WESTERN HEMISPHERE ANTI~~CORRUPTION~~ INDEX

Methodology

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The Western Hemisphere Anticorruption Index (henceforth "Index") was constructed using primary and secondary data. The Index consists of two scores – the Convention Implementation Score (CIS) and the Corruption Resilience Score (CRS). This document outlines the detailed methodology of the Index and all of its components.

Convention Implementation Score (CIS)

The Convention Implementation Score (CIS) captures the extent to which countries in the region have implemented their global and regional anti-corruption commitments as set forth in three key instruments—The Inter-American Convention Against Corruption (IACAC), the United Nations Convention Against Corruption (UNCAC), and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Anti-Bribery Convention or OECD-ABC). The review documents were collected from IACAC's Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) through its first five rounds of review (2003-2020), UNCAC's Implementation Review Mechanism (IRM) and its two review cycles (2010-2020), and OECD-ABC's monitoring mechanism (OECD-MM) and its four phases of evaluation (2000-2021).

Data Collection

To evaluate the level of implementation of the three international anticorruption conventions selected for the Index, the reports produced by those instruments' review mechanisms were utilized. By 2021, MESICIC has completed five rounds of review, the IRM is concluding its second review cycle, and States Parties to the OECD-MM from the focus region have undergone between two and four phases of the monitoring process. These reports, obtained either in full or in the form of executive summaries, are treated as a source of unstructured data from which a smaller dataset is extracted for analysis, scoring, and interpretation.

As the assessment of anti-corruption efforts carried out by a State Party has the objective of quantifying the degree of implementation given to all three conventions, the contribution of any individual measure to the overall assessment is regarded without consideration to the nature of a State Party's obligation vis-à-vis that measure. In other words, all selected measures are treated as inherently mandatory, disregarding the expressions or language employed in the conventions and focusing instead on the anticorruption principles contained therein.

The first step of the data collection process consisted of matching and pairing the provisions contained in all three conventions, using IACAC as a basis. This process builds on Wickberg (2013) by extending the scope to include all relevant provisions within the three major conventions, which resulted in 64 measures after the inclusion of the OECD-ABC (48 found in IACAC, 63 in UNCAC, and 2 in OECD-ABC).[1] Then, the measures that were not included in any of the review documents outlined earlier are filtered out, resulting in a final list of 50 measures for which data is available. Following the structure of UNCAC, the selected provisions are grouped into three thematic dimensions:

- **Prevention** (10 measures)
- **Criminalization and Law Enforcement** (25 measures)
- **International Cooperation** (15 measures)

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1 The provisions in the OECD-ABC relate to a number of measures included in CIS, including the liability of legal persons, jurisdiction, sanctions, etc., and there is an argument for matching its articles to those of the IACAC and UNCAC. Ultimately, this approach was not taken because all the provisions in the OECD-ABC are limited in scope to a single crime—the bribery of foreign officials—whereas neither IACAC and UNCAC discuss legal persons, jurisdiction, etc., with such a condition (these apply to a much broader range of corruption-related crimes).

TABLE 4.1
CIS MEASURES BY THEMATIC DIMENSIONS

PREVENTION

#	MEASURES	BRIEF DESCRIPTION	IACAC	UNCAC	OECD-ABC
1	STANDARDS OF CONDUCT	A set of rules outlining the norms, rules, and responsibilities or proper practices of an individual party or an organization which are means to preserve the public's confidence in the integrity of public servants and government processes	Art. 3(1)	Art. 8(1–4); Art. 11(1–2); Art.12 (e); Art. 38 (1a); Art. 38 (1b)	n/a
2	ENFORCEMENT OF STANDARDS OF CONDUCT	Mechanisms to enforce compliance with standards of conduct	Art. 3(2)	Art. 8(6)	n/a
3	TRAINING OF PUBLIC OFFICIALS	Providing instruction to government personnel about responsibilities and ethics	Art. 3(3)	Art. 7 (1d)	n/a
4	ASSET AND CONFLICTS OF INTERESTS DECLARATIONS	Systems for registering the income, assets, and liabilities of public officials	Art. 3 (4)	Art. 7 (4); Art. 8 (5); Art. 52 (5–6)	n/a
5	TRANSPARENCY IN GOVERNMENT CONTRACTING	Systems of government hiring and procurement of goods that assures openness	Art. 3(5)	Art. 7 (1a–1b); Art. 9 (1a–1e)	n/a
6	ELIMINATION OF FAVORABLE TAX TREATMENT	Tax treatment of corruption for the private sector	Art. 3(7)	Art. 12 (4)	n/a
7	OVERSIGHT BODIES	Institutional bodies that create anticorruption mechanisms	Art. 3(9)	Art. 6 (1a–1b); Art. 6 (2); Art. 36; Art. 14 (1b); Art. 58	n/a
8	MEASURES TO DETER DOMESTIC AND FOREIGN BRIBERY	Mechanisms that record and track the transactions of assets to detect corruption	Art. 3(10)	Art. 12 (1); Art. 12 (2a–2d; 2f); Art. 12 (3a–3f);	n/a
9	ENCOURAGING PARTICIPATION BY CIVIL SOCIETY	Mechanisms that enable the participation of civil society	Art. 3(11)	Art. 5 (1); Art. 10 (1a–1c); Art. 13 (1a–1d); Art. 13 (2); Art. 5 (2–3)	n/a
10	STUDY OF OTHER PREVENTIVE MEASURES	Measures that enable the study of equitable compensation and probity in public service	Art. 3(12)	Art. 7 (1c)	n/a

