United Nations

Conference of the States Parties to the United Nations Convention against Corruption

Open-ended Intergovernmental Working Group on the Prevention of Corruption
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Methodologies, including evidence-based approaches, for assessing areas of special vulnerability to corruption in the public and private sectors

Background paper prepared by the Secretariat[*]

Contents

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[*] This document has not been formally edited

I. Introduction

1.   At its third session, held in Doha from 9 to 13 November 2009, the Conference of the States Parties to the United Nations Convention against Corruption adopted resolution 3/2 on measures to prevent corruption. In that resolution, the Conference decided to establish an interim open-ended intergovernmental working group to advise and assist it in the implementation of its mandate on the prevention of corruption. The working group was set up in accordance with article 63 of the United Nations Convention against Corruption.[1]

2.   In the same resolution, the Conference decided that the working group should perform the following functions:

    (a)   Assist the Conference in developing and accumulating knowledge in the area of prevention of corruption;

    (b)   Facilitate the exchange of information and experience among States on preventive measures and practices;

    (c)   Facilitate the collection, dissemination and promotion of best practices in corruption prevention;

    (d)   Assist the Conference in encouraging cooperation among all stakeholders and sectors of society in order to prevent corruption.

3.   In the same resolution, the Conference also recalled article 61, paragraph 2, of the Convention, which calls upon States parties to consider developing and sharing with each other and through international and regional organizations statistics, analytical expertise concerning corruption and information with a view to developing, insofar as possible, common definitions, standards and methodologies, as well as information on best practices to prevent and fight corruption. The Conference further requested the United Nations Office on Drugs and Crime (UNODC) to collect and disseminate information on methodologies, including evidence-based approaches for assessing areas of special vulnerability in the public and private sectors that are potentially or recurrently prone to corruption and report on those efforts to the working group.

4.   Pursuant to resolution 3/2, the present background paper provides an overview of existing knowledge of and approaches to the assessment of vulnerabilities to corruption both in the public and private sector. The paper focuses on methodologies which provide for quantitative assessments, while it does not consider qualitative approaches such as legislative reviews or institutional analyses. The paper endeavours to provide an account of existing methodologies without debating their findings, but rather highlighting commonalities and divergences. As such, it can be regarded as a conceptual extension of the analysis presented to the Conference at its third session (CAC/COSP/2009/CRP.2).

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[1] United Nations, *Treaty Series*, vol. 2349, No. 42146.

II. Issues on quantitative assessments of corruption

5.   Over the past two decades, several attempts have been made to conduct quantitative assessments of corruption. Researchers and statisticians have explored ways to generate hard data to inform public debates and policy developments on corruption. Such attempts, however, have faced several methodological and operational challenges. Corruption is a crime and collecting accurate data on it is as challenging as gathering evidence on other forms of crime. Illicit behaviours are hidden and victims are not always willing or able to report to authorities. In the case of corruption, the collection of statistical evidence is further complicated by three factors:

- When national legislation is not fully consistent with the Convention against Corruption, borders between licit and illicit, or appropriate and inappropriate behaviours are often blurred;

- As chapter III of the Convention calls for the criminalization of a catalogue of offences of corruption, an accurate assessment would require collection of data on each of those offenses of corruption, a daunting task;

- In comparison to other offences, victims of corruption are less prone to report to competent authorities for reasons such as fear of retaliation, reluctance to fight an established practice or because they are to some extent co-responsible of the crime.

6.   The difficulty to collect evidence- or experience-based data has favoured the use of indirect approaches to measure corruption, such as methods based on experts' assessments and re-elaboration of available data (i.e. composite indices).

III. Indirect methods to assess corruption

7.   Two indirect approaches have been largely used in the assessment of corruption, both at national and international levels:

  (a)   Experts' assessments: according to this approach, a selected group of experts is asked to provide an assessment of corruption trends and patterns in a given country or group of countries. The basic idea behind experts' assessments is to collect summary information from a selected set of individuals who, supposedly, are familiar with the information sought.

