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The Anti-Fraud Office of Catalonia: strengthening integrity of public institutions through corruption prevention and investigation

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for Central and Eastern Europe & Central Asia
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Spain: a unitary but “quasi-federal” state



Spanish 1978 Constitution recognizes autonomy for nationalities and regions.

There are **17 autonomous regions** with their own Parliament and Government.



Catalonia: a vigorous Autonomous Region in Spain



Catalonia

7,5 million inhabitants
28.000 € GDP per capita

Catalan Self-Government

Parliament
Regional government
947 municipalities

Catalan Public Sector

Public expenditure: 50.000 M€/year
Public employees: 300.000

Regional and local authorities provide almost all infrastructures and public services, including education, health, social services, police, penitentiaries, public transport, environment, urban planning, economic development,...

The Anti-Fraud Office of Catalonia: a new independent institution

- Created by **law**
- Public-law entity with own **legal personality** and full capacity to act.
- Only **accountable to Parliament**, through specific commission and Annual Report.
- The **director is nominated by Parliament** for a single period of a nine years and is protected from dismissal.
- The director **selects and appoints its personnel**.
- The Office enjoys **budgetary autonomy**.
- In operation from **September 2009**.

Legal Framework

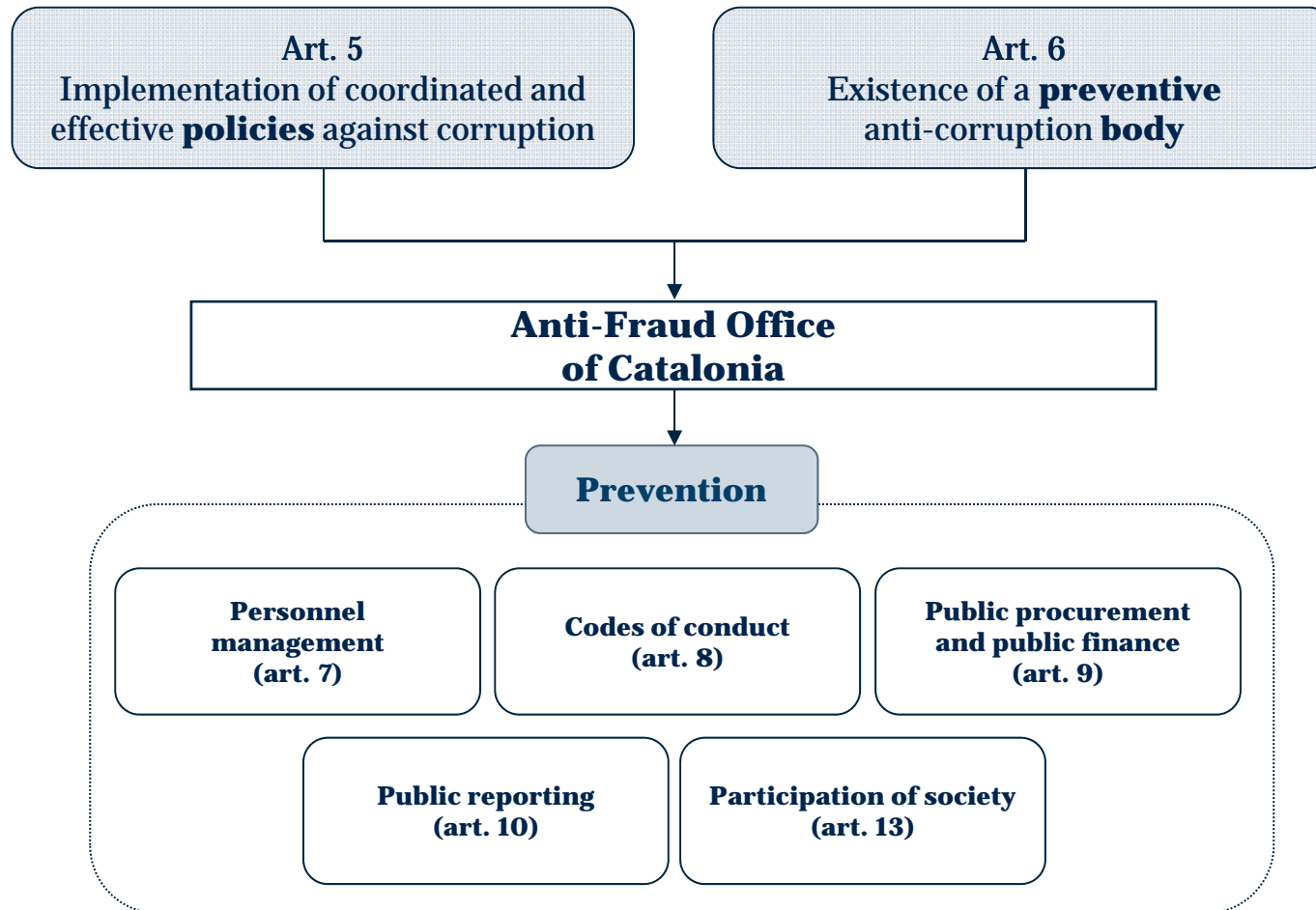
- > UN Convention Against Corruption
- > Act 14/2008 of November 5th, approved by the Parliament of Catalonia
- > Internal regulations approved by the Parliament of Catalonia