CRIMINALIZATION AND LAW ENFORCEMENT

#	MEASURES	BRIEF DESCRIPTION	IACAC	UNCAC	OECD-ABC
1	PROTECTION OF THOSE WHO REPORT ACTS OF CORRUPTION	Systems that ensure whistleblower protections	Art. 3(8)	Art. 33; Art. 39 (2); Art. 32 (1–5); Art. 37 (4)	n/a
2	SCOPE	Provisions that establish the applicability of jurisdiction	Art. 4	Art. 42 (2d)	n/a
3	JURISDICTION: OFFENSE–IN–TERRITORY	Provisions that establish jurisdiction of acts or offenses that occur within the territory	Art. 5(1)	Art. 42 (1a–1b; 2c); Art. 42 (5)	n/a
4	JURISDICTION: OFFENSE-BY–NATIONAL	Provisions that establish jurisdiction when offenses are perpetrated by nationals	Art. 5(2)	Art. 42 (2a–2b); Art. 42 (5)	n/a

#	Category	Description	Col1	Col2	Col3
5	**JURISDICTION: OFFENDER–IN–TERRITORY**	Provisions that establish jurisdiction when the perpetrator of acts of corruption is found and remains within the territory	Art. 5(3)	Art. 42 (3-4)	n/a
6	**PASSIVE PUBLIC BRIBERY**	The criminalization of passive public bribery	Art. 6 (1)(a)	Art. 15 (1b)	n/a
7	**ACTIVE PUBLIC BRIBERY**	The criminalization of active public bribery	Art. 6 (1)(b)	Art. 15 (1a)	n/a
8	**ABUSE OF FUNCTIONS**	The criminalization of corruption related acts perpetrated by public officials	Art. 6 (1)(c)	Art. 19	n/a
9	**MONEY LAUNDERING**	The criminalization of money laundering related to acts of corruption	Art. 6 (1)(d)	Art. 23 (1a)(i)–(1a)(ii); (1b)(i)–(1b)(ii); (2a–2b); (2d); Art. 24; Art. 23 (2c; 2e)	n/a
10	**PARTICIPATION AND ATTEMPT**	The criminalization of preparing, attempting, or participating in acts of corruption	Art. 6 (1)(e)	Art. 27 (1–3); Art. 28	n/a
11	**ACTIVE FOREIGN BRIBERY**	Measures enacted to criminalize and punish the offering or granting of any benefit or monetary value to a government official of another country by a national	Art. 8	Art. 16 (1)	Art. 1 (1–2); Art. 2; Art. 3 (1–4); Art. 4 (1–4); Art. 5–7; Art. 8 (1–2); Art. 9 (1–3); Art. 10 (1–4)
12	**ILLICIT ENRICHMENT**	The criminalization of illicit enrichment	Art. 9	Art. 20	n/a
13	**USE OF STATE PROPERTY**	The criminalization of the improper use of State property by public officials	Art. 11 (1b)	Art. 17	n/a
14	**ILLICIT ACQUISITION OF A BENEFIT**	The criminalization of active and passive influence peddling	Art. 11 (1c)	Art. 18 (1a–1b)	n/a
15	**PUBLIC EMBEZZLEMENT**	The criminalization of public embezzlement	Art. 11 (1d)	Art. 17	n/a
16	**ASSET RECOVERY**	Measures and mechanisms related to procedures for asset identification, freezing, and recovery	n/a	Art. 31 (1a–b; 2–10); Art. 46 (3j–k); Art. 52 (2b); Art. 53 (1a–b); Art. 54 (1a–c; 2a–c)	n/a
17	**PASSIVE FOREIGN BRIBERY**	Optional measures that establish the bribery of foreign public officials as a criminal offense and outline applicable procedures to address such an offense.	n/a	Art. 16 (2)	Art. 1 (1–2); Art. 2; Art. 3 (1–4); Art. 4 (1–4); Art. 5–7; Art. 8 (1–2); Art. 9 (1–3); Art. 10 (1–4)
18	**PRIVATE BRIBERY**	Measures that criminalize passive and active bribery within the private sector	n/a	Art. 21 (1a–1b)	n/a
19	**PRIVATE EMBEZZLEMENT**	Legislation or measures that criminalize embezzlement within the private sector	n/a	Art. 22	n/a
20	**OBSTRUCTION OF JUSTICE**	Measures that criminalize the intentional obstruction of evidence or proceedings in corruption related offenses	n/a	Art. 25 (1a–1b)	n/a
21	**LIABILITY OF LEGAL PERSONS**	Measures that establish the criminal, civil or administrative liability of legal persons in convention-related offenses	n/a	Art. 26 (1–4)	n/a

