



Istanbul Anti-Corruption Action Plan 5th Round of Monitoring

Pilot Performance Indicators



At its 24th meeting in March 2019 the ACN Steering Group endorsed the outline of the Work Programme for 2020-2024, which provides for the new approach for the Istanbul Anti-Corruption Action Plan monitoring based on performance indicators. The ACN Secretariat has prepared the Anti-Corruption Performance Indicators in consultation with the Expert Group, ACN countries and partners. The document was endorsed for pilot monitoring at the 25th Steering Group meeting held virtually on 28th May, 2020. Further, the Steering Group approved the amendments to the document, including Performance Area 7 Public Procurement and changes in several indicators by written procedure on 30 November, 2020.

The document will be revisited based on the results of the pilot and presented for the adoption to the Steering Group at its 26th meeting in 2021. For more information please contact rusudan.mikhelidze@oecd.org.

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Background

At its 24th Meeting held on 22 March 2019 in Paris, France, the Steering Group of the ACN endorsed the outline of the ACN Work Programme for 2020-2024, that introduced anti-corruption performance indicators (PIs) as a basis for peer review and regional dialogue. PIs focus on selected areas of anti-corruption functions of governments, such as anti-corruption policy, prevention of corruption and enforcement of criminal responsibility for corruption, where standard approaches can be formulated and measurable and comparable data can be collected. The Steering Group tasked the ACN Secretariat with developing related assessment framework. The ACN Secretariat prepared the first draft PIs and discussed them at the Expert Workshop held on 30-31 October 2019 in Paris, held in cooperation with UNDP, OSCE, RAI and IIB. The draft was revised taking into account the results of the workshop and subsequent written comments. The written consultations with the ACN countries and partners held in February-March 2020. The draft was further revised for presentation at the 24th Steering Group meeting on 28th May.

The 5th Round of Monitoring under the Istanbul Anti-Corruption Action Plan and Regional Outlook

As noted in the outline of the ACN Work Programme for 2020-2024, performance indicators will form a basis for standardized, consistent and transparent assessments under the Istanbul Anti-corruption Action Plan (IAP). Clear benchmarks and scoring will allow comparing country performance and increasing peer pressure for the implementation of anti-corruption reforms. While the PIs will be primarily used for peer review, selected Key Performance Indicators (KPIs) - will also be used to analyse anti-corruption trends in the region. Such analysis will be included in the Regional Outlook. Performance indicators and benchmarks presented below will be a part of the monitoring tool that will also include methodology, principles and procedures of the monitoring, a model questionnaire and a guide to the indicators. The methodology of the 5th round of monitoring will rely on key elements of the IAP peer review programme as follows:

- Peer review and equal treatment
- Comprehensive scope
- Questionnaire, on-site visit, adoption based on consensus
- Participation of civil society, business, international and other non-governmental partners
- Publication and dissemination of reports.

Performance Indicators

The proposed assessment framework that will be used to evaluate country performance, covers 13 Performance Areas (PAs). Each Area includes Performance Indicators which consist of benchmarks. PIs and benchmarks are based on the findings and recommendations of the forthcoming Summary Report “Anti-Corruption Reforms in Eastern Europe and Central Asia, Achievements and Challenges, 2016-2019”. They reflect international standards and good practices. Some of them also promote cutting-edge solutions in the anti-corruption field.

Considering that the previous rounds of IAP monitoring have thoroughly assessed legal frameworks, the PIs mostly target the practical enforcement. They focus on the legal framework only in the areas where the countries of the region significantly lag behind in reaching the standards.

The proposed assessment framework does not aim to cover each performance area exhaustively. The following considerations guided the selection of the PIs and benchmarks:

- Relevance to the achievements and remaining challenges specific to the ACN region
- Shifting focus on enforcement and practice from legal and institutional frameworks
- Limitations related to the availability of administrative data and other available data sources

- Encouraging countries to advance their performance in line with international standards and good practice
- Ensuring objectivity of the assessment process by using uniform quantitative and qualitative benchmarks.

PIs will be accompanied by a practical guide to further explain their meaning and serve as a reference for monitoring experts, national coordinators and other relevant stakeholders. The ACN Secretariat will develop this guide after the work on the content of indicators is finalized.

Scoring

Under each performance area, the level of performance is assessed using a score scale of 1-100 as demonstrated below. Point allocation to performance indicators and benchmarks is based on the complexity and importance of the issues at hand. More points are allocated to the enforcement benchmarks and less to those related to legal and institutional frameworks. Points for each benchmark are fixed, thus, if a benchmark is met, a country will get full points, and if not, it will not get any. Each benchmark has an autonomous nature and the compliance with one benchmark does not affect the compliance with other benchmarks.

Performance Level	A OUTSTANDING	B HIGH	C AVERAGE	D LOW
Score	81-100	61-80	41-60	<40

Definitions

Explanation of terms frequently used in the Performance Indicators:

- **“Public allegations”**: allegations that are available in the public domain (e.g. disseminated in mass media or internet) and include verifiable statements of fact about specific persons and alleged violations.
- **“Wide perception among the main stakeholders”**: the main stakeholders are government institutions, civil society organisations, private sector companies and business associations, international development partners, public officials, field experts, etc. Wide perception means that main stakeholders predominantly agree with a certain assessment. The monitoring team will use available sources of information, including replies to the monitoring questionnaire, existing perception and expert surveys, opinions collected during on-site meetings, and will not conduct comprehensive stakeholder surveys on its own.
- **“Track record”**: an enforcement practice expressed in the number of cases or instances showing that enforcement happens. Assessment framework uses three levels to evaluate enforcement as a track record: low, moderate and high. Definition of such levels is specific to each benchmark. To ensure a fair approach to country evaluation, track record measures the level of enforcement in proportion to the population size of a given country. The track record is based on the enforcement practice during the year that precedes the monitoring.
- **“Routinely”**: applied or used systematically as a usual practice, where failure to apply or use is an exception while the application is a norm.
- **“Regular/regularly”**: taking place often or at uniform intervals.
- **“Corruption offences”**: criminal offences mentioned in Chapter III of the United Nations Convention against Corruption, namely bribery of national public officials, bribery of foreign public officials and officials of international public organizations, embezzlement, misappropriation or other diversion of property by a public official, trading in influence, abuse of functions by a public official, illicit enrichment, bribery in the private sector, embezzlement of property in the private sector, laundering of proceeds of crime.

- **“Law”**: primary law, not secondary legislation.
- **“Legislation”**: primary and secondary legislation.
- **“High-level corruption”**: corruption offences, which meet both of the following criteria:
 - 1) involve in any capacity punishable by criminal law (e.g. as masterminds, perpetrators, abettors or accessories) the high-level officials;
 - 2) involve substantial benefits for the officials or their family members or other persons (e.g. legal persons they own or control, political parties they belong to) and/or significant damage to public interests.¹
- **“High-level officials”**: the following appointed or elected officials: the President, members of Parliament, members of Government and their deputies, heads of executive and other central public authorities and their deputies, the staff of private offices of political officials, governors, mayors of country’s capital and regional capital cities, judges, prosecutors, top-managers and executive and supervisory board members of the 10 biggest SOEs in the country, any other officials defined as politically exposed persons under the national law.

Issues of Methodology of the Pilot for the 5th Round of Monitoring under the IAP

While the automatic full publication and wide public dissemination of the reports remains the principle rule of the OECD/ACN and the Istanbul Action Plan, exceptionally the scores of the Pilot reports will not be published, taking into account that the main goal of the Pilot is to test the new methodology, including scoring system, and not to assess countries.

If one or several benchmarks will appear to have significant deficiencies during the Pilot monitoring, the Steering Group may agree not to publish the relevant sections of the Pilot reports.

Upon the completion of the Pilot, the indicators and the benchmarks, as well as methodology, including the scoring system, may be revisited in view of the results of the Pilot. On this basis, the Steering Group will finalise and adopt the Monitoring Tool for the 5th round of the Istanbul Action Plan.