  (b)   Composite indices: they represent a method of combining a variety of statistical data into a single indicator. This approach is often used to quantify in a succinct manner multi-dimensional concepts or to assemble data generated by diverse sources.

8.   Several examples of indirect assessments of corruption have been produced over the last two decades[2]. Results derived from such assessments have often

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[2] For a review of main initiatives please see 'Quantitative approaches to assess and describe corruption and the role of UNODC in supporting countries in performing such assessments',

attracted considerable attention from the media, policy makers and the public at large. Furthermore, the generation of quantitative assessments of corruption under the form of rankings or indices has conveyed the message that the measurement of corruption is possible and necessary.

9. Assessments based on indirect methods, however, present major weaknesses with regard to their validity and relevance of produced indicators. Statisticians question whether such assessments measure what they intend to measure and meet users' needs.

10. The validity of such assessments is put into question by the fact that they are typically based on opinions or perceptions, and not on experience or evidence. The use of perception data needs particular attention since individuals' opinions on corruption is the final outcome of a complex process. The type of information available to persons represents the first factor influencing their opinion. Mass media usually play a major role in shaping public perceptions when, for instance, they focus on specific episodes of corruption while neglecting others. Furthermore, the same information can be interpreted in different ways by different people, depending on their culture, values, socio-economic status, occupation and other variables. Hence, data based on perception can be very useful, but they cannot simply be used as a proxy indicator of corruption trends because of their interplay with subjective elements.

11. The second major weakness of such approaches is that they are not able to produce detailed information on corruption. These methods are not able to produce actionable indicators to be used to identify corruption-prone areas, procedures or positions at risk, and to monitor trends over time. The final result of composite indices, for instance, is represented by the ranking of countries, which does not constitute an actual measurement of corruption and it neither provides information to be directly used for policy making purposes.

12. Some of the drawbacks of indirect methods to assess corruption can be overcome by using different approaches, which aim to collect evidence-based information on corruption through statistical and standardized procedures.

IV. Evidence-based methods to assess corruption

13. Differently from opinion-based methods, evidence-based approaches to assess corruption and vulnerability to it collect information on the evidence or experience of the phenomenon under study, and analyze such information through scientific, non-subjective procedures. More specifically, statistical tools are used to ensure that collected information is as accurate and objective as possible. Two principal ways exist to collect statistical, experience-based information on corruption:

1. Collection and use of official data on reported cases of corruption from a variety of sources (police, prosecutors, courts, anti-corruption agencies);

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2. Conduct of sample surveys on corruption and integrity. Random sample surveys allow for the direct collection of data on experience of representative samples of a given population as, for example, households or businesses.

14. Official data on reported crime can represent the initial step towards the assessment of corruption, its extent and vulnerability to it. Given the usually low reporting rates, these data describe more the response of law enforcement and criminal justice systems rather than information about the true extent of the crime itself. However, the availability of detailed data on offences committed and officials involved can provide some interesting insights on specific areas of vulnerability to corruption.

15. Sample surveys allow for the collection of information on direct experiences of corruption. The strategy adopted in such surveys is to ask respondents whether they were victims of episodes of corruption. If conducted according to strict methodological standards (proper sample design and size, random selection of respondents, safe and professional conduct of interviewers), sample surveys can produce important indicators on the extent and prevalence of corrupt practices. More importantly, the wealth of information gathered through sample questionnaires can shed light on the modalities of corruption and the sectors, positions and administrative procedures more at risk. The search for information on areas more vulnerable to corruption can derive unequivocal evidence from sample surveys on the experience of corruption.

16. Sample surveys, however, have weaknesses too. When using data from sample surveys on corruption and integrity, the following should be borne in mind:

(a) Not all offences of corruption generate individual victims. In cases of embezzlement, abuse of function or illicit enrichment, to name a few, it is often not possible to identify direct victims and therefore these crimes cannot be investigated through a sample survey.

