

# ANTI-CORRUPTION HELPDESK

PROVIDING ON-DEMAND RESEARCH TO HELP FIGHT CORRUPTION

## CORRUPTION RISK ASSESSMENT AND MANAGEMENT APPROACHES IN THE PUBLIC SECTOR

### QUERY

Please provide an overview of corruption risk assessment and management approaches in the public sector. Please provide country examples.

### PURPOSE

This paper would be used as guidance on how to design a corruption risk assessment and management methodology for public institutions.

### CONTENT

1. Overview of corruption risk assessment
2. Tools and country examples
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### SUMMARY

The purpose of a corruption risk assessment and management exercise is to identify and address specific institutional structures, systems and processes which may be more vulnerable to corruption. It often results in an anti-corruption plan.

There is no one-size-fits-all methodology to corruption risk assessment and management. Many different approaches exist with various elements. Some good practices emerge in terms of who should participate in the process: the institution assessed, of course, but also relevant stakeholders such as the institution's users, the national institution or entity responsible for ensuring public sector integrity (court of audit, anti-corruption agency or ombudsman), civil society organisations, and other external experts. It is also considered good practice to use various data sources to ensure a certain level of quality and reliability of the findings.

Several corruption risk assessment and management tools as well as country methodology examples are presented in this document.

## 1 OVERVIEW OF CORRUPTION RISK ASSESSMENT AND MANAGEMENT

### What is corruption risk assessment and management?

“Corruption risk assessment is a (diagnostic) tool which seeks to identify weaknesses within a system which may present opportunities for corruption to occur” (McDevitt 2011). The aim of corruption risk assessments is not to determine whether there is corruption or not in a certain area, or to detect corruptible people, but to identify potential for corruption. Corruption risk management is about taking steps to address the corruption risks thus identified (CCECC no date; Blais and Shenkelaars 2009).

Corruption risk assessments can be carried out at different levels: they can be nationwide, target a whole sector, focus on a particular institution, or analyse a programme or project. Some risk assessment methodologies suggest a “cascading” approach, looking first at the general legal-institutional framework to determine which priority institutions, sectors or functions should be assessed more in depth at later stages. (USAID 2009; ADB 2008a)

Corruption risk assessment and management exercises are usually conducted to inform anti-corruption plans addressing the potential vulnerabilities of specific institutional structures, systems and processes. With this in mind, it should be noted that a corruption risk assessment is a good opportunity to identify institutions/processes/units that work effectively and with integrity and to establish why they are doing so well. The lessons learned can be used to inspire actions aimed at improving other institutions, processes, and units that are not functioning as well (CoE 2010).

### What is meant by corruption?

The corruption risk assessment methodology needs to define what is meant by corruption. A legal approach to corruption in the context of a corruption risk assessment is not recommended. Indeed, certain practices within an institution might be identified as corrupt even though they are legal, especially in countries where the legal definition of corruption is very narrow (limited to bribery, for example).

A wider approach will be particularly relevant in countries where the rules are designed to protect certain forms of corrupt enrichment or influence. In those particular cases, the very fact that a practice is legal can/should be identified as corrupt in the context of a corruption risk assessment.

The Council of Europe (CoE) recommends that corruption risk assessments do not focus directly on corruption but on “specific practices within an institution that compromise that institution’s capacity to perform its public service function in an impartial and accountable manner.” Such an approach will encompass illegal practices, such as bribery or embezzlement, but also practices such as those when individuals act in ways that serve their own interest instead of the institution’s they are working for (CoE 2010).

### What are the different approaches?

Depending on the approach adopted, corruption risk assessments can consist of one to three phases: the diagnostic phase, the risk assessment phase per se and the risk management phase. Each of these phases can include various elements (see figure in appendix).

#### *The diagnostic phase*

During the diagnostic phase, the overall governance context and institutional vulnerability are analysed. It is usually done through secondary research. (McDevitt 2011).

