
Annex 1: Reference Information for Knowledge Gathering Stage

The tables in this annex provide information and guidance for gathering knowledge about international, regional, national, and subnational policy instruments, laws, and institutions. They include guiding questions that will help identify problems and develop shared understanding of concepts and processes, potential interventions, and relevant stakeholders within and across institutions based on mandates, powers, degrees of independence, and other provisions. These questions can also help identify entry points for advocacy interventions, and access points for CSOs and research organizations. Although these international and regional instruments may not be legally binding; may be legally binding but contain non-mandatory criminalization provisions; are not domesticated; or are otherwise delayed in implementation, they may lend legitimacy to domestic law or be used as reference during domestic legal proceedings.

International Instruments, Organizations, and Mechanisms

The Bangalore Principles of Judicial Conduct³⁷

The Bangalore Principles outline standards of ethical conduct for judges. Core values include impartiality, independence, integrity, propriety, equality, competence, and diligence.³⁸ They were developed based on codes from Bangladesh, Canada, Kenya, Malaysia, Namibia, Nigeria, the Philippines, Uganda, the United States, Zambia, and other countries.³⁹ The Bangalore principles are non-binding. However, they are recognized by the CoE, American Bar Association, and International Commission of Jurists.

Guiding Questions:

- Is there a domestic code of ethics for judges, judicial officers, and judicial staff? If so, does it extend to all levels of judges and staff or only certain courts? What are the sources for this code? How does it compare to the Bangalore Principles? Is it used to accredit or discredit judges officially? Are judges elected or appointed? What bodies oversee the election or appointment processes?
- Is there an association of judges that monitors judicial conduct? Is it independent of the governing justice bodies and courts? What is their mandate?
- Does civil society have a role in monitoring the conduct of judges based on the Bangalore Principles?

Financial Action Task Force⁴⁰

The FATF is mandated to set global standards on combating money laundering, terrorist financing, and the financing of the proliferation of weapons of mass destruction.⁴² It also provides recommendations for domestic policy.⁴³ The FATF researches how money is laundered and terrorism is funded, promotes global standards to mitigate risks, and assesses whether countries that make official commitments take effective action through monitoring by the FATF, the World Bank, and the International Monetary Fund.⁴⁴ The FATF black and grey lists indicate lack of compliance, levels of risk, and mitigation measures.⁴⁵ While not a legally binding agreement, monitoring by associate member organizations, the World Bank, and the International Monetary Fund places significant pressure on countries to

³⁷ See: [JIG - The Bangalore Principles](#). (n.d.). www.judicialintegritygroup.org.

³⁸ *Ibid*.

³⁹ [Commentary on the Bangalore Principles of Judicial Conduct](#). (2007). United Nations Office on Drugs and Crime. *Bangalore Principles of Judicial Conduct Commentary on the*. (n.d.).

⁴⁰ See: [The FATF](#). (n.d.). www.fatf-gafi.org.

⁴¹ See: [The FATF](#). (n.d.). www.fatf-gafi.org.

⁴² Financial Action Task Force [Ministerial Declarations](#). (n.d.). www.fatf-gafi.org.

⁴³ [FATF 40 Recommendations – FATF](#). (2003).

⁴⁴ *Ibid*.

⁴⁵ [“Black and grey” lists](#). (n.d.). www.fatf-gafi.org.

adhere to these standards to obtain loans and other global financial engagements, including due diligence for investment. Associate members contribute to country assessments in their regions with some global entities.⁴⁶

Guiding Questions:

- Which countries have made commitments to the FATF standards?
- Which associate members are responsible for your country? What are their findings in the latest assessment reports?
- What domestic laws have passed and been implemented to respond to gaps in the assessment reports? What legislation remains to be developed and passed? What legislative commissions focus on illicit financial flows? What is their oversight process?
- What national agencies are responsible for oversight? Have they ensured compliance?
- What is civil society's role in the monitoring and assessment process?

The International Organization of Supreme Audit Organization Framework of Professional Pronouncements⁴⁷

These principles and declarations are essentially statements of the INTOSAI on various audit matters.⁴⁸ The basic framework includes the following areas:⁴⁹

- INTOSAI Principles, used by States to establish mandates for supreme audit institutions
- International Standards of Supreme Audit; Institution, which ensure quality, credibility, and transparency, and define roles and concepts (e.g., financial audits, performance audits, and compliance audits); and
- INTOSAI Guidance, which describes how to apply and fully implement credible audit processes.