#	MEASURES	BRIEF DESCRIPTION	IACAC	UNCAC	OECD-ABC
22	**STATUTE OF LIMITATIONS**	Measures that enable a longer statute of limitations or suspend the statute of limitations in convention-related offenses	n/a	Art. 29	n/a
23	**PROSECUTION, ADJUDICATION AND SANCTIONS**	Measures that balance immunity, liability, sanctions, gravity of offenses, and discretion in addressing acts of corruption	n/a	Art. 30 (1–7b; 8–10); Art. 41	n/a
24	**CONSEQUENCES AND COMPENSATION**	Measures that outline the consequences of acts of corruption and possible compensation for damages	n/a	Art. 34–35	n/a
25	**COOPERATION WITH LAW ENFORCEMENT**	Measures that establish procedures for offenders to cooperate with law enforcement	n/a	Art. 37 (1–3; 5)	n/a

INTERNATIONAL COOPERATION

#	MEASURES	BRIEF DESCRIPTION	IACAC	UNCAC	OECD-ABC
1	**ASSISTANCE WITHOUT CRIMINALIZATION**	Cooperation between States Parties on corruption-related crimes within the conventions, regardless of their criminalization status	Art. 11 (3)	Art. 43 (1); Art. 46 (9a–9c)	n/a
2	**INCLUSION IN EXTRADITION TREATIES**	Measures to recognize and act on extraditable offenses between the States Parties	Art. 13 (2)	Art. 44 (4; 9; 12; 14–18); Art. 45	n/a
3	**CONVENTION AS LEGAL BASIS FOR EXTRADITION**	The use of convention(s) as the legal basis for extradition for corruption-related offenses	Art. 13 (3)	Art. 44 (5; 6a–6b)	n/a
4	**AUTOMATIC APPLICATION WITHOUT TREATY**	Measures to recognize and act on extraditable offenses between the States Parties	Art. 13 (4)	Art. 44 (1–3; 7)	n/a
5	**PROSECUTION WITHOUT EXTRADITION**	Procedures regarding prosecution if extradition is refused	Art. 13 (6)	Art. 44 (11; 13)	n/a
6	**CUSTODY**	Procedures regarding the custody of offenders awaiting extradition	Art. 13 (7)	Art. 44 (10)	n/a
7	**ASSISTANCE**	Mechanisms and procedures for broad cooperation between States Parties on legal matters related to the prosecution and investigation of corruption offenses	Art. 14 (1)	Art. 43 (1); Art. 46 (1; 2; 3a–3i; 4; 7; 10a–b; 11a–d; 12; 14; 15a–15f; 16–18; 21a–21d; 22; 23–26; 27; 28; 29a–b); Art. 47; Art. 48 (1a; 1bi–1biii; 1c–1f; 2; 3); Art. 49; Art. 50 (2–4);	n/a
8	**TECHNICAL COOPERATION**	Cooperation between States Parties to enhance technical assistance and information exchanges in corruption-related matters.	Art. 14 (2)	Art. 5 (4); Art. 60 (2–6; 8); Art. 61 (2)	n/a
9	**IMPOSSIBILITY OF CLAIMING BANK SECRECY**	Measures regarding assistance, procedures, and criminalization of bank secrecy	Art. 16 (1)	Art. 46 (8); Art. 40	n/a
10	**LIMITED USE OF INFORMATION**	Procedures regarding the conditional use of information shared	Art. 16 (2)	Art. 46 (5; 19; 20)	n/a