¹ For the purposes of these performance indicators a substantial benefit or significant damage, if they are of a pecuniary nature, shall mean any such benefit or damage that is equal or exceeds the amount of 3000 monthly statutory minimum wage fixed in the respective country.

List of Performance Areas (PAs) with Performance Indicators (PI)

PA-1 Anti-Corruption Policy

1. The anti-corruption policy is up-to-date, evidence-based and includes key corruption risk areas
2. The anti-corruption policy development is inclusive and transparent
3. The anti-corruption policy is effectively implemented
4. Coordination and support to implementation is ensured
5. Regular monitoring and evaluation is ensured

PA-2 Conflict of Interests

1. Legal and institutional framework on conflict of interests is in place
2. Unbiased and vigorous enforcement of conflict of interests regulations is ensured
3. Information on conflict of interests is published

PA-3 Asset and Interest Disclosure

1. Asset and interest disclosure applies to high corruption risk positions
2. Asset and interest disclosure is comprehensive and regular
3. An electronic system is in place and publication of information from declarations is ensured
4. Unbiased and effective risk-based verification of asset and interest declarations is ensured with a follow-up
5. Dissuasive and proportionate sanctions are enforced

PA-4 Protection of Whistleblowers

1. The whistleblower protection is guaranteed in law
2. Effective mechanisms are in place to ensure that whistleblower protection is applied in practice
3. The public is aware of and has trust in existing protection mechanisms
4. The whistleblower protection system is operational and protection is ensured in practice

PA-5 Independence of Judiciary

1. Judicial tenure is guaranteed in law and practice
2. Judicial appointment and promotion are based on merit, involvement of political bodies is limited
3. Court presidents do not interfere with judicial independence
4. Judicial budget and remuneration guarantee financial autonomy of the judiciary and judges
5. Status, composition, mandate and operation of the Judicial Council guarantee judicial independence and integrity
6. Distribution of cases among judges is transparent and objective; judicial decisions are open to the public
7. Judges are held accountable through impartial decision-making procedures that protect against arbitrariness

PA-6 Independence of Prosecution Service

1. Prosecutor General is appointed and dismissed transparently and on the objective grounds
2. Appointment and promotion of prosecutors are based on merit and clear procedures
3. The budget of the public prosecution service and remuneration of prosecutors guarantee their financial autonomy and independence
4. Status, composition and operation of the Prosecutorial Council guarantee the independence of the public prosecution service
5. The Prosecutorial Council has broad responsibility for the functioning of the public prosecution service, is transparent and impartial
6. Assignment of cases among prosecutors is transparent and objective
7. Prosecutors can challenge orders they receive
8. Prosecutors are held accountable through impartial decision-making procedures that protect against arbitrariness

PA-7 Integrity in Public Procurement [pending adoption by written procedure]

9. 1. Public procurement system is comprehensive and well-functioning
10. 2. Procurement complaints are addressed
11. 3. Dissuasive and proportionate sanctions are enforced for procurement related violations
12. 4. Public procurement is transparent with independent oversight

PA-8 Business Integrity

1. Boards of directors of listed/publicly traded companies are responsible for the oversight of the management of corruption risks
2. Public disclosure of beneficial ownership of all companies registered in the country is ensured
3. There are incentives for all types of companies to improve the integrity of their operations
4. There are mechanisms to address concerns of all companies related to corruption and bribe solicitation by public officials
5. State fulfils its role of an active and informed owner of SOEs and ensures the integrity of their governance structure and operations

PA-9 Enforcement of Corruption Offences

1. Liability for corruption offences is effectively enforced
2. Proportionate and dissuasive sanctions for corruption are applied in practice
3. The statute of limitations period and immunities do not impede effective investigation and prosecution of corruption
4. Enforcement statistics on corruption offences is used for analysis and available for the public

PA-10 Enforcement of Liability of Legal Persons

1. The law provides for an effective standard of liability of legal persons
2. Sanctions for legal persons are proportionate and dissuasive
3. Due diligence (compliance) defence is in place
4. Statute of limitations period and investigation time limits do not impede effective corporate liability
5. Liability of legal persons is enforced in practice
6. Enforcement statistics on corporate liability is used for analysis and available for the public

PA-11 The Recovery and Management of Corruption Proceeds

1. The functions of identification, tracing, management and return of illicit assets are performed by specialised officials
2. Identification and tracing of corruption proceeds are effective
3. Confiscation measures are enforced in corruption cases
4. The return and further effective and transparent disposition of the corruption proceeds is ensured
5. Management of seized or frozen assets is cost-efficient and transparent
6. Data on asset recovery and asset management in corruption cases is collected, analysed and published

PA-12 Investigation and Prosecution of High-Level Corruption

1. Fight against high-level corruption is given a high priority
2. Criminal statistics on high-level corruption is published analysed and used in updating policy
3. High-level corruption is actively detected and investigated
4. Liability for high-level corruption offences is effectively, independently and impartially enforced

PA-13 Specialised Investigative and Prosecutorial Bodies

1. The anti-corruption specialisation of investigators is ensured
2. The anti-corruption specialisation of prosecutors is ensured
3. Appointment of heads of the specialised anti-corruption investigative and prosecutorial bodies is transparent and merit-based with their tenure in office protected by law
4. The staff of the specialised anti-corruption investigative body is impartial and autonomous from external and internal pressure
5. The specialised anti-corruption investigative and prosecutorial bodies have adequate human and financial resources
6. The specialised anti-corruption investigative body has necessary powers, investigative tools and expertise
7. Work of the specialised anti-corruption prosecutors and anti-corruption investigative body or unit is transparent and audited
8. Specialised anti-corruption investigators and prosecutors are held accountable

Anti-Corruption Performance Indicators

Performance Area 1 - Anti-Corruption Policy		
INDICATORS	BENCHMARKS	Score (if "Yes")
1. The anti-corruption policy is up-to-date, evidence-based and includes key corruption risk areas <i>Weight = 15</i>	1.1. The policy is based on evidence, it is regularly reviewed and updated as necessary, and policy documents are published online	5
	1.2. The policy addresses high corruption risk areas and sectors	6
	1.3. The policy addresses high-level corruption	4
2. The anti-corruption policy development is inclusive and transparent <i>Weight = 10</i>	2.1. Draft policy documents are published online	3
	2.2. Public consultations are held with adequate time for feedback	3
	2.3. Before the adoption of policy documents, government provides a public explanation on the comments that have not been included	4
3. The anti-corruption policy is effectively implemented <i>Weight = 25</i>	3.1 At least 90% of measures planned for the reporting period were fully implemented according to the government reports At least 80% = 6 points At least 60% = 3 points	10
	3.2. There is a wide perception among the main stakeholders that policy documents are properly implemented	5
	3.3. The policy has its estimated budget	5
	3.4. No anti-corruption measure has been left unimplemented due to the lack of funds	5
4. Coordination and support to implementation is ensured <i>Weight = 20</i>	4.1 Coordination and monitoring functions are assigned to dedicated staff (secretariat) with necessary powers and resources at the central level and carried out in practice	10
	4.2. Focal points in implementing agencies ensure coordination and reporting to the central coordination body/unit	5

	4.3. Implementing agencies receive methodological guidance and practical advice to support policy implementation	5
INDICATORS	BENCHMARKS	Score (if "Yes")
5. Regular monitoring and evaluation is ensured <i>Weight = 30</i>	5.1. Regular monitoring reports based on outcome indicators are published online	6
	5.2. Evaluation reports based on impact indicators are published online	6
	5.3. Reports include information about budget spent	5
	5.4. CSOs and other stakeholders are routinely included in the monitoring of the implementation of anti-corruption policy	5
	5.5. Independent evaluations of policy implementation are used by the government in its assessments	5
	5.6. IT tools are used to gather and analyze data for monitoring and evaluation	3