INTOSAI is an international organization with United Nations observer status. Its standards are not legally binding, but they are often the basis for requirements in domestic and international diplomacy, loans and deals from international financial institutions, and development assistance.

Guiding Questions:

- Which domestic agency functions as the supreme audit institution? Does its mandate correspond to the INTOSAI Principles?
- Is the agency independent? How is its independence guaranteed?
- Is the domestic supreme audit institution a signatory to any or all of the INTOSAI Pronouncements?
- Are there domestic laws or ethics codes for financial ministries and other government agencies related to audits that correspond to INTOSAI Guidance?
- Is there a civil society monitoring mechanism? Are audit findings publicly available? Must requests go through extensive public information processes, or can they be accessed immediately?

Organisation for Economic Co-operation and Development Anti-Bribery Convention

Parties to the convention agree to establish the bribery of foreign public officials as a criminal offense under their law and to investigate, prosecute, and sanction this offense.⁵⁰ The convention is legally binding, with monitoring through the OECD Working Group on Bribery. Peer review monitoring is compulsory for all parties and includes meetings with non-government actors. The evaluated country has no right to veto the final report and recommendations, and all evaluation reports are made public on the OECD website.⁵¹

⁴⁶ These include: [Asia/Pacific Group on Money Laundering](#); [Caribbean Financial Action Task Force](#); [Eurasian Group](#); [Eastern and Southern Africa Anti-Money Laundering Group](#); [Financial Action Task Force of Latin America](#); [Inter-Governmental Action Group Against Money Laundering in West Africa](#); [Middle East and North Africa Financial Action Task Force](#); and [Le Groupe d'Action contre le Blanchiment d'Argent en Afrique Centrale](#).

⁴⁷ See: [IFPP](#). (n.d.).

⁴⁸ [About the INTOSAI Framework of Professional Pronouncements – IFPP](#) | IFPP. (n.d.) <https://www.issai.org/about/>.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ [Country monitoring of the OECD Anti-Bribery Convention – OECD](#). (n.d.).

Guiding Questions:

- Which countries are signatories? Which national office or body manages and monitors the implementation of this convention? Do they practice norms of transparency and anti-corruption measures?
- Do any domesticated laws respond to the corruption provisions? Which laws? Are they implemented with integrity?
- Is there scope for regional cooperation and stakeholder engagement?
- What areas of anti-corruption remain to be addressed, and which agencies or institutions can address them? Does this work require domestic legal reform?
- Is there value in sharing information and best practices across borders?
- What economic and diplomatic pressure points might affect compliance with this instrument? Do other OECD agreements and benefits rely on compliance, officially or unofficially?
- What is the role of domestic civil society in monitoring or informing resulting policy and laws? Are national and/or local media able equipped to report on progress?

UNCAC Civil Society Coalition⁵²

A global network of CSOs in 100 countries that monitor implementation of UNCAC. It is based in Vienna, Austria. Regional information is available on the [UNCAC Coalition website](#).

Guiding Questions:

- Which regions are well represented? Which organizations are members?
- Is affiliation useful for regions that are not well represented? Will affiliation increase access to cooperative measures, such as legal assistance and best practices in developing domestic laws?
- How has each regional platform advocated for compliance? What has worked or failed? Are these publicly available? If not, can the managers be contacted for more information?

United Nations Convention Against Corruption⁵³

UNCAC covers five areas: preventive measures, criminalization and law enforcement, international cooperation, asset recovery, technical assistance, and information exchange. It covers such forms of corruption as bribery, trading in influence, abuse of functions, and various acts of corruption in the private sector. It also includes provisions for competitive public procurement, independent judiciary, and coordinated anti-corruption entities. Signatories are required to criminalize corruption, with a policymaking body that meets biannually to assess implementation and enhance cooperation between states. UNCAC can be the legal basis for extradition; however some non-mandatory provisions limit the scope of extradition and legal assistance. The United Office on Drugs and Crime (UNODC) convened the Global Judicial Integrity Network to help members address provisions of judicial integrity.