11	NATURE OF ACT	Measures regarding the nature of corruption-related acts and whether are classified as political and/or extraditable offenses	Art. 17	Art. 44 (4)	n/a
12	DESIGNATE CENTRAL AUTHORITIES	Measures that allow States Parties to designate and rely on authorities to develop and implement anticorruption mechanisms	Art. 18 (1)	Art. 6 (3); Art. 46 (13)	n/a
13	RESPONSIBILITIES OF CENTRAL AUTHORITIES	Procedures that outline the responsibility and power of central authorities	Art. 18 (2)	Art. 46 (13)	n/a
14	COMMUNICATION BETWEEN CENTRAL AUTHORITIES	Procedures that enable direct communication between central authorities	Art. 18 (3)	n/a	n/a
15	SPECIAL INVESTIGATIVE TECHNIQUES	Measures that enable States Parties to use, within the scope of domestic law, special investigative techniques in anticorruption efforts.	n/a	Art. 50 (1)	n/a

Data Analysis

The extent of the States Parties' ability to put selected measures into practice is assessed across three implementation dimensions (i.e., Adoption, Design, Enforcement) which are composed of several indicators:

Adoption

The first implementation dimension evaluates the degree to which a State Party has evidenced their willingness to adopt and carry out the selected measure, as well as the number of existing initiatives which have been formally adopted by a State Party in pursuing its implementation. It is assessed through two indicators – **effort** and **creation**.

- **Effort:** This indicator reflects the existence of one or more initiatives implemented by the State Party that correspond to the selected measure.

- **Creation:** This indicator considers the existence of one or more formally adopted anticorruption actions aligned with the requirements and recommendations of the conventions (e.g., laws, executive decrees, administrative resolutions, or any other relevant policy anticorruption instruments).

Design

The second implementation dimension centers on the operational characteristics of the initiatives formally adopted by a State Party in achieving the objective of an anticorruption measure. It is assessed through three indicators – **scope**, **features**, and **supporting mechanisms**.

- **Scope:** This indicator captures the geographical, hierarchical, and/or cross-sectoral scope to which the anticorruption initiatives adopted by a State Party are applicable.

- **Features:** This indicator measures the degree to which an anticorruption initiative adopted by a State Party is in line with the international standards established by the conventions.

- **Mechanisms:** This indicator reflects the existence and inclusion of the required systems, sanctions, and oversight bodies in the initiatives adopted by a State Party in the context of its implementation of anticorruption conventions.

Enforcement

This third dimension pertains to the level of enforcement of initiatives adopted by a State Party in regard to a selected measure required by anticorruption conventions. It is assessed through three indicators—*i*ntensity, **integrity**, and **resources**.

- **Intensity:** This indicator captures the consistency of the enforcement of anticorruption initiatives.

- **Integrity:** This indicator reflects the degree to which the anticorruption initiatives adopted by a State Party are enforced impartially and free from external influence.

- **Resources:** This indicator measures the degree of resource allocation (e.g., budget, staff, etc.) for the enforcement of anticorruption initiatives by States Parties and whether it matches the objective of the measure required in anticorruption conventions.

TABLE 4.2
DIMENSIONS AND INDICATORS OF THE CONVENTION IMPLEMENTATION MEASURES

DIMENSIONS	INDICATORS
ADOPTION	**Effort:** initiative, support, etc. **Creation:** administrative / decree / law
DESIGN	**Scope:** geographical / hierarchical / cross-sectoral **Features:** limited / full **Mechanisms:** systems / bodies / oversight
ENFORCEMENT	**Intensity:** sporadic / continuous **Integrity:** partial / impartial **Resources:** budget, staff, etc.

Scoring

The eight convention implementation indicators described above are given a score of 0 ("criticism"), 0.5 ("in progress"), or 1 ("approval"), which are calculated based on the overall assessment of the findings contained in the review reports for the IRM, MESICIC, and OECD-MM.

At the start of the assessment, each provision receives full scores. The scores are then amended according to the nature and extent of problems identified in the review files for the IRM, MESICIC, and OECD-MM. If problems are detected, the score of each indicator is lowered to reflect the extent of its impact. Otherwise, the indicator scores remain unchanged.

This approach allows for any unaddressed dimension in the review reports to work in favor of the State Party, as absent measures are not included in the score. There is one exception to this rule which is applied to cases with missing or insufficient information on enforcement efforts. In such a case, a country receives an automatic score of 0.5 ("in progress") on intensity, integrity, and resources. For example, a MESICIC report for the Third-Round states that the country under review "did not refer to results in this area in its response" when discussing its legal framework on extradition. In these cases, as it is not possible to establish the degree of enforcement and both full scores or full penalization would likely misconstrue the actual progress made by the country in this respect, the middle ground was selected as a reasonable compromise.