Performance Area 2 - Conflict of Interests

INDICATORS	BENCHMARKS	Score (if "Yes")
1. Legal and institutional framework on conflict of interests is in place <i>Weight = 35</i>	1.1. The law assigns roles and responsibilities for preventing and managing conflict of interests (COI) including the duty to report, duty to abstain from decision-making and duty to resolve COI	5
	1.2. The law provides for procedures for COI management, including a range of methods for COI resolution	5
	1.3 The definition of COI covers actual, apparent and potential COI and includes a broad definition of private interests	5
	1.4 There are special COI regulations targeting judges, prosecutors, MPs, members of government, members of local, regional councils	5
	1.5. The functions of policy development, oversight of the implementation of COI regulations, including the application of sanctions, methodological guidance and individual counselling are assigned to a dedicated agency or unit(s) with the sufficient number of specialized staff and powers to perform their mandate and are applied in practice.	12

	1.6. Individual counselling and sanctioning functions are separated among institutions or within one institution	3
INDICATORS	BENCHMARKS	Score (if "Yes")
<p>2. Unbiased and vigorous enforcement of regulations is ensured</p> <p><i>Weight = 50</i></p>	2.1 All public allegations of violation of conflict of interests or other restrictions (i.e. restrictions related to gifts, incompatibilities, divestment of corporate rights, post-employment restrictions) by high-level officials were investigated and grounded decisions were made public	5
	2.2. Dissuasive and proportionate sanctions for violations of COI rules or other anti-corruption restrictions (i.e. restrictions related to gifts, incompatibilities, divestment of corporate rights, post-employment restrictions) are routinely applied in practice	5
	2.3. Track record of the implemented individual recommendations/instructions issued by the central body regarding COI resolution: <ul style="list-style-type: none"> • Low: at least 50% of recommendations implemented (= 1 point) • Average: at least 70% of recommendations implemented (= 2 points) • High: at least 90% of recommendations implemented (= 5 points) 	5
	2.4. Track record of sanctions imposed on high-level officials for violations of COI rules or other anti-corruption restrictions (i.e. restrictions related to gifts, incompatibilities, divestment of corporate rights, post-employment restrictions) <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 2 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 5 points) 	5
	2.5. Track record of sanctions imposed for failure to report or resolve COI <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 2 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 5 points) 	5
	2.6. Track record of sanctions imposed for violation of post-employment restrictions including terminated employment contracts <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case overall (=1 point) • Average: At least 1 case per 1 million of the population (= 2 points) • High: At least 2 cases per 1 million of the population (= 5 points) 	5
	2.7. Track record of sanctions imposed for violation of incompatibilities <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case overall (=1 point) 	5

	<ul style="list-style-type: none"> • Average: At least 1 case per 1 million of the population (= 2 points) • High: At least 2 cases per 1 million of the population (= 5 points) 	
	<p>2.8. Track record of sanctions imposed for violation of the rules on gifts and hospitality, including confiscated illegal gifts</p> <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case overall (=1 point) • Average: At least 1 case per 1 million of the population (= 2 points) • High: At least 2 cases per 1 million of the population (= 5 points) 	5
	<p>2.9. Track record of imposed ban on holding public office for serious or repeat violations of COI rules and other anti-corruption restrictions</p> <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=1 point) • Average: At least 2 cases per 1 million of the population (= 2 points) • High: At least 3 cases per 1 million of the population (= 5 points) 	5
	<p>2.10. Track record of invalidated decisions/contracts as a result of COI</p> <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=1 point) • Average: At least 2 case per 1 million of the population (= 2 points) • High: At least 3 cases per 1 million of the population (= 5 points) 	5
INDICATORS	BENCHMARKS	Score (if "Yes")
3. Information on COI is published <i>Weight = 15</i>	3.1. Information about the resolution of the reported COI in specific cases is regularly published online	6
	3.2. Information about gifts reported by officials in specific cases is regularly published online	3
	3.3. Detailed enforcement statistics on violations of COI rules and other anti-corruption restrictions (i.e. restrictions related to gifts, incompatibilities, divestment of corporate rights, post-employment restrictions) is regularly published online	6

Performance Area 3 - Asset and Interest Disclosure

INDICATORS	BENCHMARKS	Score (if "Yes")
1. Asset and interest disclosure applies to high corruption risk positions <i>Weight = 10</i>	1.1. At least the following officials are required to declare their assets and interests: the President, members of Parliament, members of Government and their deputies, heads of executive authorities and their deputies, the staff of private offices of political officials (such as advisors), regional governors, mayors, any other public officials defined as PEPs under the national law	5
	1.2 At least the following high corruption risk positions are required to declare their assets and interests: judges, prosecutors, members of the judicial and prosecutorial governance bodies, anti-corruption investigators, officials responsible for public procurement, members or board members of independent regulators and supervisory authorities, and top executives of SOEs	5
2. Asset and interest disclosure is comprehensive and regular <i>Weight = 20</i>	2.1 Scope of disclosure is broad and allows detection of conflict of interests and illicit enrichment (unjustified variations of wealth) covering at least: moveable and immovable assets in the country and abroad, vehicles, income including its source, gifts, corporate shares, securities, bank accounts, cash inside and outside of financial institutions, financial liabilities including private loans, outside employment, paid or unpaid activity	5
	2.2 Scope of the disclosure includes information on beneficial ownership of companies domestically and abroad (at least in case of politically exposed persons)	3
	2.3 Scope of the disclosure includes information on indirect control (beneficial ownership) of assets (at least in case of politically exposed persons)	2
	2.4 Scope of the disclosure includes expenditures	2
	2.5 Scope of the disclosure includes trusts to which declarant or a family member has any relation	1
	2.6 Scope of the disclosure includes virtual assets (e.g. cryptocurrencies)	1
	2.7 Asset and interest disclosure covers information on family members, at least spouse and persons living in the same household	3
	2.8 Assets and interests are disclosed in one form	1
	2.9 Declarations are submitted before or upon entering the office, annually while in office, before or immediately upon leaving the office and at least one year later after the termination of employment	2

INDICATORS	BENCHMARKS	Score (if "Yes")
<p>3. An electronic system is in place and publication of information from declarations is ensured</p> <p><i>Weight = 20</i></p>	3.1 Declarations are filed through an online platform	4
	3.2 Information from asset declarations is public by default and access is restricted only to narrowly defined information to the extent necessary to protect privacy and personal security	4
	3.3 Declarations are available online in a machine-readable (open data) format and are searchable	4
	3.4 Functionalities of the electronic system include automated risk-based ('red flag') analysis of declarations	4
	3.5 Functionalities of the electronic system include automated cross-checks with government databases, including at least registers of companies, civil acts, land titles, vehicles and tax database	4
<p>4. Unbiased and effective risk-based verification of asset and interest declarations is ensured with a follow-up</p> <p><i>Weight = 25</i></p>	4.1 Verification of asset and interest declarations is assigned to a dedicated agency or unit which has a sufficient number of specialized staff and powers to perform its mandate	5
	<p>4.2 The following declarations are routinely verified:</p> <ul style="list-style-type: none"> • Declarations of persons holding high-risk positions or functions • Based on external complaints and notifications (including citizens and media reports) • <i>Ex officio</i> based on irregularities detected through various, including open, sources 	4
	4.3 Risk-based (red-flag) analysis is used to choose declarations for verification	2
	4.4 Anonymous complaints that include verifiable information trigger the verification	2
	4.5 Verification is prioritised to ensure a reasonable number of verifications considering available resources	2
	4.6 There is a wide perception among the main stakeholders that verification is unbiased and free from political or any other undue interference	5
	<p>4.7 Track record of cases referred to law enforcement bodies based on the verification of declarations</p> <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=1 point) • Average: At least 2.5 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 5 points) 	5