The diagnostic phase will typically include a review of the legal and institutional framework and its implementation. This will include the laws and other regulations that apply to the institution, as well as the institution’s organisational structure (including, for example, job descriptions, work processes and procedures) and its codes of ethics (such as a code of conduct, conflict of interest policies, and any other regulations that guide the behaviour of the employees) (CCECC no date; Montenegro Ministry of Finance 2011).

Special attention should be paid to the institution’s “vulnerable” activities, such as the handling of information (for example, holding inside information), management of funds and financial resources (for example, allocating budget, payment of expenses),

management of goods and services, collection of payments (for example, taxes, administrative charges), contracting (public procurement), payments (for example, subventions), granting rights (for example, issuing licences, passports), and enforcement of legislation (for example, control, imposing sanctions, and so on). When examining those “vulnerable” activities, the following questions should be answered: Are those activities regulated? Is the regulation comprehensive? Are the employees aware of the regulations? Are the regulations applied? (CCECC no date).

Some methods also include a diagnostic analysis of corruption, using data on the perception of corruption or on actual experience of corruption. Indeed, the detailed investigation of actual or typical corruption cases can help identify potential weaknesses. Cases analysis sometimes constitutes a major and essential part of a risk assessment methodology (CoE 2010; Public Service Commission 2011).

### The risk assessment phase

During this phase, the corruption risks identified in the diagnostic phase are assessed for prioritisation. Most methodologies prioritise risks depending on their potential impact and probability or likelihood of their occurrence. The risk prioritisation is usually obtained by multiplying the likelihood of corruption by the impact of corruption, should it occur. The results can be visualised in a risk matrix (see figure below for a simplified version of a typical risk assessment matrix). Priority is then given to high risks (in red in the figure), then medium ones (in orange) and finally low risks (in green) (McDevitt 2011).

Likelihood of corruption ↑	Medium	High	High
	Low	Medium	High
	Low	Low	Medium
	Impact of corruption →		

Source: McDevitt 2011

It is important to establish guidance on how to evaluate the level of impact or likelihood of a risk, to leave as little space to subjectivity as possible. One way to do this is to create impact and likelihood tables (see examples in the two figures below).

Likelihood tables are developed in three steps: 1) determining how many levels of likelihood are needed, (2) deciding how to describe the likelihood, and (3) describing the levels of likelihood (NSW Treasury 2012).

Likelihood level	Likelihood level description
<b>Almost certain</b>	The risk is expected to occur or will occur in the normal course of events.
<b>Possible</b>	The risk might occur at some stage in the future.
<b>Seldom/rare</b>	The risk might occur only in exceptional circumstances or in some unlikely ones.

Source: adapted from CCECC no date

Impact tables are developed in a similar way: (1) identifying the types of consequences that should be included, (2) determining how many levels of consequences are needed to differentiate severity, and (3) describing each consequence level for each consequence type (NSW Treasury 2012).

Impact level	Impact level description
<b>minor</b>	The risk will have an insignificant effect on the reputation of the organisation or on its capacity to fulfil its objectives.
<b>medium</b>	The risk, in case it is not stopped, might have a significant effect on the reputation of the organisation or on its capacity to fulfil its objectives.
<b>major</b>	The risk, by its consequences, might threaten the stability of the organisation and the accomplishment of its objectives, causing significant financial damage, endangering the successful activity or the efficient functioning of the organisation.

Source: adapted from CCECC no date

In complex settings, some methodologies recommend to go through a risk filtering procedure before ranking the risks identified. This filtering procedure serves to reduce complexity by identifying the most important



risk issues. Only those will then go through the prioritisation procedure (Berlin Risk Institute 2015).

### *The risk management phase*

Strictly speaking, the risk management phase goes beyond a “core” risk assessment. The objective is to identify anti-corruption tools and formulate recommendations on how to eliminate or diminish the effects of the risks identified in the previous phase. The risk management phase often starts with the identification of the risks for which there are no or inadequate controls (in some methodologies this step is part of the diagnostic phase or the risk assessment phase). The end product can take the form of an anti-corruption plan, or new anti-corruption policies (McDevitt 2011; Kenyon 2013).