The Anti-Fraud Office: double mission

PREVENTION

INVESTIGATIONS

Anti-Fraud Office develops prevention policies according to UNCAC



Fields of activity

- Public sector: authorities and public servants
- Private companies
- NGOs
- Individual citizens

Public sector

- Provides support to public organisations in strengthening their integrity systems, through actions in four areas:

1. Training of public servants

2. Technical assistance
and best practices

3. Legal framework assessments

4. Advisory opinions

Other areas of action

Public awareness

- Materials and activities on ethical values for Secondary Schools
- University Summer Course
- ...

Research and studies

- Survey and focus groups about citizens' values and perceptions on corruption
- Catalan Observatory of Corruption

Publications

- Collection Tools
- Collection Handbooks

Policy coordination

- Proposal of a comprehensive Integrity Program comprising all Catalan public institutions

International Cooperation

- Coordination, exchanges and mutual support with international organizations and with other Anti-Corruption agencies

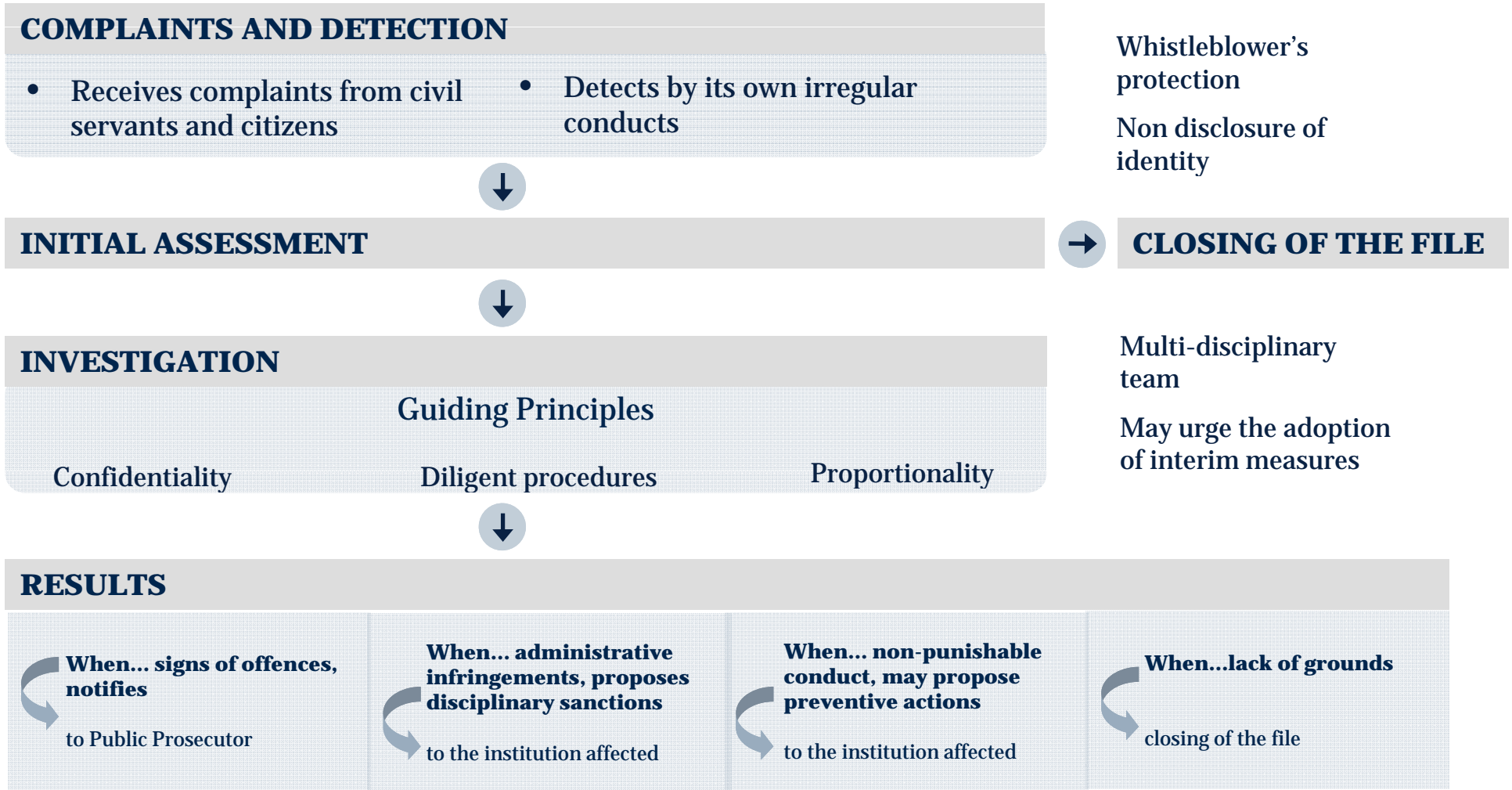
Competencies on Catalan Public Sector and on public funded activities

Public sector of Catalonia, including all depending agencies and enterprises

- Parliament of Catalonia
- Government of Catalonia and its departments and bodies
- Local governments: municipalities, counties, metropolitan areas,...
- Public companies
- Inter-administrative consortiums and public foundations
- Public universities
- Other public and private law instrumental bodies governed or financed by Catalan public institutions

Private companies, NGOs and individuals, when running public services, receiving public subsidies or procuring goods and services or executing works contracted by public institutions.

Investigations' process



Special investigative tools

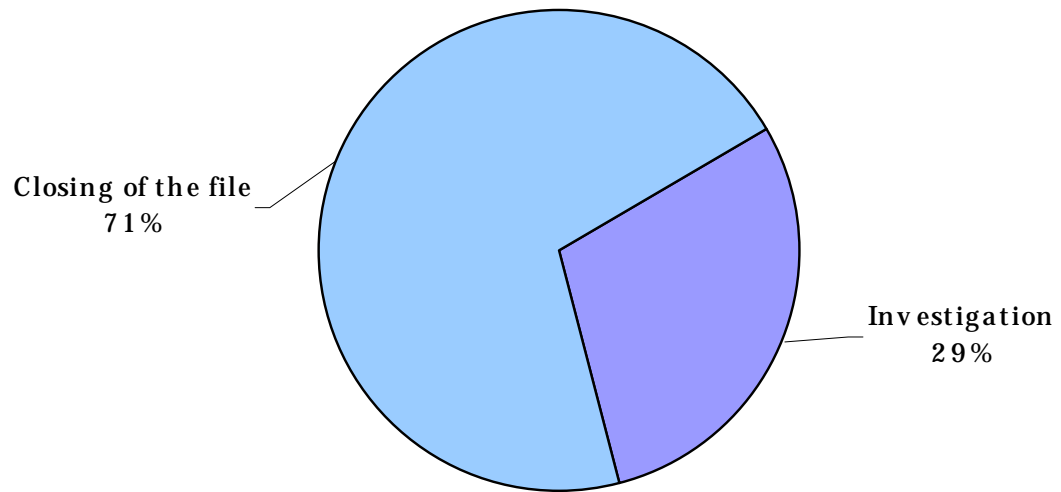
- Visits to public institutions' premises, without prior announcement
- Interviews with any person having relevant information
- Requirements to financial entities to obtain bank accounts' information

