and executive, legislative and judiciary branches. Representatives of UNDP, UNODC the World Bank, the Anti-Corruption Initiative for Asia and the Pacific of the Asian Development Bank and the Organization for Economic Cooperation and Development, Transparency International and the U4 Anti-Corruption Resource Centre also took part in the proceedings.

The participants reviewed and discussed country experiences from around the world, with a particular focus on South, East and South-East Asia, relating to the process of developing anti-corruption strategies, the design and content of anti-corruption strategies and the monitoring and evaluation of anti-corruption strategies.

*Recalling* the United Nations Convention against Corruption<sup>b</sup> which, in its articles 5 and 6, obliges States Parties, in accordance with the fundamental principles of their legal systems, to develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability,

*Recognizing* that anti-corruption strategies can provide a comprehensive policy framework for actions to be taken by States in combating and preventing corruption, a useful tool for mobilizing and coordinating efforts and resources by Governments and other

<sup>a</sup>Originally issued in conference room paper CAC/COSP/2013/CRP.12. The Conference of the States Parties to the United Nations Convention against Corruption took note of the statement in its resolution 5/4.

<sup>b</sup>United Nations, *Treaty Series*, vol. 2349, No. 42146.

stakeholders, for policy development and implementation, and for ensuring monitoring of policy implementation,

*Considering* that a number of countries in South, East and South-East Asia have implemented anti-corruption strategies or are in the process of drafting new strategies and revising old ones,

*Recognizing* that there are a large variety of models of and approaches to the development of anti-corruption policies and strategies and common lessons to be learned from experiences in developing these strategies in the region,

The participants:

1. *Recommend* the following:

**Anti-corruption strategy development process**

- **POLITICAL, SOCIAL, ECONOMIC AND CULTURAL CONTEXT:** States must take into account their particular political, social, economic and cultural context when designing anti-corruption strategies.
- **POLITICAL WILL:** Committed political leadership, ideally from the highest levels of the State, and broader political support to steer the overall process and mobilize necessary resources, are necessary conditions of an effective anti-corruption strategy development process.
- **STAKEHOLDER INVOLVEMENT (INCLUSIVE PROCESS) AND OWNERSHIP:** Broad engagement of stakeholders builds ownership and helps to ensure acceptability and effectiveness of strategies adopted. State institutions (executive, legislative and judiciary) at the national and subnational levels, civil society organizations, private sector, media, professional societies, trade and industry associations and labour unions, academic institutions, youth and cultural organizations, can serve as important allies and partners in the development of anti-corruption strategies and can reduce the vulnerability of the reform efforts to changes in political leadership.
- **CLEAR AND TRANSPARENT PROCESS:** The process of developing strategies needs to be clear and transparent from the outset.
- **COMMON VISION:** A consensus should be built around a common vision and intended objectives of strategies.
- **STRENGTHENING COORDINATION:** Anti-corruption strategies should focus on enhancing inter- and intra-agency coordination during the development process as well as the implementation and monitoring phases.
- **SOUND KNOWLEDGE BASE:** Development, implementation and monitoring of strategies should be informed by sound diagnostics, needs and evidence of risk and vulnerability areas and gaps in anti-corruption policies and institutions.
- **SUSTAINABILITY AND INSTITUTIONALIZATION OF THE PROCESS:** Development of strategies should be institutionalized to ensure continued relevance and timely modification of the anti-corruption strategies.
- **ALLOCATING AND MOBILIZING RESOURCES:** Necessary resources should be mobilized at the time of development of strategies to ensure effective implementation and monitoring of strategies.
- **PUBLIC COMMUNICATION AND ENGAGEMENT:** Anti-corruption and national planning authorities shall communicate and engage with the public regularly in order to ensure public confidence and channel feedback for the effective implementation of anti-corruption strategies.