Managing corruption risks involves identifying the options available for addressing each risk, assessing these options, selecting the most effective ones and preparing and implementing a risk management plan. Public sector institutions usually have fewer options for the management of their corruption risks than of other risks. Indeed, a public institution cannot decide to stop providing a service – such as licencing – to avoid a risk. They cannot either share or transfer corruption risks by outsourcing such a service, as ultimately they remain responsible for it (ICAC no date).

Management options for corruption risks thus include: (1) amending the existing controls that have been identified as inadequate or insufficient (supervision systems, policies and procedures), (2) introducing new controls where gaps have been identified, and (3) introducing new methods of detecting corrupt behaviour that could result from a particular risk. The best action to manage a risk can be a combination of these three options. For example, the best treatment for a particular corruption risk might be amending an existing control (such as, improving a current policy) and introducing a new detection method (such as, improved supervision and checking processes). The actions selected to manage corruption risks should be cost feasible and implementable (ICAC no date).

The result should be a corruption risk management plan (or anti-corruption plan) that describes how the selected management actions will be implemented. Each action should have defined indicators to measure their impact, and it is recommended to

classify them in terms of short, medium, and long-term measures, depending on the nature of the risk being addressed and the anticipated duration of mitigation measures that will be required. In addition, it should include resource requirements, responsibilities, timeframes, performance measures, as well as reporting and monitoring requirements (ADB 2008a; ICAC no date).

The implementation and effectiveness of the anti-corruption plan should be monitored and evaluated. Several methodologies recommend to repeat the assessment periodically to measure progress and efficiency of the risk mitigation actions adopted. A reassessment can also serve to check whether no new risk has arisen. One methodology recommends a general reassessment every three years and a reassessment targeting the identified priority risks every year (CCECC no date).

In between risk assessment exercises, some methodologies recommend the use of performance measurement on a monthly basis. Indeed, the process of risk management through risk assessment is continuous and requires constant monitoring to ensure that: (1) the decisions implemented were correct and have been implemented appropriately, and that (2) the underlying problems have not changed so much as to require revised plans for their management. If this is not the case, a new assessment should be conducted (World Customs Organization 2015).

## **Implementation process**

### *Who should be involved?*

This is the question of internal versus external assessment. Should the assessment be internally driven by the institution itself or carried out by external evaluators? In principle, a corruption risk assessment can be conducted by any entity with the right expertise. They are often conducted by the public institution or entity responsible for ensuring public sector integrity, such as the national court of audit, the national anti-corruption agency or the ombudsman. They are also frequently carried out by private sector consultancy firms and civil society organisations (CSOs). The Council of Europe recommends a mixed approach, where the evaluation is conducted by an external organisation (such as a CSO or another research body) but involves the institution under review, for

example through the completion of a self-assessment questionnaire (CoE 2010).

Indeed, the institution's involvement in the assessment will ensure that the management feels responsible for it and will help raise integrity awareness within the institution. Most importantly, the greater the involvement, the broader the support for the conclusions and recommendations of the assessment is likely to be and thus the greater chance of implementation (Blais and Shenkelaars 2009).

As a best practice, the corruption risk assessment should be developed in consultation with all stakeholders and implemented in a collaborative way. Indeed, the selection of stakeholders involved in the assessment will have a direct impact on the results since employees, users or civil society representatives may have different views on which risks are the most prevalent (McDevitt 2011; 2015).

For a corruption risk assessment that comprises several institutions, the lead entity in charge of coordinating it should have sufficient leadership, capacity, authority and political backing.

### *Data sources*

Corruption risk assessment can be challenging because of the complexity of corrupt exchanges and their contextual explanations, and because they involve to some extent predictions about future events. Thus, to ensure a certain level of quality, a risk assessment should use a mixture of quantitative and qualitative data and of objective and perception-based data (Williams 2014).

### **Desk research: review of existing resources and legal/institutional analysis**

Many corruption analyses already exist and are publically available. A review of existing resources is thus a recommended first step with, in particular, assessments that have already been conducted by, for example, civil society organisations, auditors or the parliament. In addition, a review of the relevant laws and institution's norms, internal rules and guidelines, procedures and processes will be necessary (CoE 2010).