(b) In corruption offences, the concept of victim can have blurred connotations. In many instances, the underlying agreement between the bribe-giver and the bribe-taker makes respondents reluctant to disclose such cases.

17. In order to collect information on the different actors involved in corruption schemes, various typologies of surveys have been developed. Each of them target different groups with different roles and experiences of corruption:

- Surveys on individuals or households;
- Surveys on the private sector at large or specific industries;
- Surveys on civil servants or specific sectors (i.e. the police, the judiciary).

A. Household surveys

18. In household sample surveys, respondents are primarily asked about their experience of corruption as victims. Several aspects of corruption episodes can be fully investigated and the relationship between public officials, services provided and private citizens can be analyzed in detail. In addition to the prevalence of

corrupt practices, it is also possible to explore how corruption takes place, for what purposes, in which sector and in connection with the delivery of which public service. Survey results set baseline data for monitoring and evaluation. They can assist in identifying corrective measures and measuring their impact.

19. An example of the type of information generated by sample surveys is the assessment recently conducted by UNODC in Afghanistan[3]. The study reveals the incidence of bribery among total population in its interaction with public officials.

Figure 1:   Percentage of population who paid at least a bribe in the past 12 months by type of official requesting the bribe (Afghanistan, 2009)
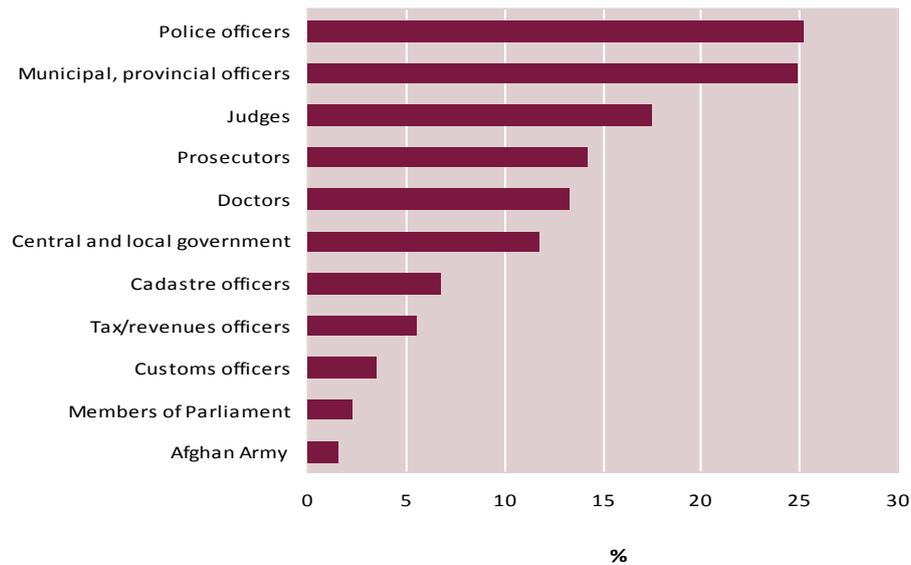

Figure 2:   Percentage of population who paid bribes after interaction with selected public officials (Afghanistan, 2009)

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[3] 'Corruption in Afghanistan: bribery as reported by the victims' (UNODC, 2010) (http://www.unodc.org/unodc/en/data-and-analysis/corruption-in-Afghanistan.html)

Judges	
Prosecutors	
Police officers	
Customs officers	
Municipal, provincial officers	
Central and local government	
Cadastre officers	
Tax/revenues officers	
Members of Parliament	
Doctors	
Afghan Army	