Complaints received and complaints investigated

RECEIVED

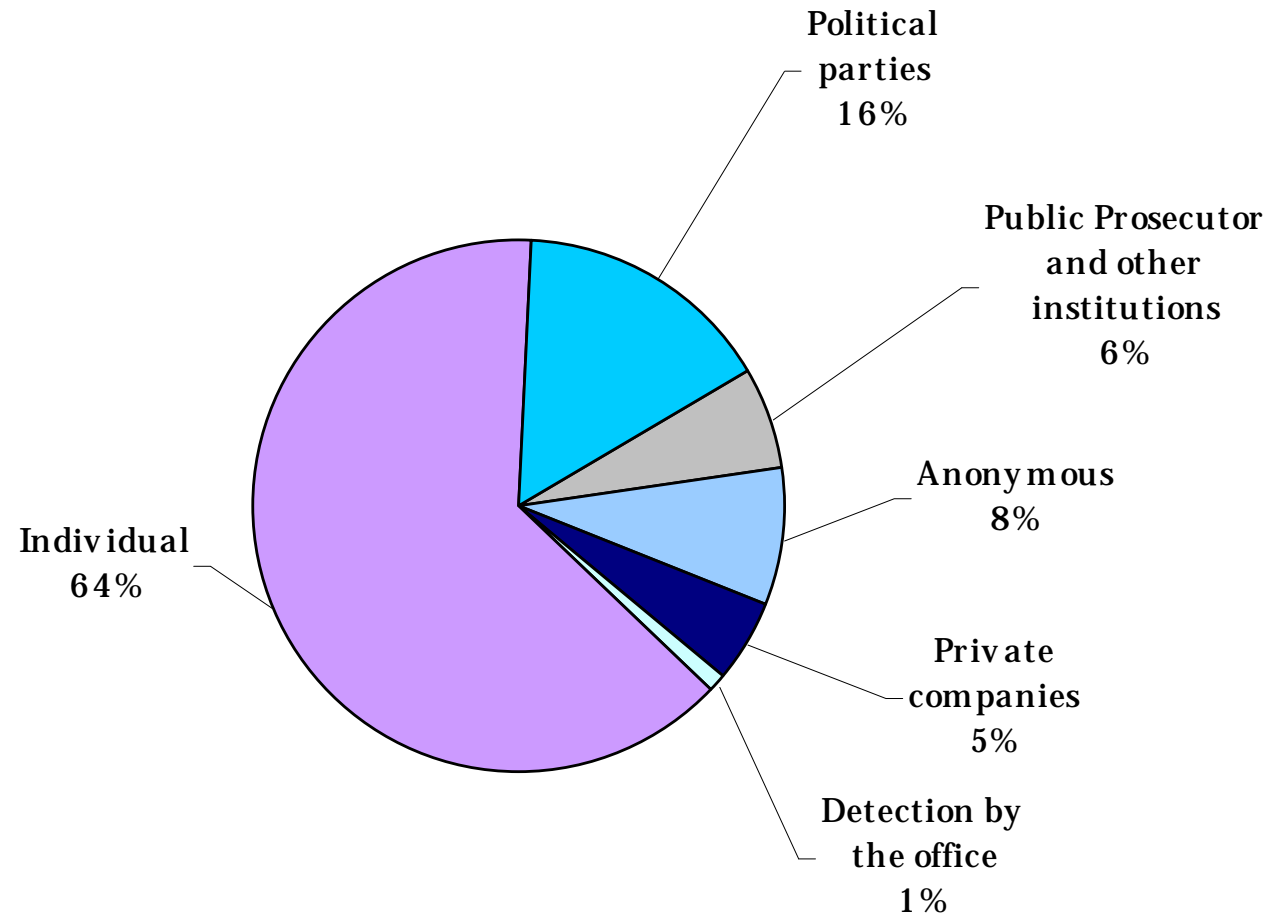
During the first 12 months*, the Office has received 145 complaints:
3 per week

