



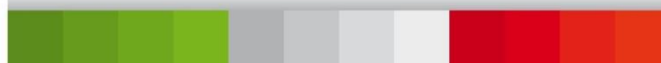
**Governo italiano**

*Presidenza del Consiglio dei Ministri*

## Modernization of the Public Administration

From the High Commissioner for the fight against corruption  
and other offences in the Public Administration  
to the National Anticorruption Authority

*Ministro per la pubblica amministrazione e l'innovazione*





# Table of contents

The new structure .....	slide 1
Structure features .....	slide 2
Hub and Spoke organization .....	slide 3
After the Ratification of UN Convention .....	slide 4
Structure mission .....	slide 5
The so-called anticorruption bill .....	slide 6
Tasks and output .....	slide 7
Carried-out activities .....	slide 8
Recent activities .....	slide 9



# The new structure

- The decree law 112 of 2008 has suppressed the High Commissioner against corruption (HC) in the framework of a wider plan for the rationalization of public expenditure and reorganization of administrative structures.
- The Prime Minister's Decree of 2 October 2008 transferred the HC functions to the Department for Public Administration within the Presidency of the Council of Ministers.
- The Department for Public Administration has established the Anti-corruption and Transparency Service (SAeT) with a view to:
  - enhancing the experience acquired so far;
  - using this new Service also in support of the transparency process already launched by the Government;
  - guaranteeing its necessary functional autonomy.
- The Anti-corruption and Transparency Service (SAeT) responds to an internationally identified need to create a specialized technical body capable of promoting the fight against corruption, with particular emphasis on its prevention within the public administration.



# Structure features

- A slender and specifically technical operational structure which combines diverse and complementary capacities and expertise.
- A Hub and Spoke structure intended to group and coordinate the other public subjects and networks institutionally responsible for transparency and corruption prevention issues.
- A structure that:
  - effectively supports the Public Administration action to fight corruption and its negative impact on the national economy;
  - creates and consolidates a reliable structure in line with the main anti-corruption International conventions.



# Hub and Spoke organization



**S.A.eT.**



# The Ratification of UN Convention

- By Law no. 116 of August 3, 2009 Italy ratified the UN Convention against Corruption (UNCAC). The ratification Law designates the Department for Public Administration (DPA) - within which the SAeT currently operates - as National Anticorruption Authority.
- The ratification law intervened in a moment of the Italian legislature characterized by a broad and effective action to reform the Public Administration, to protect integrity, legitimacy, good performance and efficiency of administrative action. A change, which marks a full restatement of the Italian state and its image both at a National and International level in the fight against corruption, defence of legality and legitimacy of administrative action through the provision of appropriate and effective means to preserve it from illegal activities.
- The Italian legislator ensured that the Italian Anti-corruption (AC) body would operate effectively in an autonomous and independent way, free from any undue influence. In this respect, the action and activities of the National Anti-corruption Authority are further strengthened through the action of the Minister for Public Administration and Innovation who has the political direction of the DPA/SAeT



# Structure mission

- In line with the provisions set by Article 6 of the UN Convention against Corruption, the main goals of the DPA/SAeT as National AC Authority are the following:
  - To develop and implement or maintain effective, coordinated anticorruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability;
  - To establish and promote effective practices aimed at the prevention of corruption;
  - To periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption;
  - To collaborate with other anticorruption structures and with relevant international and regional organizations in promoting and developing anti-corruption measures, participating in international programmes and projects aimed at the prevention of corruption.
  
- Furthermore, the National Anticorruption Authority is playing a leading role in implementing the following activities provided for by the Convention, subject to the appropriate agreements and understandings with other concerned stakeholders:
  - article 9, *Public procurement and management of public finances*,
  - article 10, *Public reporting*,
  - article 12, *Private sector*,
  - article 13, *Participation of society*,
  - article 60, *Training and technical assistance*.
  - article 61, *Collection, exchange and analysis of information on corruption*.
  - article 63, *Conference of the States Parties to the Convention*.