### **Surveys**

Surveys are widely-used to collect information on corruption. They typically inquire about the

respondents' perceptions of corruption, their actual experience of corruption or their attitude towards corruption, and can help identify the extent, forms and locations of corruption. In the context of an institutional risk assessment, it is very useful to target the institution's employees and the institution's users (CoE 2010; Chêne 2011).

Surveys are particularly useful in large, complex, and geographically distributed institutions. Their anonymity also makes them particularly relevant in institutions where the culture does not allow for open communication. However, surveys have their limitations: response rates may be low and the responses of poor quality if respondents give survey questions superficial attention or if they do not fully understand the questions. Therefore, surveys should be combined with other methods, such as focus group discussions and interviews (World Customs Organization 2015).

### **Focus group discussions and interviews**

Focus group discussions and interviews are used to collect more in-depth information. They should target relevant people, such as users, employees, officials from other relevant institutions (external audit, ombudsman, and so on) and also independent experts (such as CSOs, academics). Focus groups and discussions are particularly useful to discuss views on particular risks or reasons for corruption as well as to gather ideas to manage those corruption risks (CoE 2010; Chêne 2011).

## **2 TOOLS AND COUNTRY EXAMPLES**

### **General tools**

#### **Guidelines for Implementing ADB's Second Governance and Anticorruption Action Plan (GACAP II). Asian Development Bank (ADB).**

This risk assessment approach "cascades" from country, to sector, to programme/project level. The findings at each level inform the next level down. At the country level, it assesses the likelihood and seriousness of risk in three key areas: public financial management, procurement, and combating corruption. Once risks are identified, the next stage is to map whether and what action the government is taking to address them, and whether that action will be sufficient.

**Sourcebook: Diagnostics to Assist Preparation of Governance Risk Assessments. ADB.**

This sourcebook offers a compilation of existing governance diagnostic tools and analytical frameworks to inform and help, where appropriate, preparation of risk assessments/risk management plans. It focuses on three governance thematics: public financial management, public procurement, and combating corruption through preventive, enforcement, and investigative measures.

**Corruption Risk Assessment Methodology Guide. Council of Europe.**

This paper proposes a general guide to the methodological issues underlying risk assessments in public sector institutions, and on how to design a risk assessment. The guide can be used to conduct risk assessments on wider targets, such as a sector, as well as for the assessment of specific institutions within that sector. Such assessments can be used as a basis for the design and implementation of policies to address such factors.

The methodology is designed to provide guidance on the following: (1) how to assess the incidence and seriousness of corruption in a given institution; and (2) how to identify the factors that cause, or create risks of corruption occurring in the institution, in order to inform the design of policies to address those factors.

The methodology presented draws on a range of existing work in the field, both in the area of measuring/assessing levels of corruption and identifying factors that increase the risk of corruption. The guide may be used by line ministries or other institutions as a self-assessment tool. Annexes include a sample institutional risk questionnaire and examples of issue checklists for risk analysis.

**Anti-Corruption Assessment Handbook. United States Agency for International Development (USAID).**

The purpose of this handbook is to provide an integrated framework and practical tools to conduct tailored anti-corruption assessments efficiently and at a level sufficiently detailed to produce targeted and prioritised recommendations for programming. The framework is guided by international best practice, theory and research, as well as the results of pilot assessments that tested earlier versions of the methodology.

The main objective of the assessment approach outlined in this handbook is to assure that assessments start by casting a wide analytical net to capture the breadth of issues that affect corruption and anti-corruption prospects in a country and then provide a clearly-justified, strategic rationale for their final programmatic recommendations. This handbook provides step-by-step practical assistance to implement the methodology and produce an assessment report that addresses a wide range of issues and generates recommendations for action.

The guidance provides tools for diagnosing the underlying causes of corruption by analysing both the state of laws and institutions, as well as the political-economic dynamics of a country. By understanding country-specific drivers of corruption, assessment teams should be able to develop reasonable insights on government sectors and functions that are most vulnerable to corruption and the types of initiatives that can reverse or control these problems. The framework also provides a rationale for setting priorities, choosing some approaches and rejecting others.