0   10   20   30   40   50   60
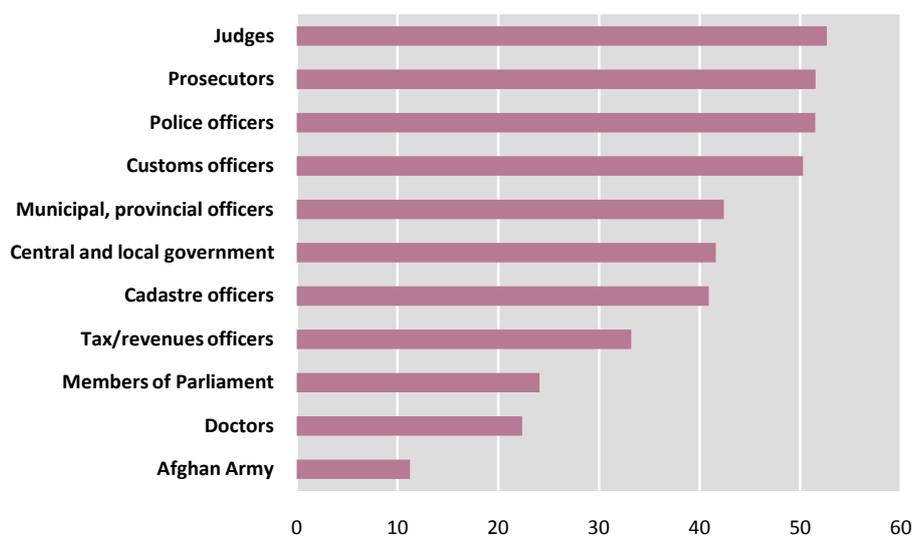
20. The ability of such surveys to identify specific areas of vulnerabilities to corruption emerges from the analysis of Figures 1 and 2 above. Figure 1 shows the percentage of the population who had to pay a bribe to public officials in the previous 12 months. From these data, it emerges that ordinary citizens frequently pay bribes to police officers and officials of local authorities. However, if the analysis is to focus on the identification of sectors more prone to corrupt practices, it should be taken into account that bribes can be paid only when there is an actual interaction between citizens and civil servants. Figure 2 captures only individuals who had a contact with various civil servants and shows the percentage of citizens who had to pay a bribe to concerned public officials. From this graphic, it emerges that when Afghan citizens deal with representatives of the judiciary, police and customs administration, they are asked for bribes in around 50 per cent of the cases.

21. Furthermore, by eliciting supplementary information on bribes paid, sample surveys generate additional knowledge of vulnerabilities to corruption. Such information relates to the administrative procedures in connection to which bribes were paid, specific purposes of the bribes, modalities of payments and their amounts. Household surveys can also contribute to the collection of information on other misconducts, such as those taking place when citizens apply for jobs in the public service.

B. Business surveys

22. Sample surveys can also be conducted on the private sector, where respondents are executives of a random sample of enterprises. The aim of these tools is to measure the frequency and impact of corrupt practices among the business community. Results from a survey conducted under UNODC supervision by the Statistical Office of Nigeria[4] in 2006 indicated that almost 10 per cent of the entire sample had to pay bribes in the year before the survey. When restricting the findings

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[4] 'Business Survey on Crime and Corruption and Awareness of EFCC in Nigeria, 2007: statistical report', (National Bureau of Statistics and Economic and Financial Crimes Commission, 2010)

to businesses which had at least one contact with public officials in the year before the survey, the proportion of those who had to engage in corrupt practices increased to 34 per cent. Interviewed businesses reported that, when dealing with police investigations or traffic offenses, they were requested to pay a bribe in more than 40 per cent of cases (see figure 3). Also when clearing goods at customs, the percentage of business who were requested to pay a bribe was considerable (almost 35 per cent), while the lowest percentage was recorded for courts (19 per cent).

23.   This and other similar surveys give prominence to misbehaviours in the private-public relationship. Forms of corruption in the private-private sphere remain largely unexplored, with the exception of some elementary forms of corruption in the private sector, such as misappropriation of goods by companies' personnel. Corruption in the private sector still represents a largely unexplored topic.