Guiding Questions:

- Is the country of focus a signatory? If so, which office or body manages and monitors implementation of UNCAC? Does it practice norms of transparency and anti-corruption measures in its work?
- Which provisions are non-mandatory for particular countries? Have there been extraditions under this instrument?
- Do any domesticated laws respond to the corruption provisions? Which laws? Are they implemented with integrity?
- Do those laws allow scope for regional cooperation and stakeholder engagement?
- What national laws have been passed in regional countries because of UNCAC? Which areas under the convention have been addressed? What remains to be addressed, and which agencies or institutions can do so? Is domestic legal reform required?
- Is there value in sharing information and best practices across borders?
- What economic and diplomatic pressure points might affect compliance with this instrument? Are there international or regional trade and diplomatic relationships and agreements that rely on compliance with UNCAC, officially or unofficially?
- What role does domestic civil society have in monitoring or informing resulting policy and laws? Is national or local media equipped to report on progress?

⁵² See: [About the Coalition](#). (n.d.). UNCAC Coalition.

⁵³ See: Natasha Kamberska. (2018). [United Nations Convention against Corruption](#). Unodc.org.

United Nations Convention Against Transnational Organized Crime (UNTOC) and related protocols

UNTOC is the primary international instrument that addresses transnational organized crime. It includes provisions on domestic criminal offenses (including money laundering, obstruction of justice, and participation in organized criminal groups); extradition frameworks; mutual legal assistance; and law enforcement cooperation. Supplemental protocols address issues including trafficking in persons, especially women and children; smuggling of migrants; and illicit manufacturing of and trafficking in firearms and ammunition.⁵⁴ These negotiations led to the development of UNCAC (see below), with more specific provisions for corruption. UNTOC is legally binding. Monitoring is conducted through an inter-State monitoring mechanism, making it difficult for civil societies to engage in the monitoring process.⁵⁵

Guiding Questions:

- Is the country of focus a signatory to the convention? To the different protocols?
- What are the specific provisions related to corruption?¹
- Do any domesticated laws respond to the corruption provisions? Which laws? Are they implemented with integrity and proper enforcement mechanisms?
- Is there a national monitoring function? If so, which agencies and actors oversee this process?
- What are the monitoring agency or actor's sources of information?
- Is civil society consulted on monitoring?
- Is there scope for regional cooperation and stakeholder engagement?

Africa

African Union Convention on Preventing and Combating Corruption⁵⁶

The AUCPCC focuses on strengthening independent national anti-corruption authorities and whistleblower protection, declaration of assets by designated public officials, and transparency in political party funding to reduce illicit funding.⁵⁷ It includes provisions for civil society monitoring of intergovernmental agreements.⁵⁸ The AUCPCC principles are non-binding. However, they are recognized by the CoE, American Bar Association, and International Commission of Jurists.

Guiding Questions:

- Is the country of focus a party to this agreement? If so, which office or body manages and monitors its implementation? Who serves on the advisory board for the relevant region?
- Which countries have been party to any actions under the convention?
- Does civil society have access to any reports submitted to the board? What is the role of civil society in specific countries in monitoring or informing resulting policy and laws? Is national or local media able or equipped to report on progress?
- Is there scope for regional cooperation and stakeholder engagement?
- What national laws have been passed because of AUCPCC? Which areas under the convention have been addressed? What remains to be addressed, and which agencies or institutions can do so? Does this work require domestic legal reform?
- Is there value in sharing information and best practices across borders?

⁵⁴ *Ibid.*

⁵⁵ Shaw, Mark, Ugi Zvekic, Peter Gastro, and Julia Stanyard. [What to Make of the New UNTOC Review Mechanism?](#) (2018). Global Initiative Against Transnational Crime.

⁵⁶ See: [African Union Convention on Preventing and Combating Corruption](#) | African Union. (n.d.).

⁵⁷ Kelso, Casey, and Veronique Lerch (2022). [Promoting the African Union Convention on Preventing and Combating Corruption: Tools and Tactics](#). Transparency International.

⁵⁸ [Anticorruption Conventions in Africa: What Civil Society Can Do to Make Them Work](#). Transparency International. (n.d.)

Southern African Development Community Protocol Against Corruption⁵⁹

The protocol “aims to promote and strengthen the development, within each Member State, of mechanisms needed to prevent, detect, punish and eradicate corruption in the public and private sector.”⁶⁰ The protocol emphasizes cooperation among members, including on enabling legislation and extradition measures.⁶¹ It may be useful as a reference but lacks the legal standing of UNCAC.