### Anti-corruption strategy design and content

- **RATIONALE CORE OBJECTIVES AND REALISTIC GOALS:** Core objectives and goals, and rationale for interventions should be defined based on national priorities, and identified gaps and needs.
- **NATIONAL DEVELOPMENT STRATEGY/PRIORITIES AND BROADER CONTEXT:** Anti-corruption strategies should be incorporated within broader national development initiatives currently in focus and should take into account international/regional obligations.
- **INTEGRATION WITH OTHER RELEVANT NATIONAL PROGRAMMES/ REFORM AGENDAS:** Anti-corruption strategies should take into account and establish links with other relevant national strategies (e.g., judicial sector, public administration reform, open government, etc.) and should seek to form synergies with other agencies.
- **COMPREHENSIVE AND COORDINATED APPROACH:** Anti-corruption strategies should be organized under an overarching/holistic approach while taking into account sector-specific needs.
- **CLEAR AND UNDERSTANDABLE DOCUMENT:** Strategies have to be clear, concise and easily understood.
- **STRUCTURE AND DESIGN:** While there is no simple formula for the proper design, content or implementation of anti-corruption strategies, the United Nations Convention against Corruption can be used as a framework for anti-corruption strategies, taking into account relevant data, particular needs and national capacities.
- **PRIORITIZATION AND SEQUENCING:** Strategies need to be realistic on what is achievable in the short, medium and long term, set clear priorities and sequence actions based on priorities. Strategies could be designed with the aim of enhancing the credibility of leadership and ensuring quick tangible results to strengthen the national commitment to reform.
- **IMPLEMENTATION MECHANISM:** It is imperative that strategies provide for an implementation mechanism in the form of an action plan with clearly identified responsibilities and timelines for implementation with focus on results. The agency designated to coordinate implementation of strategies should be within high-level government agencies.
- **SUBNATIONAL IMPLEMENTATION:** Where applicable, particular attention should be paid to strategies' implementation at the subnational and local levels.
- **INSTITUTIONAL AND FINANCIAL SUSTAINABILITY (NEEDS and CAPACITIES):** Strategies should provide for their institutional and financial sustainability and should take into account capacity for implementation.

### Anti-corruption strategy monitoring and evaluation

- **INTEGRAL PART OF STRATEGY DESIGN:** Monitoring and evaluation mechanisms are an integral part of national anti-corruption strategies. Elements of evaluation and data-collection systems should be built into strategies from the design phase.
- **INDICATORS WITH CLEAR BASELINES AND TARGETS:** Measurable indicators, with established baselines and tracking mechanisms, are needed to determine whether targets are being achieved.
- **NEED FOR DATA-GENERATION TOOLS:** Effective monitoring and evaluation require reliable data that are generated based on multiple sources.

- **REGULAR REPORTING:** Regular monitoring and reporting allow authorities to gauge progress in implementation and achieving results in curbing corruption.
  - **EVALUATION VS. PROGRAMME MANAGEMENT:** It is important to distinguish between programme management monitoring (activities/outputs) as opposed to evaluation (outcomes/impact) and between implementation responsibilities as opposed to monitoring and oversight responsibilities.
  - **RESPONSIBLE AUTHORITY:** National body/bodies should be entrusted with the responsibility for monitoring, implementation and regular reporting and be provided with sustainable institutional and financial support. An independent evaluation should ensure accurate monitoring and reporting at regular intervals.
2. *Encourage* anti-corruption and national planning authorities to promote these recommendations within their respective agencies, countries and regional/international networks in a time-bound manner.
  3. *Call upon* anti-corruption and national planning authorities to promote these recommendations in order to assist members of the executive and the legislature and the judiciary, and the public in general, to better understand and support anti-corruption strategies in their development, design, implementation and monitoring.
  4. *Welcome* the commitment of the host country to raise these recommendations at the fifth session of the Conference of the States Parties to the United Nations Convention against Corruption and *encourage* other participating countries to support this initiative.
  5. *Express* appreciation and gratitude to the Government of Malaysia for hosting the Asia Regional Meeting on Anti-Corruption Strategies organized by UNDP and UNODC to reflect on and promote these recommendations for anti-corruption strategies.









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