A weighted average which considers the value of each implementation dimension relative to their degree of importance is then applied to calculate the total measure score. In this case, the value of implementation dimensions that hold more weight like "design" and "enforcement" contribute more to the overall score than "adoption" which is considered a minimum requirement. In other words, the extent of a State Parties enforcement initiatives (in terms of their applied consistency, impartiality, and resources) and operational design (existence of mechanisms, whether they meet international standards, etc.) has more impact on the implementation of Conventions than expressions of willingness or the formal adoption of anticorruption initiatives. The **effort** and **creation** indicators supplement this assessment, as they reflect the efforts of State Parties to meet requirements to develop legal frameworks or other relevant anticorruption initiatives. The **scope**, **features**, and **mechanisms** indicators assess and highlight the quality of anticorruption initiatives. Their enforcement, however, and the commitments of States Parties in maintaining it effectively are represented by the intensity, integrity, and resources indicated.

This strategy aims to reflect the relative importance that the different stages of anti-corruption policy making hold for the ultimate goal set out in the conventions—a substantial reduction in the levels of corruption in the target countries. The adoption of legal and policy instruments is considered to be the minimum basis for this effort and the initial stage towards the goal. However, the existence of legal and policy instruments is only relevant to the degree that they are designed in a technically appropriate way, which results in a higher value for the dimension of Design rather than the simple act of Adoption. Regardless of their normative quality, legal and policy instruments cannot effect changes in the levels of corruption if they are not ultimately enforced; at this point, activism in the Enforcement dimension may even compensate for any deficit in design and succeed in reducing corruption, whereas a perfectly designed norm holds little value unless it is properly enforced. Thus, by giving different weights to each dimension it is possible to account for their relative contribution to the goal of preventing and controlling corruption.

Therefore, given the relative importance and interaction between these three dimensions, in addition to their significance in achieving the effective implementation of the anticorruption Conventions; the total measure is calculated based on the following formula:

$$(Effort + (Creation * 1.5)) + ((Scope + Features + Mechanisms) * ((Intensity + Integrity + Resources) * 1.5))$$

In other words, the indicator of creation receives 50% more points than effort; the cumulative value of "design" indicators is considered double that of creation; and the cumulative value of "enforcement" indicators is 50% more than that for "design." This weighted average gives a maximum of 16 points to a measure. The dimension and weighted scores are rescaled to 100 and labels are applied to the following ranges:

- **71.9~100.0 = "Implemented"**
  A score that successfully evidences the adoption and enforcement of anticorruption measures—normative and otherwise—in accordance with the principles laid out by the anticorruption convention provisions.

- **43.8~71.8 = "In progress"**
  A score that reflects a partial compliance of

anticorruption implementation in accordance with the principles contemplated in the anticorruption convention provisions. It evidences a deficit in their design and/or enforcement and indicated important limits in the accomplishment of anticorruption implementation.

- **9.4~43.7 = "Core-deficient"**
  This score is assigned to countries which experience a critical deficit in the design and/or enforcement of anticorruption convention provisions, rendering them inappropriate for the accomplishment of anticorruption goals.

- **0.0~9.3 = "Not implemented"**
  A score that reflects that a country either fully misses or disregards the principles laid out in the anticorruption convention provisions as it comes to the adoption, design, and enforcement of anticorruption measures.

TABLE 4.3
SCORING CHART

ADOPTION		DESIGN			ENFORCEMENT		
Effort	Creation	Scope	Features	Mechanism	Intensity	Integrity	Resources
1	1	1	1	1	1	1	1
Adoption (Rescaled) 2 (100)		Enforcement (Rescaled) 3 (100)			Enforcement (Rescaled) 3 (100)		
Weighted Score (Rescaled) 16 (100)							

TABLE 4.5
CIS SCORING RANGES AND LABELS

RESCALED WEIGHTED SCORE	CORRESPONDING LABELS
100~71.9	IMPLEMENTED
71.8~43.8	IN PROGRESS
43.7~9.4	CORE-DEFICIENT
≤ 9.3	NOT IMPLEMENTED

Data Interpretation

The rescaled weighted scores and labels provide the basis for the overall assessment of a given country's implementation of anticorruption conventions. This illustrates the strengths and weaknesses of each implementation dimension and their

corresponding indicators through a country-specific lens. Each country narrative consists of three main sections: (i) the description of a country's status in the anticorruption conventions and review mechanisms; (ii) elaboration of the total country score, ranking position within the region, and a brief summary of the findings; and (iii) review of the state of implementation of select anticorruption provisions across the three thematic sections (i.e., prevention, criminalization and law enforcement, and international cooperation).