INVESTIGATED/ CLOSED

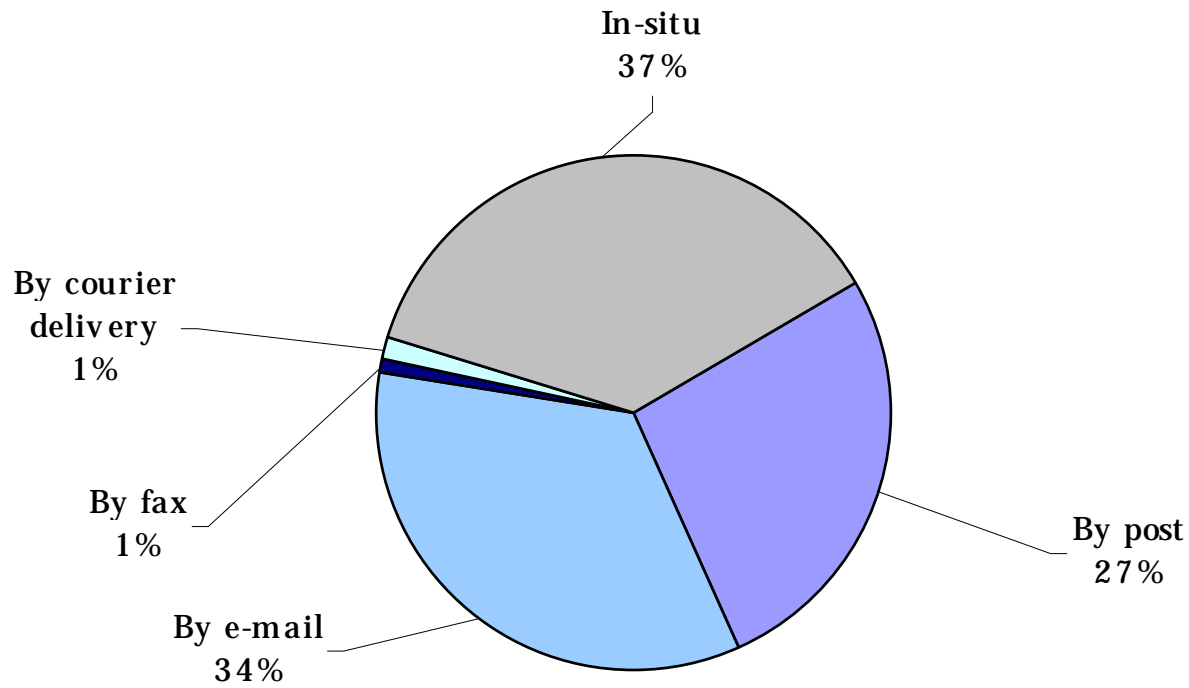


* From 1st October 2009 until 30th September 2010

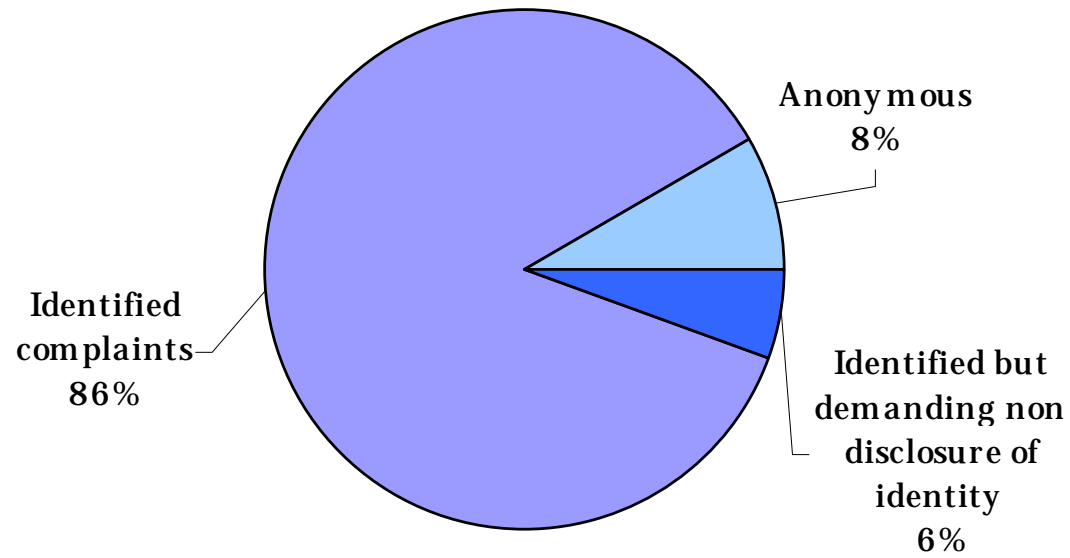
Sources of complaints



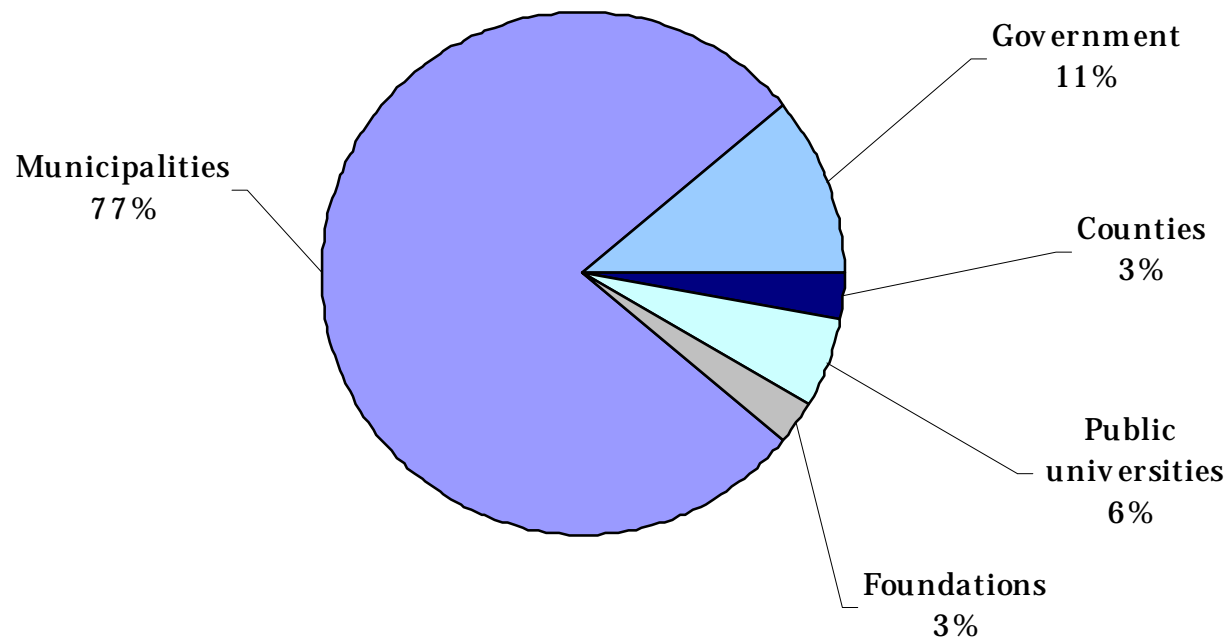
Channels of entrance of complaints



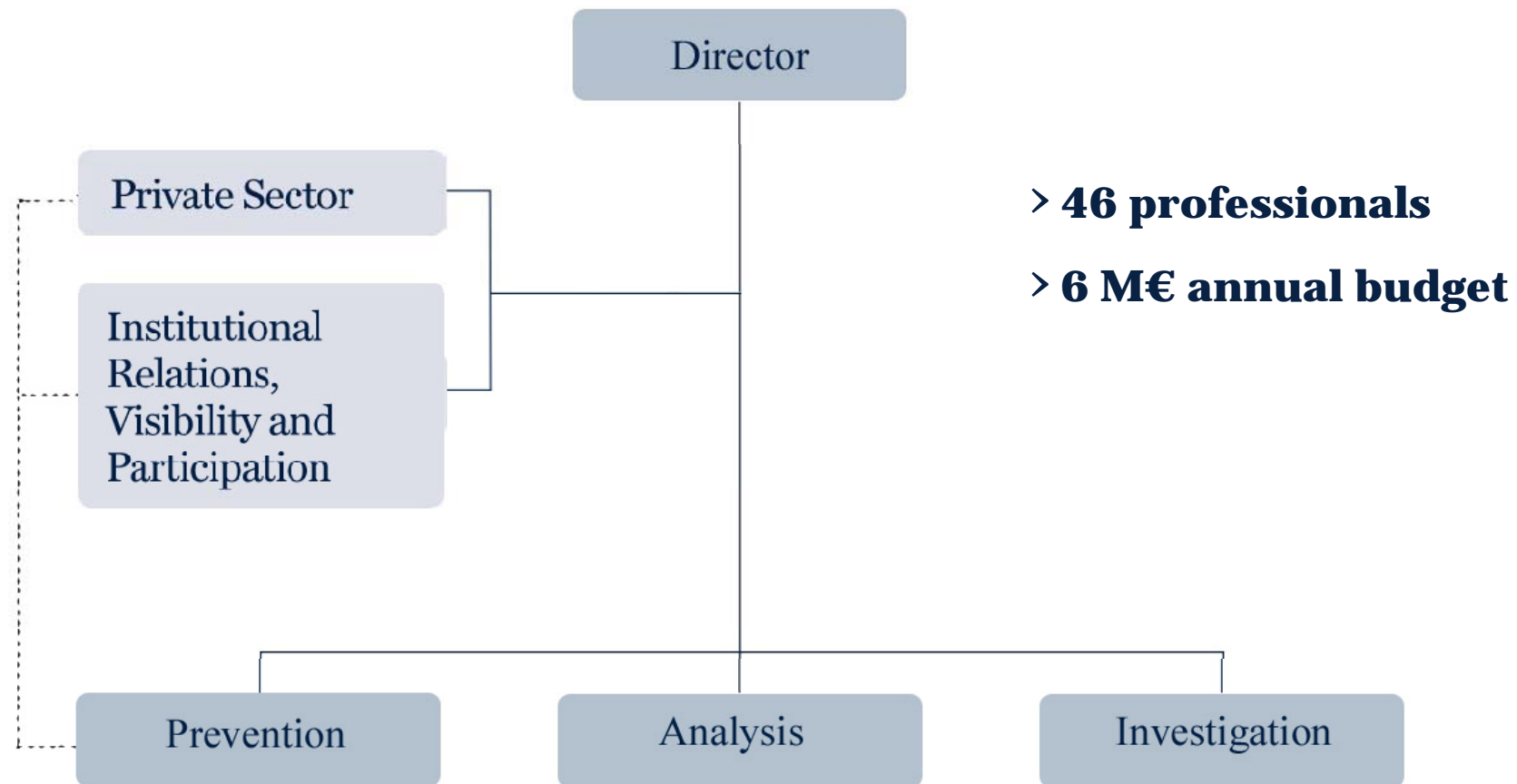
Complainants: disclosure of identity



Investigations: institutions investigated



The Anti-Fraud Office: organisation and resources



Anti-Fraud Office of Catalonia: which model*?

Universal ICAC, Hong Kong	Investigative CPIB, Singapore
Parliamentary ICAC, New South Wales (Australia)	Multi-Agency Office of Government Ethics, US

*Source: World Bank, *Anti-Corruption Commissions: panacea or real medicine to fight corruption?*, 2004



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of our public institutions***

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