Figure 3:   Percentage of businesses who had to pay bribes, among those who performed selected operations
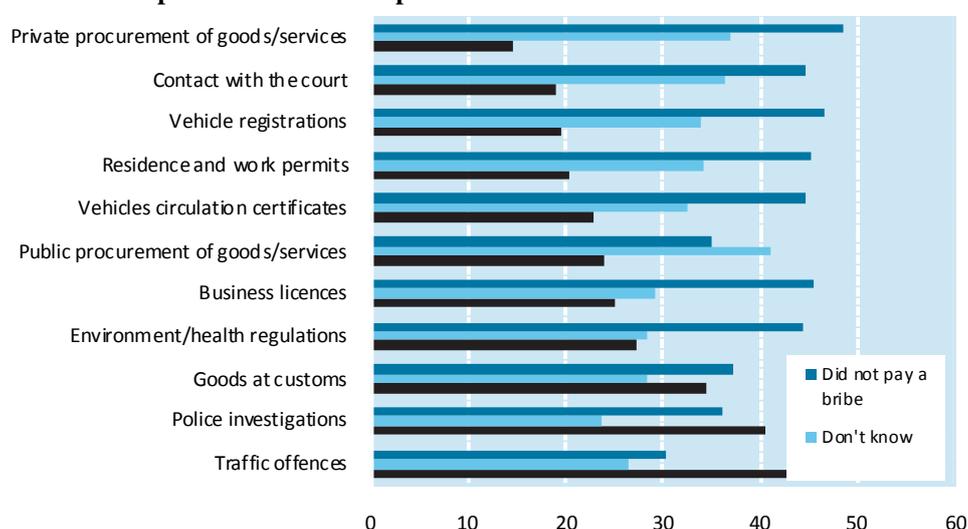

C. Surveys on civil servants

24.   Other sample surveys targets directly public officials and frequently focus on specific groups such as the police or the judiciary. These surveys aim to collect information on the working conditions of civil servants with the view to identifying weak practices and vulnerabilities to corrupt behaviours. Information on recruitment and promotion practices, job mobility, frequency of training, work incentives, salary and career satisfaction, is crucial to elaborate policies and measures for the civil service, especially when coupled with information on corruption experiences.

25.   A pilot survey[5] recently conducted by the National Statistical Office of Iraq under UNODC supervision provides an example of indicators that can be produced by these surveys.

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[5] Preliminary findings from pilot survey on working conditions and integrity of civil servants in Iraq

26.   This survey found that some 10 per cent of the civil servants interviewed were offered a bribe in the previous 12 months. When interpreting this figure, it should be taken into account that civil servants perform heterogeneous tasks, also within the same ministry, and that they are not exposed to the same risk of bribery. For example, figure 4 below shows that the frequency of interactions with external actors can have a significant impact on civil servants' exposure to corrupt practices. Officials with daily interactions with external entities, especially with private companies, are more frequently offered bribes. Some 20 per cent of officials with daily contacts with private companies received at least one offer of bribe in the previous 12 months. The risk of being offered a bribe decreases for staff who have weekly or monthly contacts with outside counterparts, or no contacts at all.

Figure 4:   Civil servants who were offered bribes in the past 12 months, by frequency of interactions with selected actors

(UNODC, UNDP and COSIT-Iraq, 2010)
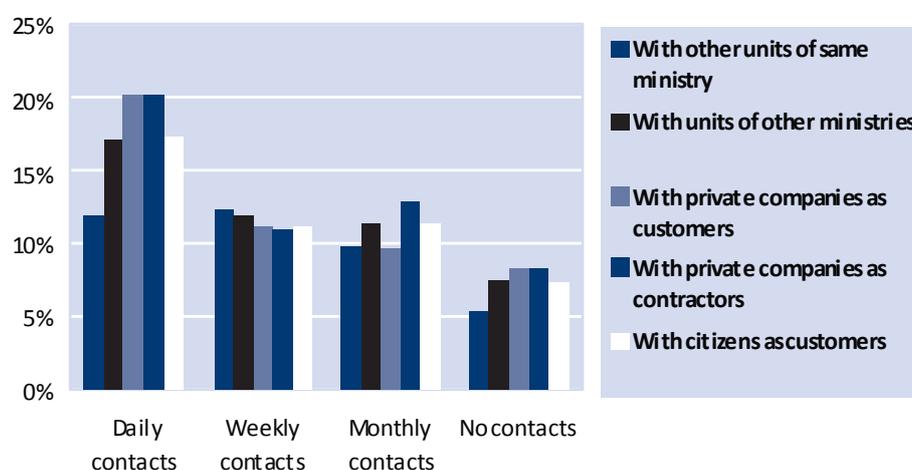
27.   As all these examples show, evidence-based approaches to assess corruption and identify vulnerabilities to it can provide valuable information to develop and monitor anti-corruption policies. However, important methodological challenges still need to be met for these approaches to rest on more solid scientific bases.