INDICATORS	BENCHMARKS	Score (if "Yes")
5. Dissuasive and proportionate sanctions are enforced <i>Weight = 25</i>	5.1 Dissuasive and proportionate sanctions for violating asset and interest disclosure rules are routinely applied in practice	4
	5.2 Track record of sanctions imposed for non-submission or late submission of declarations <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 5 cases per 1 million of the population (= 2 points) • High: At least 10 cases per 1 million of the population (= 3 points) 	3
	5.3 Track record of sanctions (measures) imposed for conflict of interests (including for violation of rules on incompatibilities, gifts, divestment of corporate rights, post-employment restrictions) based on the detection through verification of declarations <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=1 point) • Average: At least 2.5 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (=3 points) 	3
	5.4 Track record of sanctions (measures) imposed for illicit enrichment (unjustified assets) based on the detection through verification of declarations <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 2.5 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 3 points) 	3
	5.5 Track record of administrative sanctions for false or incomplete information in declarations imposed on high level officials <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=1 point) • Average: At least 2.5 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 3 points) 	3
	5.6 Track record of criminal sanctions for false or incomplete information in declarations imposed on high level officials <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=1 point) • Average: At least 2.5 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 3 points) 	3
	5.7 Track record of sanctions following verification of declarations based on media or citizen reports <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 5 cases per 1 million of the population (= 2 points) 	3

	<ul style="list-style-type: none"> High: At least 10 cases per 1 million of the population (= 3 points) 	
	5.8 Detailed statistics on the verification of declarations and applied sanctions is regularly published online	3
Performance Area 4 - Protection of Whistleblowers		
INDICATORS	BENCHMARKS	Score (if "Yes")
1. The whistleblower protection is guaranteed in law <i>Weight = 20</i>	1.1 The law guarantees protection of individuals who reported about a corruption-related wrongdoing that they believed true at the time of reporting and who disclose this information using internal or external channels	5
	1.2 The whistleblower legislation extends to both the public and the private sector employees	3
	1.3. The law puts on the employer the burden of proof that any measures that were taken against a whistleblower were not connected to his or her report	4
	1.4. The law provides for the following key whistleblower protection measures: <ul style="list-style-type: none"> protection of whistleblower's identity; protection of personal safety; release from liability linked with the report; protection from all forms of retaliation at the workplace. 	4
	1.5. The law provides for the additional pre-retaliation protection measures: <ul style="list-style-type: none"> consultation on protection; provisional protection; state legal aid. 	2
	1.6. The law provides for the following post-retaliation remedies: <ul style="list-style-type: none"> appropriate compensation; reinstatement; medical and psychological aid. 	2

INDICATORS	BENCHMARKS	Score (if "Yes")
<p>2. Effective mechanisms are in place to ensure that whistleblower protection is applied in practice</p> <p><i>Weight = 30</i></p>	<p>2.1. All three types of channels for reporting are available, including:</p> <ul style="list-style-type: none"> • internal at the workplace (at least in the public sector), • external (to specialized, regulatory, law enforcement or other relevant state body), • possibility of public disclosure (to media, public associations). 	12
	<p>2.2. Anonymous whistleblower reports are accepted and protection is granted to anonymous whistleblowers when they have been identified</p>	6
	<p>2.3. There is a dedicated authority responsible for providing protection and ensuring oversight, monitoring, collection of data regarding the protection of whistleblowers that has sufficient number of specialised staff and powers to perform its mandate</p>	12
<p>3. The public is aware of and has trust in existing protection mechanisms</p> <p><i>Weight = 15</i></p>	<p>3.1. There is a wide public perception among the main stakeholders that reporting channels are trustworthy and efficient.</p>	10
	<p>3.2. Detailed statistics and other information on whistleblower reports and whistleblower protection is regularly collected, analysed and used as a basis for reform of anti-corruption policy, aggregated information is also published</p>	5
<p>4. The whistleblower protection system is operational and protection is ensured in practice</p> <p><i>Weight = 35</i></p>	<p>4.1. Track record of whistleblower reports received by public authorities through internal channels</p> <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 3 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 5 points) 	5
	<p>4.2. Track record of whistleblower reports that were received by the central authority</p> <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 3 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 5 points) 	5
	<p>4.3. Track record of consultations to whistleblowers provided by the central authority</p> <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case (=1 points) • Average: At least 1 case per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 3 points) 	4

	4.4. Track record of criminal cases for corruption offences that were started as a result of whistleblower reports <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case (=1 points) • Average: At least 1 case per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 4 points) 	5
	4.5. Protection is provided to all whistleblowers that require such protection and fulfilled preconditions for granting a protection	6
	4.6. Track record of at least one of the protection measures from those listed under 1.4-1.6 <ul style="list-style-type: none"> • Low: At least 0.25 case per 1 million of the population, but no less than 1 case (=1 point) • Average: At least 1.25 cases per 1 million of the population, but no less than 3 cases (= 2 points) • High: At least 2.5 cases per 1 million of the population, but no less than 5 cases (= 5 points) 	5
	4.7. All known cases of breaches of confidentiality of whistleblower identity were sanctioned	5

Performance Area 5 - Independence of Judiciary

INDICATORS	BENCHMARKS	Score (if "Yes")
1. Judicial tenure is guaranteed in law and practice <i>Weight = 10</i>	1.1. Judges are appointed until the legal retirement age	5
	1.2. If not, clear criteria and transparent procedures for confirming in office following the initial (probationary) appointment of judges are set in the law and used in practice	or 3
	1.3. Judicial irremovability is ensured in practice and judges are not removed from office (including through ad hoc vetting or assessment) unless based on the law and objective grounds in exceptional cases	5
2. Judicial appointment and promotion are based on merit, the involvement of political bodies is limited	2.1. An independent Judicial Council or a similar body plays a decisive role in the appointment and dismissal of judges, the discretion of political bodies (if involved) is limited by the decisions taken by the Judicial Council or a similar body	4
	2.2. Judges are selected and promoted based on competitive procedures clearly set in the law and based on merit	4

<i>Weight = 10</i>	2.3. Judicial vacancies, with the terms and conditions, and results of all stages of the judicial selection and promotion are announced online with the publication of relevant decisions and their justification	2
3. Court presidents do not interfere with judicial independence <i>Weight = 8</i>	3.1. Court presidents are elected/appointed by the judges of the respective court or by the Judicial Council or similar judicial body based on merit and transparently	4
	3.2. Court presidents do not influence the judicial remuneration or other benefits received by judges	4
4. Judicial budget and remuneration guarantee financial autonomy of the judiciary and judges <i>Weight = 10</i>	4.1. The funding received by the judiciary is sufficient to ensure its autonomy	4
	4.2. The level of judicial remuneration is fixed in the law, is sufficient to ensure judicial independence and reduce the risk of corruption and excludes any discretionary payments	4
	4.3. The level of remuneration of the court staff and judicial assistants is sufficient to reduce the risk of corruption.	2
INDICATORS	BENCHMARKS	Score (if "Yes")
5. Status, composition, mandate and operation of the Judicial Council guarantee judicial independence and integrity <i>Weight = 28</i>	5.1. The Judicial Council or other similar bodies are set up and function based on the Constitution and law that define their powers and mode of operation	3
	5.2. The composition of the Judicial Council or other similar bodies includes not less than half of judges elected by their peers representing all levels of the judicial system.	5
	5.3. Members representing the judiciary in the Judicial Council or other similar bodies are elected through a general vote of all judges	3
	5.4. The composition of the Judicial Council or other similar bodies includes a substantial number of non-judicial members who represent the civil society or other stakeholders that have public trust (e.g. academia, law professors, human rights defenders, NGO representatives), have an appropriate legal qualification and are selected through a transparent procedure based on merit.	5
	5.5. The Judicial Council or other similar bodies are responsible for all questions of the judicial career (including selection, promotion, transfer, evaluation) and discipline	3
	5.6. There is a wide perception among the main stakeholders that the Judicial Council or other similar bodies operate independently and impartially without political or other undue interference in their work	5
	5.7. Proceedings and decisions of the Judicial Council or other similar bodies, including their justification, are transparent for the public scrutiny	2