Strengths

The Index's Convention Implementation Score (CIS) was composed using original data. It provides an innovative way of evaluating national anticorruption architectures, offering insights into the state of progress in the implementation of international anticorruption conventions. A few noteworthy features to highlight include:

The Convention Implementation Score as a data-driven tool:

- As a systematic and empirical analysis of the provisions contained in the major anticorruption Conventions relevant to the region, the CIS provides a comprehensive map of policy areas requiring reform. Country profiles are constructed to reflect the complex nature of anticorruption efforts and their measures extend beyond assigning countries a single value. Instead, they piece together a comprehensive assessment using individual measures to showcase a country's overall efforts (i.e., adoption, design, enforcement) and measure-specific scores (i.e., in prevention efforts, criminalization and law enforcement, and international cooperation)

- By separating the assessment of anti-corruption policy implementation from the measurement of corruption levels in a country, the Convention Implementation Score allows the identification of potential disparities between outputs (i.e., anti-corruption initiatives) and outcomes (i.e., corruption levels). The comparison between these two forms of evaluation aims to shed light on the relative impact of contextual factors when designing responsive anti-corruption strategies geared toward country-specific conditions.

- Differences between the degree of anticorruption policy implementation and the level of corruption in a given country may provide insights into priority areas for improving the ways in which anticorruption objectives are identified and/or described in international anticorruption conventions. In this regard, the potential for revised international efforts also extends to the data and benchmarks adopted by review mechanisms.

The strengths of the CIS methodology

- The development of three dimensions–adoption, design, and enforcement–and eight indicators–effort, creation, scope, features, mechanism, intensity, integrity, and resources –provides a more systematic approach to the evaluation of anticorruption initiatives than traditionally used.

- As described earlier, one of the main strengths of the Convention Implementation Score comes from the assessment and scoring of individual measures. The production of dimension-specific scores (i.e., adoption, enforcement, design) offers an additional level of depth. This provides a detailed picture of the state of national anticorruption efforts with a view to reforming anticorruption policy.

- The Convention Implementation Score is reflective of the rationale behind the implementation of legal and policy initiatives in pursuit of control of corruption. The use of statistical weights to increase the relative importance of some dimensions and indicators reflects that rationale, allowing the final measure-specific scores to be more nuanced and refined.

- By drawing on convention implementation information from several review mechanisms and different cycles thereof, the Convention Implementation Score is anticipated to improve fairness in the process of evaluating countries' anticorruption commitments and their progress towards their realization.

Limitations

Any missing information in the reports of the review mechanisms can potentially impact the process of data extraction, analysis, scoring, and interpretation.

Several specific limitations are worthy of further detail. First, the statistical data related to anticorruption enforcement is incomplete or absent in several countries. Therefore, it is not consistently addressed in follow-up reports. This gap can reduce the level of specificity in the assessment of some countries. Second, the review mechanisms provide an inconsistent analysis across measures, with some measures receiving more attention than others. This issue can lead to a perception that some measures are more important than others. Third, the evaluation of similar initiatives adopted by different States Parties is somewhat inconsistent, with very similar initiatives leading to a more positive assessment in some cases and a more negative one in others. This issue may limit the comparability of anticorruption provisions across countries and decrease the stability of scoring protocols.

Transparency Record

The transparency record contains a condensed assessment of the information recorded within UNCAC civil society parallel review reports—which encompasses eleven countries over several review cycles.[2] The parallel review reports are authored by representatives of civil society, who evaluate the extent of government transparency, inclusivity, and compliance during—and in the case of follow-up reviews, after—the UNCAC review process in their respective countries. Civil society authors may choose to assess government compliance in all relevant articles of the UNCAC chapters under

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2   See the full list of UNCAC civil society parallel review reports at https://uncaccoalition.org/uncac-review/cso-review-reports/.

review, or within a selected few. Their findings are then summarized within full reports and/or executives summaries, and reflect key points on the availability of information, legal frameworks, enforcement systems, and priority recommendations for each country assessed. The transparency record synthesizes the findings of civil society reviewers and the responses to several questions (indicating the extent of openness or obscurity during the review process) within country profiles. As the data was only available for eleven countries, the transparency record serves as an informative supplement to the CIS and CRS analyses by displaying another layer of country-specific conditions during review processes.[3] The following questions—and their

corresponding responses—were compiled from UNCAC civil society parallel review reports to create the transparency record:

- Did the government make public the contact details for the country focal point?
- Was civil society consulted in preparation for the self-assessment?
- Was civil society invited to provide information to the official reviewers?
- Was the self-assessment published online or provided to CSOs?

Corruption Resilience Score (CRS)

The Corruption Resilience Score (CRS) captures the extent of the risks posed by corruption and maps the areas, institutions, and sectors most permeable to its influence.

The CRS provides an empirical assessment of five indicators (social context, quality of government, business stability, the rule of law, and security and violence) which compose a score that illustrates the capacities of national governments to maintain resilience against corruption within the Western Hemisphere. The CRS indicators each represent areas critical to maintaining safeguards against corruption and contain several components, which were compiled using a range of secondary sources to supplement their accuracy. The secondary data is derived from multiple sources and covers a period of ten years between 2010 and 2020.