V.   Conclusions and recommendations

28.   Scientific, detailed and articulated information on corruption is crucial to develop, implement, monitor and evaluate evidence-based anti-corruption policies and measures. Conversely, the lack of accurate and scientific information represents a major obstacle to the fight against corruption. As the Secretary-General Ban Ki-moon recently stated: "*(…) One major handicap is that we don't know how to measure corruption – a crucial need in our fight against an unseen foe. The best we*

can do right now is to gauge public perception of corruption. But gauging perception is like measuring smoke rather than seeing the fire. The creation of a precise body of knowledge about a poorly researched and little-understood subject will shed more light on murky deals. If we can calculate inflation and GDP, it should not be beyond our abilities to develop an effective and scientific measure of corruption. As knowledge deepens and spreads, it will create the conditions for change, enabling Governments and other stakeholders to make evidence-based policies[6]".

29. In addition to the few examples of surveys documented in the present report, other entities have been active in the field of measuring corruption, both at national and international levels. At the national level, the establishment and growth of anti-corruption bodies have given new impetus to quantitative methods to assess corruption. At the international level, various organizations have produced assessments and collated methodological documentation. The Diagnostic Surveys of Corruption produced by the World Bank, the corruption surveys conducted by UNODC and the analytical and methodological publications issued by UNDP represent only a few examples.

30. In spite of all these initiatives, there is no consolidated methodology to produce reliable and standardised measurements of corruption and vulnerabilities to it. The approaches taken to date have not been translated into a standard statistical apparatus (concepts, survey methods and tools, indicators) and the lack of standards can produce disappointing results. Two sample surveys conducted in the same country and in the same period can bring to substantially dissimilar results because of different methodological options.

31. Against this background, it is not only necessary, but also possible to build on past and present experiences and lessons learnt to consolidate and improve evidence-based methods, thus generating a shared and scientifically sound body of knowledge on assessing corruption. This can be achieved by fostering an international scientific dialogue to consolidate existing methodological approaches and develop methodological documentation, including guidelines and good practices. Such a dialogue would also promote further research on those areas and typologies of corruption for which evidence-based assessments are still at their early stages. These include the assessment of corruption in the private sector or the assessment of those typologies such as embezzlement and grand corruption that are not covered by traditional sample surveys.

32. To this end, the working group may wish to consider whether it would be appropriate to recommend that UNODC establishes a group of international experts to consolidate experiences in evidence-based assessments of corruption and the identification of vulnerabilities to it. The working group may further wish to recommend that UNODC drafts the terms of reference of the group of international experts, to be approved by the working group at its next meeting. Such terms of reference would indicate activities, intermediate and final outputs, timeframes, modus operandi, profile of the experts, composition of the group and funding requirements. It is anticipated that the group of international experts would be composed of scientists, statisticians and researchers with direct experience in

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[6] Remarks to Inagural Conference of the International Anti-Corruption Academy, Vienna, 2 September 2010

conducting assessments of corruption. It is further anticipated that the group would collaborate and coordinate with other international initiatives that aim to promote and develop evidence-based methods to assess corruption.

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