	5.8. Members of the Judicial Council or other similar bodies comply with the conflict of interest rules in their work	2
6. Distribution of cases among judges is transparent and objective; judicial decisions are open to the public <i>Weight = 6</i>	6.1. Distribution of cases among judges in all courts is automated and ensures transparent and objective case assignment excluding any undue internal or external interference	3
	6.2. All judicial decisions delivered in open proceedings are published online	3
7. Judges are held accountable through impartial decision-making procedures that protect against arbitrariness <i>Weight = 30</i>	7.1. Grounds and procedures for the disciplinary liability and dismissal of judges are clearly stipulated in the law	3
	7.2. Application of disciplinary and dismissal procedures to judges is perceived by main stakeholders to be impartial	5
	7.3. Court presidents, including Supreme Court chief judge, do not have a role in the disciplinary proceedings against judges	3
	7.4. There are procedural guarantees of the due process for a judge in the disciplinary proceedings, including the right to be heard and employ a defence, the right of judicial appeal	3
	7.5. The final decisions regarding judicial discipline are published online including their justification	3
	7.6. There is no criminal or administrative punishment for judicial decisions (including for wrong decision or miscarriage of justice), or such sanctions are not used in practice to exert undue influence on judges	3
	7.7. Proportionate and dissuasive disciplinary sanctions are routinely applied to judges	5
	7.8. All public allegations of corruption of judges were thoroughly investigated with justified decisions taken and explained to the public	5

Performance Area 6 - Independence of Public Prosecution Service

INDICATORS	BENCHMARKS	Score (if "Yes")
<p>1. Prosecutor General is appointed and dismissed transparently and on the objective grounds</p> <p><i>Weight = 15</i></p>	1.1. The body of prosecutorial governance (e.g. a prosecutorial council) or an independent expert committee (formed by professionals who are themselves selected through a transparent procedure based on merit) played a key role in the appointment of the current Prosecutor General, in particular by providing an assessment of professional qualities and integrity of candidates	4
	1.2. Prosecutor General is appointed for one long term (at least 5 years) without the possibility of reappointment	2
	1.3. There is a clear and transparent procedure for dismissal of the Prosecutor General based on objective grounds that exclude political or other undue interference and there were no cases of dismissal outside of such procedure	4
	1.4. There is a wide perception among the main stakeholders that the current Prosecutor General was appointed through a transparent and merit-based procedure and that the dismissal of the Prosecutor General (if happened) was not politically motivated	5
<p>2. Appointment and promotion of prosecutors are based on merit and clear procedures</p> <p><i>Weight = 15</i></p>	2.1. Prosecutors are recruited based on competitive procedure clearly set in the law and based on merit	6
	2.2. Prosecutors are promoted based on competitive procedure clearly set in the law and based on merit	6
	2.3. The vacancies, with the terms and conditions, and results of all stages of the selection and promotion of prosecutors are announced online.	3
<p>3. The budget of the public prosecution service and remuneration of prosecutors guarantee their financial autonomy and independence</p> <p><i>Weight = 10</i></p>	3.1. The funding received by the public prosecution service is sufficient to ensure its autonomy	5
	3.2. The level of remuneration of prosecutors is fixed in the law, does not depend on the discretion of superior prosecutors and is sufficient to ensure the autonomy of prosecutors and reduce the risk of corruption	5
<p>4. Status, composition and operation of the Prosecutorial</p>	4.1. The Prosecutorial Council or other similar bodies are set up and function based on the law that defines their powers and mode of operation	2

Council guarantee the independence of the public prosecution service <i>Weight = 15</i>	4.2. The composition of the Prosecutorial Council or other similar bodies includes a substantial part (at least half) of prosecutors elected by their peers from all levels of the public prosecution service. The Prosecutorial Council is independent of the Prosecutor General and the executive branch	4
	4.3. The composition of the Prosecutorial Council or other similar bodies includes a substantial number (if not half) of non-prosecutorial members who represent the civil society or other stakeholders that have public trust (e.g. academia, law professors, human rights defenders, NGO representatives), have an appropriate legal qualification and are selected through a transparent procedure based on merit	4
	4.4. There is a wide perception among the main stakeholders that the Prosecutorial Council or other similar bodies operate independently and impartially without political or other undue interference in their work	5
5. The Prosecutorial Council has broad responsibility for the functioning of the public prosecution service, is transparent and impartial <i>Weight = 10</i>	5.1. The Prosecutorial Council or another similar body is responsible for all questions of the career (including selection, promotion, transfer) and discipline of prosecutors	4
	5.2. The Prosecutorial Council or another similar body is responsible for the performance evaluation of prosecutors that is conducted based on clear, objective criteria and transparent procedures	2
	5.3. The proceedings and decisions of the Prosecutorial Council or other similar bodies, including their justification, are available for the public scrutiny	2
	5.4. Members of the Prosecutorial Council or other similar bodies comply with the conflict of interest rules in their work	2
INDICATORS	BENCHMARKS	Score (if "Yes")
6. Assignment of cases among prosecutors is transparent and objective; prosecutors can challenge orders they receive <i>Weight = 7</i>	6.1. The assignment and re-assignment of cases among prosecutors is based on clear and transparent rules that are set in the legislation and ensure impartiality and autonomy from external and internal pressure	3
	6.2. Prosecutors routinely use the right to challenge orders from their superiors through a judicial or another independent procedure	4
7. Prosecutors are held accountable through impartial decision-making procedures that protect against arbitrariness	7.1. Clear grounds and procedures for the disciplinary liability and dismissal of prosecutors are stipulated in the law	5
	7.2. Application of disciplinary and dismissal procedures is perceived by the main stakeholders to be impartial	5

<i>Weight = 28</i>	7.3. There are sufficient procedural guarantees of the due process for a prosecutor in the disciplinary proceedings, including the right to be heard and employ a defence, the right of judicial appeal	4
	7.4. The final decisions or case summaries regarding discipline of prosecutors are published online including their justification	4
	7.5. Proportionate and dissuasive disciplinary sanctions are routinely applied to prosecutors	5
	7.6. All public allegations of corruption of prosecutors were thoroughly investigated with justified decisions taken and explained to the public	5

Performance Area 7 – Integrity in Public Procurement		
INDICATORS	BENCHMARKS	Score (if “Yes”)
<i>Weight= 40</i>	1.1. Primary public procurement legislation covers all areas of economic activities concerning public interests including state owned enterprises, utilities and natural monopolies, as well as the non-classified area of the defence sector	5
	1.2. The legislation clearly defines specific, limited exemptions from the competitive procurement procedures	5
	1.3. Public procurement procedures are open to foreign legal or natural persons	5
	1.4. Electronic procurement system is functional and encompasses all procurement processes	10
	1.5. Direct (single-source) contracting represents less than 10% of the total procurement value of all public sector contracts	10
	1.6. There is a wide perception among the main stakeholders that public procurement is fair and transparent	5
<i>Weight= 20</i>	2.1. Procurement complaints review body routinely reviews procurement complaints within a reasonable time frame	10
	2.2. Procurement complaints review body decisions repealed by courts or other appeal body comprise less than 10% of all cases that have been referred to them	5

	2.3. There is a wide perception among the main stakeholders that the procurement complaints review body functions in an independent and impartial manner without undue interference in its work	5
3. Dissuasive and proportionate sanctions are enforced for procurement related violations <i>Weight= 20</i>	3.1. Track record of sanctions imposed public officials for violations of COI rules in public procurement: <ul style="list-style-type: none"> • Low: at least 10 cases per 10 000 of contracts (=2 points) • Average: at least 30 cases per 10 000 of contracts (= 6 points) • High: at least 50 cases per 10 000 of contracts (= 10 points) 	5
	3.2. Track record of enforcement of corruption offences in the public procurement sector with final convictions: <ul style="list-style-type: none"> • Low: at least 10 cases per 10 000 of contracts (=2 points) • Average: at least 30 cases per 10 000 of contracts (= 6 points) • High: at least 50 cases per 10 000 of contracts (= 10 points) 	5
	3.3. All legal and natural persons convicted for corruption offences were debarred from the award of public sector contracts.	10
INDICATORS	BENCHMARKS	Score (if "Yes")
4. Public procurement is transparent with independent oversight <i>Weight= 20</i>	4.1. Key procurement data are published and regularly updated on-line on a central procurement portal free of charge in open data format, including at least the following: <ul style="list-style-type: none"> • procurement plans (=point 2) • complete procurement documents (=point 3) • outcome of the tender evaluation, the contract award decision and the final contract price (=point 2) • appeals and the results of their review (=point 1) • information on contract implementation (=point 2) 	10
	4.2. Beneficial ownership of all participants in a procurement process is revealed in procurement.	5
	4.3. Detailed statistics on public procurement is regularly published online, including key public procurement indicators.	5