The handbook includes a guide to relevant country-specific anti-corruption resources for preliminary desk research and detailed questionnaires in the annexes.

Annex 3 of the handbook includes a library of 19 illustrative diagnostic guides. They are designed to support in-depth analyses of major government sectors and functions, in order to target major sources of corruption vulnerability and outline strategies and concrete actions that are likely to reduce opportunities for corruption. The guides for several functions or sectors/institutions may be applicable across several sectors.

**Institutional Risk Assessment Best Practices Compendium. United Nations Public Administration Network.**

This compendium offers a summary view of the theoretical foundations used to develop and apply a methodology for institutional risk assessments of national integrity systems. It documents applied and tested approaches, procedures and capacity development methods that support national anti-corruption endeavours.

The publication describes the phases to acquire and develop the skills for the anti-corruption role of governmental internal or external oversight entities:

- develop a country-specific anti-corruption methodology
- develop institutional anti-corruption manuals
- develop auditee-specific programmes
- set up and train national expertise teams
- conduct pilot anti-corruption reviews and audits
- formulate the anti-corruption report
- follow up on findings and recommendations
- integrate the methodology and procedures in the executive units and/or the external oversight entity
- formulate a follow up/benchmarking mechanism.

### Guide to Corruption Risk Mapping. World Customs Organization.

This document introduces the approach of risk mapping based on the experience of international organizations and World Customs Organization (WCO) members, who were invited to share their methodology. To produce this guide, the WCO Secretariat collated information provided by members who had responded to the WCO invitation to share their own practices in relation to risk mapping with a view to fighting corruption. The aim of this guide is to assist members to understand the importance of knowing where corruption risks are, and to propose a methodology that can be adapted to the national context.

The Guide to Corruption Risk Mapping starts by explaining the notion of risk mapping, in particular in the customs context and in relation to corruption. It then explores the benefits of using such an approach and describes elements of a methodology to obtain information and identify those who will carry out such an exercise, providing detailed explanations of key steps. It concludes by describing in detail the different steps of the risk mapping process.

Annexes include a risk identification and risk description form, examples of consequences and likelihood of risks, an effectiveness of control evaluation tool, a levels of risk matrix, a glossary of terms related to risks, a model personnel questionnaire to assist in the risk mapping exercise and a model corruption risk report.

### Country examples

#### Hungary: Integrity Survey.

The Hungarian State Audit Office uses a national survey of public organisations to map corruption risk

across the country on an annual basis. In 2013, 1500 organisations participated in the survey.

Each question in the survey was classified using a scale of 0 to 3 points in accordance with its significance. The survey is conducted electronically and a data processing application automatically treats the questionnaires responses and generates the following three indices:

- (1) The Inherent Vulnerability Factors index measures the risks that depend on the legal status and responsibilities of organisations (such as regulation or provision of public services).
- (2) The Factors Enhancing Corruption Vulnerability index captures the risks that increase inherent vulnerability, which result from the daily operation of the various institutions.
- (3) The Risk-Reducing Controls Factors index reflects whether the given organisation has institutional controls in place, and whether these controls actually work and fulfil their objectives.

#### Lithuania: Corruption Risk Analysis.

Lithuania's corruption risk analysis methodology is detailed in the law on prevention of corruption. It follows two steps:

- (1) All institutions (at the state and municipal level) determine the probability of the manifestation of corruption according to set criteria.
- (2) The Special Investigative Service carries out corruption risk analysis in areas of activities that are considered particularly prone to corruption (again based on set criteria).

The methodology specified that the following should be considered when conducting the analysis: grounded opinion on the probability of corruption and related information; findings of social surveys; opportunity for one employee to make a decision with regard to public funds and other assets; remoteness of employees and structural units from the headquarters; independence and discretion of employees in making decisions; level of monitoring over employees and structural units; requirements to comply with the normal operational procedure; level of staff rotation (cyclical change); documentation requirements applied to operations and concluded transactions; external and internal auditing of state or municipal entities; framework for adoption and assessment of legislation; other information necessary to perform a corruption risk analysis (OECD 2015).