Excluding Canada and the United States, the CRS determines the capacity for resilience against corruption in 31 countries across the region. The resulting scores and corresponding countries are then labeled to reflect their level of resilience. The labels range from the highest 'resilient' scores between 70-100, 'moderately resilient' scores that fall between 45-69, to the most 'vulnerable' countries which receive scores below 45 points. The number of countries that receive a given label are then calculated to reflect regional percentages of resilience.

TABLE 4.6

CORRUPTION RESILIENCE SCORES (CRS), 2020

SCORE	CORRESPONDING LABELS
100~70	**RESILIENT**
69~45	**MODERATELY RESILIENT**
< 45	**VULNERABLE**

Several steps were involved in creating the CRS: variable selection, assessing bivariate and multivariate relationships among variables, index scoring, and finally, the validation of the index. The indicators that inform the CRS are as follows:

- Social context
- Quality of government
- Business stability
- The rule of law
- Security and violence

In determining the variables to be included in the CRS, several criteria were applied in the selection process: face validity (logical validity), unidimensional and variance, and bivariate and multivariate relationship examination.

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3   Since the civil society parallel reports were only available for 11 countries, the transparency record was only used for informative purposes and was not included in the calculation of the CIS.

Criterion 1: Face Validity

In the simplest terms, face validity relates to the extent of a measure's accuracy in what it aims to measure (at face value). For example, each of the measures for the social context indicator (i.e., media freedom, civil liberties, and political rights) have shown that societal elements can improve resilience against corruption. In other words, the selected measures for all five indicators had to appear to evaluate resilience against corruption.

Moreover, the relevance of the data was evaluated according to whether it met the overall measure of the five indicators (excluding anticorruption Conventions). To ensure the accuracy of the data used in the construction of the index, the data was exclusively procured from internationally recognized sources (IMF, Eurostat, OECD) which apply professional standards, follow appropriate statistical criteria, and maintain transparency in their methodologies. Similarly, the accuracy of the included variables for each indicator was evaluated to ensure the data produced was free of political bias and pressure.

Timelines were then created to verify the overall coherence of the data, and the necessary condition of coherence was applied. The condition emphasizes that data should be consistent over time, where the same sampling approach or question format is used to collect data over time. First, coherence overtime was used, where data with consistent concepts, methodologies, and measures over time were included, and data that did not meet those standards was rejected. When a change occurred in the methodology or question of the survey over time by the source provider, then those year[s] were not selected. For example, data from the World Economic Forum was used; however, the methodology for some variables changed in 2017, so data after 2017 were excluded from the indicator as they included a mixture of household and firm surveys using subjective expert assessments.

Criterion 2: Unidimensional and Variance

The literature on index construction has advised that in the selection process, unidimensionality should be ensured. Therefore, each indicator only measures a single dimension (i.e., quality of government) and the variables used to construct the indicator only measure factors that impact government quality.

Criterion 3: Bivariate and Multivariate Relationship Examination

Bivariate and multivariate relationships were examined among the variables being considered for inclusion in the indicators. This approach allowed users to select meaningful variables that improved the indicators and eventually the Corruption Resilience Index; thereby, it was a way to eliminate variables which measured the same phenomenon. This method helps determine the overall power of a particular variable under consideration for the index. As part of this examination, which gauged the accuracy of indicators and their relationships to relevant factors (i.e., the control of corruption, organized crime, economic output), multiple Pearson correlations were conducted.

Normalization of Values

As the data was derived from different sources that were not easily comparable, the values for each variable were normalized before the indicators were aggregated for the compilation of the Corruption Resilience Index.[4] The normalization of the data allowed for the comparability of all variables across the six indicators. The Min-Max normalization approach, one of the most common approaches to normalize variables, was applied.

$$Z_i = 100 \times (XMax{-}Xi)/(XMax{-}XMin)$$

With the Min-Max normalization approach, the variables were converted to a range between 0 and 100, where 0 indicates the worst performance and 100 indicates optimal performance. The Min-Max normalization approach was utilized because it is the most common and reliable approach used to construct indexes. For example, many indexes constructed by the United Nations and World Bank have applied this approach. In addition, normalizing the variables between 0 and 100 will enable users to reduce the amount of spurious variability.

An analysis for skewness was carried out before normalizing the variables to determine the distribution of each variable and identify extreme outliers. The analysis indicated that only a few variables are negatively or positively skewed, but nothing too serious to cause concern in the variable was present. Once all variables were normalized, all 6 indicators were aggregated to create the Corruption Resilience Index. A 2-step approach was applied

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4   In cases where variables had lower bounds as the best performance and the upper bounds as the worst performance—the variable was flipped before normalization (i.e., Freedom House's Civil Liberties [1 – 7, worst performance] variable was flipped before normalization.)

to aggregate all the variables. The variables for each indicator were aggregated using the arithmetic mean, all of which are weighted equally.