Performance Area 8 - Business Integrity

INDICATORS	BENCHMARKS	Score (if "Yes")
1. Boards of directors of listed/publicly traded companies are responsible for oversight of the management of corruption risks <i>Weight = 7</i>	1.1. Corporate Governance Code establishes the responsibility of boards of directors of listed companies to oversee the management of corruption risks as a part of integrated risk management	2
	1.2. Securities regulators or other relevant authorities regularly monitor how boards of directors of listed companies oversee the management of corruption risks	5
2. Public disclosure of beneficial ownership of all companies registered in the country is ensured <i>Weight = 15</i>	2.1. Information about beneficial owners is registered and publicly disclosed online in a central register	3
	2.2. Public disclosure of beneficial ownership information is ensured in machine-readable (open data), searchable format and free of charge	3
	2.3. Beneficial ownership information is verified routinely by public authorities	3
	2.4. Financial institutions, designated non-financial businesses and professions and other obligated entities under the anti-money laundering legislation have an obligation to identify and verify the beneficial ownership and report discrepancies	3
	2.5. Dissuasive administrative and criminal sanctions are applied routinely for violations of regulations on registration and disclosure of beneficial ownership	3
INDICATORS	BENCHMARKS	Score (if "Yes")
3. There are incentives for all types of companies to improve integrity of their operations <i>Weight = 5</i>	3.1. Government have implemented incentives for companies to improve the integrity of and prevent corruption in their operations.	5
4. There are mechanisms to address concerns of all companies related to corruption and bribe solicitation by public officials	4.1. There is a designated institution responsible for receiving complaints from companies about bribe solicitation by public officials and related corruption-related matters, providing protection or helping businesses to resolve legitimate concerns	10
	4.2. There is a wide perception among the main stakeholders that the institution operates independently and impartially without political or other undue interference in its work	6

<i>Weight = 33</i>	4.3. This institution has powers and resources that are sufficient to review individual complaints, to provide protection and help businesses resolve their concerns in another legal way	5
	4.4. This or another institution analyses systemic problems and prepares policy recommendations to the government	6
	4.5. At least half of policy recommendations regarding systemic problems related to business concerns about corruption, bribe solicitation and related matters have been implemented or otherwise properly addressed by the government	6
5. State fulfils its role of an active and informed owner of SOEs and ensures the integrity of their governance structure and operations <i>Weight = 40</i>	5.1. Government ensures that supervisory boards in at least 10 largest SOEs are established through a merit-based and transparent nomination process, including a minimum one-third of independent members	7
	5.2. Boards of at least 10 largest SOEs established integrated risk management systems that include internal controls, ethics and compliance measures that address SOE integrity and prevention of corruption	7
	5.3. CEOs of at least 10 largest SOEs are appointed through a merit-based and transparent nomination process and report to the boards	6
	5.4. At least 10 largest SOEs conduct annual external audits in line with international accounting standards	5
	5.5. The boards of 10 largest SOEs routinely deliberate about and decide on the findings of internal audit committees and external audit reports regarding integrity issues	5
	5.6. 10 largest SOEs disclose at least: <ul style="list-style-type: none"> • company objectives and activities carried out in the public interest; • financial and operating results; • material transactions with other entities; • remuneration of board members and key executives 	10

Performance Area 9 - Enforcement of Corruption Offences

INDICATORS	BENCHMARKS	Score (if "Yes")
1. Liability for corruption offences is effectively enforced <i>Weight = 50</i>	1.1. Track record of enforcement of active and passive bribery offences in the public sector with final convictions <ul style="list-style-type: none"> • Low: At least 2 cases per 1 million of the population (=1 point) • Average: At least 10 cases per 1 million of the population (= 4 points) • High: At least 25 cases per 1 million of the population (= 7 points) 	7
	1.2. Track record of enforcement of active and passive bribery offences in the private sector with final convictions <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 5 cases per 1 million of the population (= 2 points) • High: At least 10 cases per 1 million of the population (= 5 points) 	5
	1.3. Track record of enforcement of offence of offering or promising of a bribe, bribe solicitation or acceptance of offer/promise of a bribe with final convictions <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=1 point) • Average: At least 2.5 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 5 points) 	5
	1.4. Track record of enforcement of bribery offences with intangible and non-pecuniary undue advantage with final convictions <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=1 point) • Average: At least 2.5 cases per 1 million of the population (= 2 points) • High: At least 5 cases per 1 million of the population (= 5 points) 	5
	1.5. Track record of enforcement of trading influence offence with final convictions <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=1 point) • Average: At least 2.5 cases per 1 million of the population (= 4 points) • High: At least 5 cases per 1 million of the population (= 7 points) 	7

	<p>1.6. Track record of enforcement of illicit enrichment offence with final convictions or a track record of cases of non-criminal confiscation of unexplained wealth</p> <ul style="list-style-type: none"> • Low: At least 1 case per 1 million of the population (=3 points) • Average: At least 2.5 cases per 1 million of the population (= 5 points) • High: At least 5 cases per 1 million of the population (= 7 points) 	7
	<p>1.7. Track record of enforcement of foreign bribery offence with final convictions</p> <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=3 points) • Average: At least 2 cases per 1 million of the population (= 5 points) • High: At least 3 cases per 1 million of the population (= 7 points) 	7
	<p>1.8. Track record of enforcement of money laundering sanctioned independently of the predicate public sector corruption offence with final convictions</p> <ul style="list-style-type: none"> • Low: At least 0.5 case per 1 million of the population but not less than 2 cases overall (=3 points) • Average: At least 2.5 cases per 1 million of the population (= 5 points) • High: At least 5 cases per 1 million of the population (= 7 points) 	7
INDICATORS	BENCHMARKS	Score (if "Yes")
<p>2. Proportionate and dissuasive sanctions for corruption are applied in practice</p> <p><i>Weight = 30</i></p>	2.1. Proportionate and dissuasive sanctions are routinely applied for corruption crimes	7
	2.2. At least 50% of punishments for aggravated bribery offences in the public sector provided for imprisonment without conditional or another type of release	7
	2.3. Public officials convicted of a corruption crime are dismissed from public office in all cases	6
	2.4. General effective regret provisions are not applied to corruption crimes	5
	2.5. Any exemption from bribery offence, if stipulated in the law, is applied by courts taking into account circumstances of the case (i.e. not automatically) and with the following conditions: - voluntary reporting is valid during a short period of time and before the law enforcement bodies became aware of the crime on their own, - not possible when bribery was initiated by the bribe-giver, - requires active co-operation with the investigation or prosecution, - not possible for bribery of foreign officials	5
3. The statute of limitations period and immunities do not impede	3.1. The statute of limitations period and time limit for conducting an investigation, if they exist, are sufficient for the effective enforcement of corruption offences. The law suspends the statute	7

effective investigation and prosecution of corruption <i>Weight = 14</i>	of limitations in certain cases, in particular during the period when the person had immunity from prosecution.	
	3.2. Immunities do not impede the effective investigation and prosecution of corruption crimes committed by persons with immunity, in particular, immunities are lifted based on clear criteria and transparent procedures without undue delay	7
4. Enforcement statistics on corruption offences is used for analysis and available for the public <i>Weight = 6</i>	4.1. The authorities, on a central level, collect and analyse enforcement statistics on corruption offences, including the number of cases opened, cases terminated, sent to court, ended with a final conviction, types of punishments applied, type of officials sanctioned	3
	4.2. Detailed enforcement statistics on corruption offences is regularly published online	3