### **Moldova: Methodology of Corruption Risk Assessment in Public Institutions.**

Moldova's self-assessment tool aims to identify the institutional factors that favour or might favour corruption in a given public institution and draw up recommendations on how to eliminate or diminish their effects (integrity plans).

The first objective is achieved through two steps. First, an assessment of "preconditions" is carried out, that is the legal framework, the organisational structure and the codes of ethics of the organisation. Then comes the assessment of the corruption risks per se. Risks are investigated and identified (via an assessment of employees' resistance to corruption, a questionnaire to the institution's staff, an assessment of the organisation's relationship with the public and an analysis of concrete corruption cases) before being analysed for prioritisation.

Annexes include a report-model on institutional resistance against corruption risks, a questionnaire to assess corruption in public institutions, and an interpretation matrix for analysing the answers to the questionnaire.

### **Montenegro: Corruption Risk Assessment in Special Risk Areas.**

Montenegro's risk assessment focuses on the areas of privatisation, public procurement, urban planning, local governance, and education and health in Montenegro. The methodology consists of the following phases: (1) stock-taking of existing relevant integrity/corruption assessments, with particular regard to the special risk areas, and (2) integration of the data into a single risk assessment document and formulation of recommendations for improvement of the country's strategic anti-corruption framework.

### **The Netherlands: Self-Assessment INTegrityit (SAINT)**

This Dutch tool aims to identify the working processes of an institution that are most vulnerable and prone to specific integrity risks. This self-assessment tool consist of a one day workshop divided into two parts. In the morning, the participants select the most vulnerable processes on the basis of an inventory of the primary and support processes of the assessed organisation. Subsequently, the most significant integrity risks within the selected processes are described. During the afternoon, the existing integrity system of the organisation is assessed on its efficacy

and adequacy. The integrity system comprises measures aimed at protecting the organisation against specific integrity risks and measures intended to embed, consolidate and organise the integrity policy (system measures).

While this methodology certainly has the advantage of speed, it can also be perceived as superficial and doubts regarding the validity of the findings may arise (OECD 2015).

### **Philippines: the Integrity Development Review (IDR)**

The Philippines' review's objective is to enable government agencies in the Philippines to assess and combat corruption in the public sector. Specifically it aims to: (1) determine the level of integrity development within the agency, (2) identify the agency's vulnerability to corruption, (3) assess the adequacy of the agency's safeguards to forestall corruption, (4) prepare a more focused corruption prevention and integrity enhancement plan, and (5) establish benchmarks by which agency performance and results of anti-corruption programmes can be monitored (Baliton 2008).

This tool combines two risk assessment methodologies: the corruption resistance review (developed by the Independent Commission Against Corruption of New South Wales) and the corruption vulnerability assessment (from the US Office of Management and Budget).

The corruption resistance review involves the use of three tools:

- the integrity development assessment (IDA), a guided self-assessment tool for reviewing an agency's performance in ten dimensions of integrity
- the indicators research, to substantiate the IDA findings and to provide leads on the high-risk areas in the agency's operations
- a survey of employees, to get an assessment of the agency's efforts in corruption prevention based on the perception of randomly selected employees

The corruption vulnerability assessment process is an instrumental step in addressing corruption and understanding the nature of the problem. The assessment involves process mapping, identification and classification of risks, checking of existing



controls, and evaluation of adequacy of safeguards (Martini 2012).

### South Africa: Profiling and Analysis of the Most Common Manifestations of Corruption and Its Related Risks in the Public Service

South Africa's methodology is mostly based on the analysis of reported cases of alleged fraud and corruption and their management by the institution. This assessment aims to: (1) analyse institutional responses to handling cases of alleged corruption in the South Africa Public Service, (2) assess the potential risks or threats related to corruption occurring in government departments and public bodies, (3) determine areas of high corruption risk, and (4) propose appropriate systems to address the most common manifestations of corruption and its related risks in the public service.