TABLE 4.7
INDICATOR MAPPING

INDICATOR	VARIABLES[5]
SOCIAL CONTEXT	5
QUALITY OF GOVERNMENT	19
BUSINESS STABILITY	7
RULE OF LAW	9
SECURITY AND VIOLENCE	3

Missing Values

To identify the most suitable solution to deal with missing values, Little's MCAR test was performed to check the patterns of the missing values. The Little's MACR test was found to be significant [α = .05]; therefore, the null hypothesis was rejected that the values are missing completely at random. In other words, the missing data is not independent of other variables in the model, instead, it is predictable by them. This finding indicated that the deletion approach to deal with missing values was not appropriate because it could introduce bias to the model.[6] Thus, a multiple imputation approach was applied since the data were missing at random. Therefore, a multiple imputation approach was applied, which included five imputations. The pooled mean score was used to obtain the values for the missing data.

Indicators

The CRS is composed of five indicators for which data have been derived from various internationally recognized sources. The data were drawn from the World Bank, World Economic Forum, Freedom House, Reporters without Border, Economic Intelligence Unit, World Justice Project, Bertelsmann Transformation, Heritage Foundation, Political Terror Scale (State Department values), and Social Violence Scale, and other credible sources.

1. Societal Context

This indicator captures factors such as civil liberties, political rights, and media freedom. We assume that a deficiency in these factors can increase the vulnerability to corruption. For example, when Maduro curtailed political rights in Venezuela, the country became less resilient against corruption.

Components:
- Political rights
- Civil liberties
- Media freedom

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5   The total variables are the number of secondary sources used to create the indicator.

6   In applying the multiple imputation approach, five imputations were conducted, and then the pooled mean was used to obtain the values for the missing data.

2. Quality of Government

This indicator captures the quality of government, political process, and institutions—including constraints on government, quality of the bureaucratic system, open and fair elections, transparency in government decision making, and consistency in policy direction. In addition, we added the control of corruption indicator by the World Bank's Worldwide Governance Indicator as a measure of the quality of institutions. It is assumed that institutional deficiencies decrease resilience to corruption.

Components:
- Control of corruption
- Governance
- Quality of public administration and bureaucracy
- Institutional effectiveness

3. Business Stability

Focusing on the business environment, this indicator captures the elements of resilience to corruption within interactions between businesses and state officials. It is assumed that excessive business regulations and a lack of transparency in policy related to the private sector, particularly regarding property rights and investment or business freedom, will inadvertently increase vulnerability to corruption. Most studies and indexes examining corruption fail to account for this important factor. For example, an excessive or inadequate regulatory system concerning the private sector will increase the likelihood of corruption. Thus, when a country has an effective business regulatory system that does not hinder operations, the country will be more resilient to corruption.

Components:
- Business regulation and property rights
- Regulatory environment
- Transparency in government policies impacting businesses

4. The Rule of Law

This indicator captures the quality of the rule of law, including the independence, fairness, and effectiveness of the judicial process and judiciary. In terms of the quality of the regulatory system, the indicator captures the perception of government capacities to devise and implement sound policies and regulations. The weaker the rule of law (and the regulatory system), the less resilience to corruption is expected.

Components:
- Judicial independence
- Separation of powers
- Criminal and civil justice

5. Security and Violence

This indicator captures violence and insecurity at the micro (perpetrated by non-state actors) and macro-level (perpetrated by state actors). The indicator also measures the level of organized crime in the region. It is assumed that violence and organized crime can reduce resilience against corruption. For example, organized crime syndicates seek to cultivate contacts within the government to influence decisions and manipulate the system in their favor. Thus, this indicator was included given the epidemic problem of organized crime groups in the Western Hemisphere.

Components:
- Political violence
- Social violence
- Organized crime

Strengths and Limitations

The CRS takes on a multidimensional assessment of the potential factors in the Western Hemisphere's potential factors that drive resilience to corruption, which is the major strength of the index. In that respect, the CRS accounts for the dyadic interaction between government-public sector interaction and government-private sector interaction and country-specific factors such as crime, organized crime, civil liberties, and media freedom. For example, the CRS composes an indicator that captures the interaction between government and business entities and business environment regulation, impacting the resilience against corruption. Brazil's Operacion Lava Jato, for example, clearly highlights this issue. The main limitation faced in the construction of the Index is the extent of missing values in the secondary data. This problem was resolved by using a multiple imputation approach which was discussed above.