Performance Area - 10 Enforcement of Liability of Legal Persons

INDICATORS	BENCHMARKS	Score (if "Yes")
1. The law provides for an effective standard of liability of legal persons <i>Weight = 25</i>	1.1. Liability of legal persons for corruption offences is established in the law	10
	1.2. Actions of lower-level employees, agents, third parties or beneficial owners (controllers) of the legal entity may trigger corporate liability	5
	1.3. Liability of legal persons is autonomous, i.e. not restricted to cases where the natural person who perpetrated the offence is identified, prosecuted or convicted	10
2. Sanctions for legal persons are proportionate and dissuasive <i>Weight = 15</i>	2.1. The law provides for proportionate and dissuasive monetary sanctions for corporate offences, including monetary fines proportionate to the amount of the undue benefit	5
	2.2. Non-monetary sanctions (measures) apply to legal persons (e.g. debarment from public procurement, revocation of a license)	5
	2.3. The law establishes sentencing principles specially designed for legal persons	5
3. Due diligence (compliance) defence is in place	3.1. The law allows due diligence (compliance) defence to exempt legal persons from liability or mitigate sanctions	5

<i>Weight = 10</i>	3.2. The law allows the court to defer the application of sanctions on legal persons if the latter complies with organisational measures to prevent corruption as determined by the court	5
INDICATORS	BENCHMARKS	Score (if "Yes")
4. Statute of limitations period and investigation time limits do not impede effective corporate liability <i>Weight = 5</i>	4.1. The statute of limitations period and time limit for conducting an investigation, if exist, are sufficient for the effective enforcement of corporate liability	5
5. Liability of legal persons is enforced in practice <i>Weight = 40</i>	5.1. Track record of corporate sanctions applied for corruption offences <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case overall (=3 points) • Average: At least 1 case per 1 million of the population (= 5 points) • High: At least 5 cases per 1 million of the population (= 8 points) 	8
	5.2. Track record of proportionate and dissuasive sanctions imposed on legal persons, including monetary fines <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case overall (=3 points) • Average: At least 1 case per 1 million of the population (= 5 points) • High: At least 5 cases per 1 million of the population (= 8 points) 	8
	5.3. Track record of confiscation of direct and indirect corruption proceeds, value-based confiscation applied to legal persons <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case overall (=3 points) • Average: At least 1 case per 1 million of the population (= 5 points) • High: At least 5 cases per 1 million of the population (= 8 points) 	8
	5.4. Track record of due diligence (compliance) applied in practice as a defence or a mitigating factor <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case overall (=3 points) • Average: At least 1 case per 1 million of the population (= 5 points) • High: At least 5 cases per 1 million of the population (= 8 points) 	8
	5.5. Track record of non-monetary sanctions applied to legal persons <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but not less than 1 case overall (=3 points) • Average: At least 1 case per 1 million of the population (= 5 points) • High: At least 5 cases per 1 million of the population (= 8 points) 	8

6. Enforcement statistics on corporate liability is used for analysis and available for the public <i>Weight = 5</i>	6.1. Authorities collect, analyse and regularly publish online detailed statistics on detection, investigation, prosecution, trial and sanctions applied to legal persons	5
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Performance Area 11 - Recovery and Management of Corruption Proceeds

INDICATORS	BENCHMARKS	Score (if "Yes")
1. The functions of identification, tracing, management and return of illicit assets are performed by specialised officials <i>Weight = 5</i>	1.1. Dedicated bodies, units or groups of specialised officials dealing with identification, tracing and return of corruption proceeds (asset recovery practitioners), as well as with the management of seized and confiscated assets in corruption cases are established and function in practice	5
INDICATORS	BENCHMARKS	Score (if "Yes")
2. Identification and tracing of corruption proceeds are effective	2.1. Investigative bodies and asset recovery practitioners use direct access to state databases for corruption investigations and recovery of proceeds of corruption	4
	2.2. Investigative bodies and asset recovery practitioners use direct access to financial information, including a central registry of bank accounts, and mechanisms to overcome bank secrecy for corruption investigations and recovery of proceeds of corruption	5
	2.3. Active and secure exchange of information among asset recovery practitioners, financial intelligence units, investigative and prosecutorial bodies is ensured in practice	3
	2.4. Track record of the use of parallel financial investigations conducted with the involvement of financial analysts or financial investigators and other relevant experts <ul style="list-style-type: none"> • Low: At least in 0.1 case per 1 million of the population but minimum 1 case (=1 point) 	5

<i>Weight = 23</i>	<ul style="list-style-type: none"> • Average: At least in 1 case per 1 million of the population (= 3 points) • High: At least in 5 cases per 1 million of the population (= 5 points) 	
	2.5. Requests of foreign jurisdictions for the identification tracing, seizure, other restraints or confiscation orders concerning assets in corruption cases, if received, are executed without delay	3
	2.6. Requests to foreign jurisdictions for asset identification, tracing, seizure or confiscation in corruption cases (including non-conviction based forfeiture, if available) are made without delay	3
<i>Weight = 33</i>	3.1. Provisional measures are routinely applied to prevent the dissipation of assets	5
	3.2. Confiscation of instrumentalities and proceeds of corruption offences is routinely applied and executed	10
	3.3. Track record of confiscation of derivative (indirect) proceeds of corruption offences <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but minimum 1 case (=1 point) • Average: At least 0.3 case per 1 million of the population but minimum 3 cases (= 2 points) • High: At least 0.5 cases per 1 million of the population but minimum 5 (= 3 points) 	3
	3.4. Track record of confiscation of the instrumentalities and proceeds of corruption offences transferred to informed third parties <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but minimum 1 case (=1 point) • Average: At least 0.3 case per 1 million of the population but minimum 3 cases (= 2 points) • High: At least 0.5 cases per 1 million of the population but minimum 5 (= 3 points) 	3
	3.5. Track record of confiscation of property the value of which corresponds to instrumentalities and proceeds of corruption offences (value-based confiscation) <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but minimum 1 case (=1 point) • Average: At least 0.3 case per 1 million of the population but minimum 3 cases (= 2 points) • High: At least 0.5 cases per 1 million of the population but minimum 5 (= 3 points) • 	3
	3.6. Track record of confiscation of mixed proceeds of corruption offences and profits therefrom <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but minimum 1 case (=1 point) • Average: At least 0.3 case per 1 million of the population but minimum 3 cases (= 2 points) • High: At least 0.5 cases per 1 million of the population but minimum 5 (= 3 points) 	3
	3.7. Track record of non-conviction based confiscation of instrumentalities and proceeds of corruption offences <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but minimum 1 case (=1 point) • Average: At least 1 case per 1 million of the population (= 2 points) 	3

	<ul style="list-style-type: none"> High: At least 3 cases per 1 million of the population (= 3 points) 	
	<p>3.8. Track record of extended confiscation in criminal cases</p> <ul style="list-style-type: none"> Low: At least 0.1 case per 1 million of the population but minimum 1 case (=1 point) Average: At least 1 case per 1 million of the population (= 2 points) High: At least 3 cases per 1 million of the population (= 3 points) 	3
INDICATORS	BENCHMARKS	Score (if "Yes")
<p>4. The return and further effective and transparent disposition of the corruption proceeds is ensured</p> <p><i>Weight = 16</i></p>	<p>4.1. Track record of the return of corruption proceeds from abroad</p> <ul style="list-style-type: none"> Low: At least 10 percent of corruption proceeds frozen or seized abroad (=4 point) Average: At least 20 percent of corruption proceeds frozen or seized abroad (= 6 points) High: At least 30 percent of corruption proceeds frozen or seized abroad (= 8 points) 	8
	<p>4.2. There is a wide perception among the main stakeholders that the transparent and effective use, administration and monitoring of returned proceeds is ensured, and their disposition does not benefit persons involved in the commission of the respective corruption offence.</p>	8
<p>5. Management of seized or frozen assets is cost-efficient and transparent</p> <p><i>Weight = 14</i></p>	<p>5.1. Regular audit of the management of assets subject to provisional measures and confiscated assets in corruption cases, including on its cost-efficiency, is conducted by external independent auditors and its results are publicly available</p>	5
	<p>5.2. Where possible, contracting of private sector actors as asset managers and disposal of seized or confiscated assets is conducted on a competitive and transparent basis</p>	4
	<p>5.3. A database of assets in corruption cases placed under the management of the state, which contains data on location, value, and other relevant information about the respective assets, is maintained and published online</p>	5
<p>6. Data on asset recovery and asset management in corruption cases is collected, analysed and published</p> <p><i>Weight = 9</i></p>	<p>6.1. Comprehensive statistics on the application of seizure and confiscation measures in corruption cases is collected, analysed and regularly published online</p>	5
	<p>6.2. Regular, at least annual, reports containing detailed statistics related to the work of officials dealing with identification and tracing of corruption proceeds, as well as with the management of assets subject to restraining measures and confiscated assets, including information on the outcomes of their work, are published online.</p>	4