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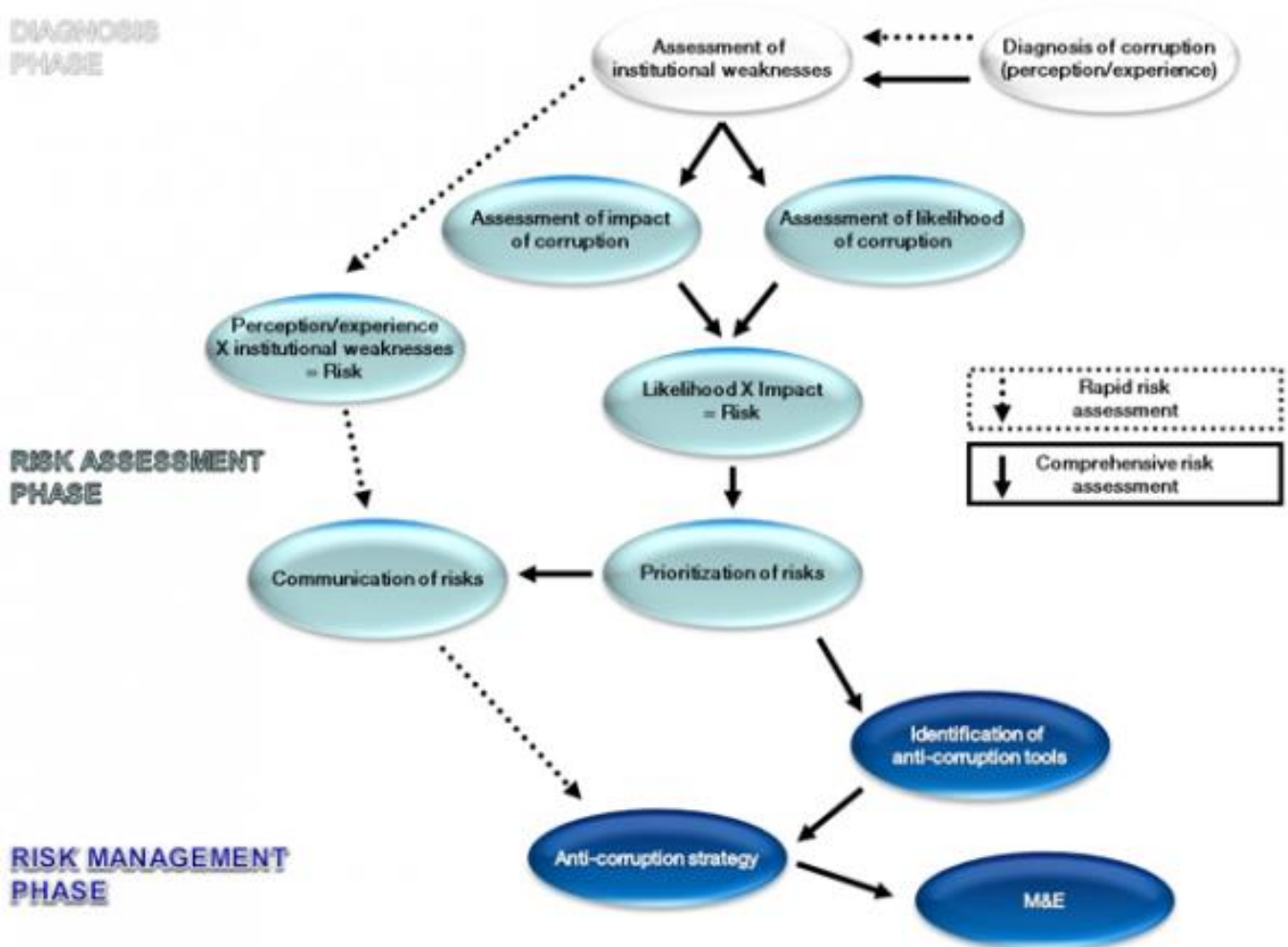
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## 4 APPENDIX

*Possible elements of a corruption risk assessment*

Source: McDevitt 2011

*“Anti-Corruption Helpdesk Answers provide practitioners around the world with rapid on-demand briefings on corruption. Drawing on publicly available information, the briefings present an overview of a particular issue and do not necessarily reflect Transparency International’s official position.”*