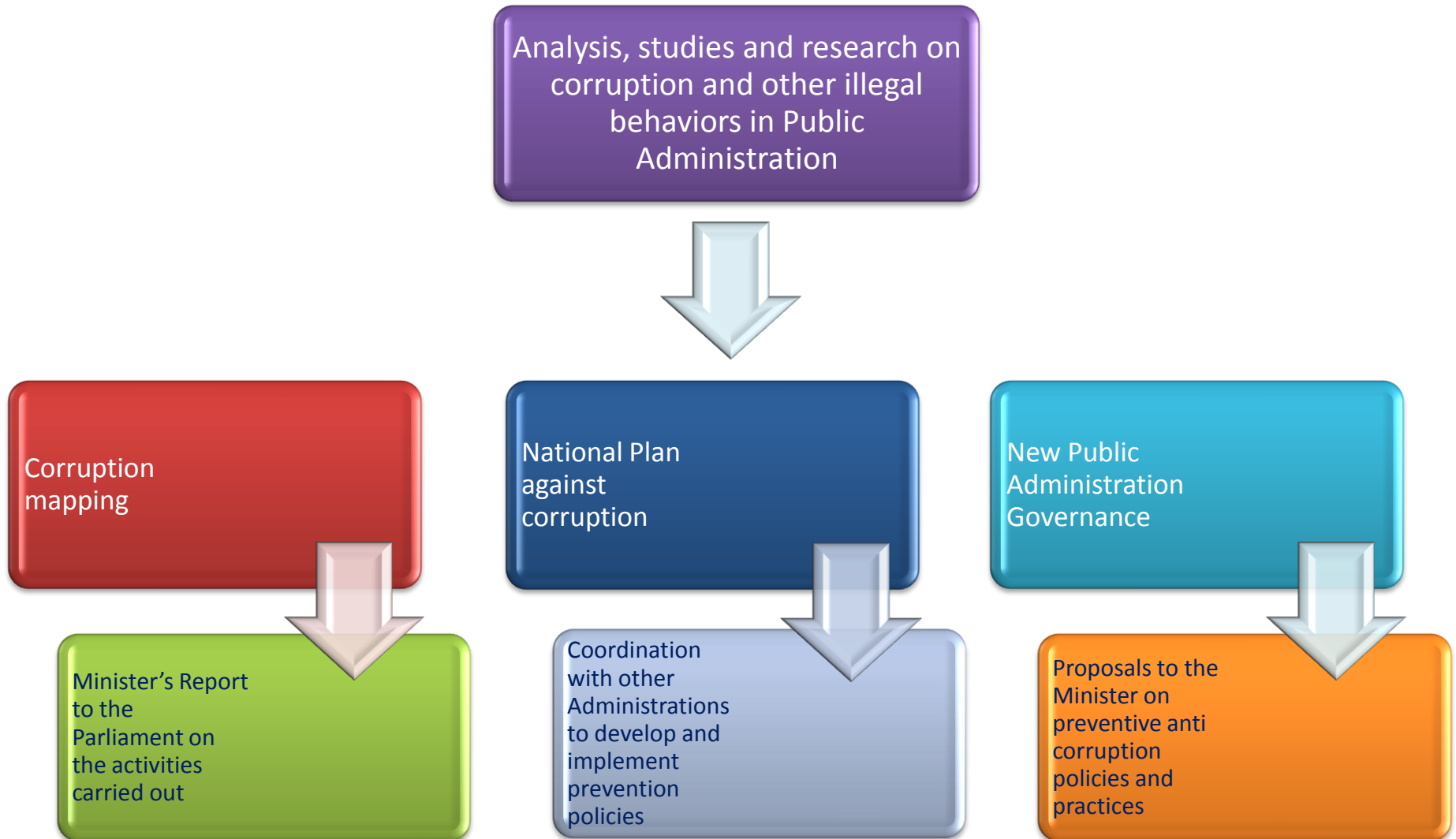
# The Anticorruption Bill

- The so-called anticorruption bill (Act of the Senate 2156) adopts the renewed prevention commitment required by the UN Convention against corruption. In this perspective, the following measures should be considered:
  - a National Anticorruption Plan, to be developed according to an engaging system rationale that enhances the peculiarities of Public Administrations and to be promoted thanks to a spontaneously developing Network of people in charge in the various Administrations;
  - an Observatory on corruption phenomena which, due to this improved system, could effectively play a driving role for a more faithful and accurate interpretation of the phenomenon;
  - A Transparency, Simplification and Cost reduction Policy particularly with regard to procurement, as agreed with the competent Ministries.
  
- In the same perspective, during the parliamentary procedure to pass the bill, it shall be possible to introduce some improvements aiming at implementing in our legal system some of the recommendations and requests from the International Working Groups we participate in. In particular, the Ratification of the two Conventions of the Council of Europe against corruption with regard to which necessary bills were submitted and also taking into account whistleblowing, revolving doors, lobbying and trading in influence.

These are extremely useful measures that could contribute to further improving legislation above all with regard to prevention, keeping in mind that the criminal punishments provided for by Legislators already highlight Italy's excellent position.



# Tasks and output





# Carried-out activities

- Subscription of 17 memoranda of understanding.
- Contribution to the drafting of the 2009 Accountability Report, presented and approved by the G8 countries during the recent "Summit 2009" in L'Aquila.
- Active participation in all International fora, such as:
  - o Plenary sessions of the COE Group of States against corruption (GRECO);
  - o Plenary sessions of the OECD Working Group on Bribery;
  - o The evaluations carried out by GRECO in Greece, Austria and Serbia;
  - o The Expert Group on conflict of interest (OECD);
  - o The first meeting of the European Network of Anti-Corruption Agencies (EACN) under the auspices of the European Commission and the European Parliament;
  - o The Conference of State Parties to the UN Convention against corruption (Doha, Qatar, 2009);
  - o The meeting of the Implementation Review Group (IRG) of UNCAC .



# Recent activities

- A project developed with Transparency International on whistleblowers, so called blowers, and Cittadinanzattiva, to develop and spread good practices to improve transparency and accountability standards of the public institutions;
- Participation with the French Service Central de Prévention de la Corruption in a European two-year support program for the anti-corruption service in Croatia, to strengthen the effectiveness of prevention of corruption in that country;
- The EU project EPOC IV coordinated by EUROJUST which aims to develop a software that can make the exchange at a European level of data and information between national systems of case management on organized crime and the links between organized crime and corruption;
- The selection of the submitted proposals on GREEN PROCUREMENT, together with Transparency International, FORMEZ and other partners, among 39 projects selected worldwide by the World Bank valid for the Siemens Integrity Fund, for 600 thousand dollar financing over a two-year implementation period;
- The presentation together with Transparency Italy, Transparency Spain, FORMEZ and other partners, of a project related to the Community programme “Prevention and Fight against Crime 2007/2013 – Financial and Economic Crime” , with regard to CLEAN AND GREEN MARKET, for a two-year period and 300 thousand euro co-financing;
- The participation together with FORMEZ in the project “Public ethics in the South: improving performance, increasing transparency with new technologies”, amounting to 4.5 million Euro for the PON (National Operational Plan) Governance and Technical Assistance (ERDF) 2007-2013, aiming, among various envisaged lines of action, to develop a model for the mapping of corruption risks;
- The presentation of the Report, edited with Cittadinanzattiva, dealing with “Transparency in public utilities”, in the framework of an operational protocol signed on March 12, 2009.