Performance Area 12 - Investigation and Prosecution of High-Level Corruption

INDICATORS	BENCHMARKS	Score (if "Yes")
1. Fight against high-level corruption is given a high priority <i>Weight = 5</i>	1.1. Convictions in high-level corruption cases are among key criteria for the assessment of the effectiveness of anti-corruption policy	5
2. Criminal statistics on high-level corruption is published analysed and used in updating policy <i>Weight = 5</i>	2.1. Detailed statistics on the detection, investigation, prosecution and adjudication of high-level corruption is regularly published online and used to change policy or practice if necessary	5
3. High-level corruption is actively detected and investigated <i>Weight = 25</i>	3.1. Analytical sources of information, at least FIU reports and asset and interest declarations, are routinely used for the detection of high-level corruption	6
	3.2. All public allegations of high-level corruption were investigated or justified decisions not to open an investigation were made	6
	3.3. Requests of foreign jurisdictions for information or legal assistance in high-level corruption cases, if received, are executed without delay	4
	3.4. Requests to foreign jurisdictions for information or legal assistance in high-level corruption cases of transnational nature are made promptly and without delay	4
	3.5. Asset recovery practitioners are routinely involved in the investigation and prosecution of high-level corruption cases	5
4. Liability for high-level corruption offences is effectively, independently and impartially enforced <i>Weight = 65</i>	4.1. There is a wide perception among the main stakeholders that the cases of high-level corruption are investigated, prosecuted and adjudicated independently and impartially without political or other undue interference	14
	4.2. The progress of investigation and trial in high-level corruption cases, as well as decisions on the conclusion of investigations or not to open an investigation in such cases are routinely communicated to the public	5
	4.3. Track record of convictions for high-level corruption <ul style="list-style-type: none"> • Low: At least 0.1 case per 1 million of the population but minimum 1 case (=8 point) • Average: At least 1 case per 1 million of the population (= 10 points) 	12

	<ul style="list-style-type: none"> High: At least 3,5 cases per 1 million of the population (= 12 points) 	
	<p>4.4. Track record of convictions of high-level officials who were in office at the beginning of investigation</p> <ul style="list-style-type: none"> Low: At least 0.1 case per 1 million of the population but minimum 1 case (=3 point) Average: At least 1 case per 1 million of the population (= 5 points) High: At least 3 cases per 1 million of the population (= 7 points) 	7
	<p>4.5. Track record of recovery of corruption proceeds from abroad in cases of high-level corruption</p> <ul style="list-style-type: none"> Low: At least 10% of corruption proceeds frozen or seized abroad (=5 point) Average: At least 20% of corruption proceeds frozen or seized abroad (= 7 points) High: At least 30% of corruption proceeds frozen or seized abroad (= 9 points) 	9
	4.6. At least 50% of final sanctions for high-level corruption entail imprisonment without conditional or another type of release	9
	4.7. A prohibition from holding public office is applied to all persons convicted for high-level corruption	9

Performance Area 13 - Specialised Anti-Corruption Investigation and Prosecution Bodies

INDICATORS	BENCHMARKS	Score (if "Yes")
1. The anti-corruption specialisation of investigators is ensured <i>Weight = 10</i>	1.1. Investigation of corruption offences is assigned in the legislation to a dedicated body, unit or a group of investigators, which specialise in combatting corruption	3
	1.2. Corruption cases are not removed or only removed from the specialised anti-corruption body, unit, investigator on legally established grounds, following clear criteria for transferring of such proceedings	3
	1.3. A specialised task force, unit or body to investigate and/or prosecute high-level corruption is established within the criminal justice system and there are no cases of breach of its jurisdiction	4
2. The anti-corruption specialisation of prosecutors is ensured	2.1. Prosecution of corruption offences is assigned in the legislation to a dedicated body, unit or a group of prosecutors, which specialise in combatting corruption	5
	2.2. High-level corruption cases are presented in court by the specialised anti-corruption prosecutors	5

<i>Weight = 10</i>		
3. Appointment of heads of the specialised anti-corruption investigative and prosecutorial bodies is transparent and merit-based with their tenure in office protected by law	3.1. The current head of the specialised anti-corruption investigative body or unit was selected through a transparent and competitive selection procedure, using clear criteria based on merit	4
	3.2. An independent expert selection committee played a key role in the selection of the head of the specialised anti-corruption investigative body or unit	3
	3.3. There is a clear and transparent procedure for dismissal of the head of the specialised anti-corruption investigative body or unit based on grounds that exclude political or other undue interference and there were no cases of dismissals outside of such procedure	4
	3.4. The current head of the specialised anti-corruption prosecutorial body or unit was selected through the transparent and competitive selection procedure, using clear criteria based on merit	4
<i>Weight = 15</i>		
4. The staff of the specialised anti-corruption investigative body is impartial and autonomous from external and internal pressure	4.1. The assignment and re-assignment of cases among specialised anti-corruption investigators is based on clear and published rules that are set in the legislation and ensure impartiality and autonomy from external and internal pressure	5
	4.2. Specialised anti-corruption investigators routinely use the right to challenge orders from superiors through a judicial or another procedure	5
	4.3. There is a wide perception among the main stakeholders that the specialised anti-corruption investigative body or unit operates independently and impartially without political or other undue interference in its work	5
	4.4. There is a wide perception among the main stakeholders that the specialised anti-corruption prosecutors operate independently and impartially without political or other undue interference in their work	5
<i>Weight = 20</i>		
INDICATORS	BENCHMARKS	Score (if "Yes")
5. The specialised anti-corruption investigative and prosecutorial bodies have adequate human and financial resources	5.1. Specialised anti-corruption investigative body or unit has the number of staff and resources sufficient to carry out functions within its mandate	5
	5.2. There is a sufficient number of specialised anti-corruption prosecutors to ensure prosecution of corruption cases	5
	5.3. The funding received by the specialised anti-corruption investigative body or unit is sufficient to ensure its autonomy	2
	5.4. The level of remuneration of the specialised anti-corruption investigators is fixed in the law and is sufficient to ensure their independence and reduce the risk of corruption	3
<i>Weight = 15</i>		

INDICATORS	BENCHMARKS	Score (if "Yes")
6. The specialised anti-corruption investigative body has necessary powers, investigative tools and expertise <i>Weight = 5</i>	6.1. Specialised anti-corruption investigative body or unit has powers, expert and technical capacity to conduct analytical work, financial investigations and covert operations, including wiretapping	7
7. Work of the specialised anti-corruption prosecutors and anti-corruption investigative body or unit is transparent and audited <i>Weight = 10</i>	7.1. Periodic, at least annual, reports containing detailed statistics related to the work of the specialised anti-corruption investigators and prosecutors, including information on the outcomes of cases are published online	5
	7.2. External performance evaluation of the specialised investigative body or unit by an independent expert committee (formed by professionals, who are selected through a transparent procedure based on merit) is conducted regularly against a defined set of criteria and its results are published	3
8. Specialised anti-corruption investigators and prosecutors are held accountable <i>Weight = 15</i>	8.1. All public allegations of corruption perpetrated by the specialised anti-corruption investigators have been thoroughly investigated, with justified decisions taken in the end and made public	5
	8.2. All public allegations of corruption perpetrated by the specialised anti-corruption prosecutors have been thoroughly investigated, with justified decisions taken in the end and made public	5
	8.3. Specialised anti-corruption investigative body or unit has functioning mechanisms for public oversight, such as public councils, which include key stakeholders selected on clear criteria and through a transparent procedure.	5

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