Guiding Questions:

- Is the country of focus a party to this agreement? If so, which office or body manages and monitors its implementation? Who serves on the advisory board for the relevant region?
- Which countries have been party to any actions under the convention?
- Does civil society have access to any reports submitted to the board? What is the role of civil society in specific countries in monitoring or informing resulting policy and laws? Is national or local media able or equipped to report on progress?
- Is there scope for regional cooperation and stakeholder engagement?
- What national laws have been passed? Which areas under the convention have been addressed? What remains to be addressed, and which agencies or institutions can do so? Does this work require domestic legal reform?
- Is there value in sharing information and best practices across borders?

Economic Community of West African States Protocol on the Fight against Corruption⁶²

The ECOWAS Protocol states, “The aims and objectives of this Protocol are: i) to promote and strengthen the development in each of the State Parties effective mechanisms to prevent, suppress and eradicate corruption; ii) to intensify and revitalise cooperation between State Parties, with a view to making anti-corruption measures more effective; iii) to promote the harmonisation and coordination of national anti-corruption laws and policies.” Although the protocol is not not legally binding, a technical commission within ECOWAS monitors implementation of this protocol to gather information and provide reports to State signatories and the Council of Ministers.

Guiding Questions:

- What are the State parties to this agreement? How are they represented on the technical commission? What is their role in monitoring? Do they consult with civil society in this process?
- What laws have been domesticated because of recommendations from the technical commission?
- What other ECOWAS protocols or agreements require official compliance with this protocol? Is there national oversight of ECOWAS agreements and activities? If so, by which agency or agencies?
- Does civil society engage with these other agreements in monitoring or using them as standards for advocacy?
- Is there value in sharing information and best practices with civil societies across borders?

Americas

Inter-American Convention Against Corruption⁶³

The aim of the convention is “[t]o promote and strengthen the development by each of the States Parties of the mechanisms needed to prevent, detect, punish and eradicate corruption.”⁶⁴ The convention emphasizes international cooperation in extradition, mutual legal assistance, technical cooperation, asset recovery and related areas. It does

⁵⁹ See: [Protocol Against Corruption 2001](#) | SADC. (n.d.).

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

⁶² See: *Economic Community of West African States Protocol on the Fight against Corruption Preamble*. (n.d.).

⁶³ See: OEA, & OAS. (2009, August 1). [OAS – Organization of American States: Democracy for peace, security, and development](#).

⁶⁴ Organization of American States Secretariat for Legal Affairs. [Welcome to the Department of Legal Cooperation](#). (n.d.). www.oas.org.

not focus on judicial integrity. While enforcement is largely non-mandatory,⁶⁵ an implementation and review instrument, the [Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption](#), grants access to civil society to participate in the review process.

Guiding Questions:

- Is the country of focus a State party to this agreement? If so, which office or body manages and monitors implementation of this convention? Who serves on the advisory board for the relevant region?
- Which countries have been party to any actions under the convention?
- Does civil society have access to any reports submitted to the board? What is the role of civil society in specific countries in monitoring or informing resulting policy and laws? Is national or local media able or equipped to report on progress?
- Is there scope for regional cooperation and stakeholder engagement?
- What national laws have been passed because of this convention? Which areas under the convention have been addressed? What remains to be addressed, and which agencies or institutions can do so? Does this work require domestic legal reform?
- Is there value in sharing information and best practices with civil societies across borders?

Asia-Pacific

Association of Southeast Nations – Parties Against Corruption⁶⁶

Through a memorandum of understanding (MoU), the primary objectives of ASEAN–PAC are to collaborate on anti-corruption efforts within member States through institutional capacity building, sharing information, participating in regional convenings, and providing technical support as needed.⁶⁷ The MoU is not fully public, and no legal provisions require enforcement beyond accountability to cooperative exchange and capacity development, limiting its reach and potential efficacy.

ASEAN Political – Security Blueprint 2025⁶⁸

The Security Blueprint is a guidance document, with provisions across political-security cooperation. The anti-corruption provisions emphasize implementation of the ASEAN–PAC, articulate cooperation on UNCAC, strengthen implementation of domestic laws, support regional cooperation to reduce corruption (including through capacity development), promote regional dialogue processes, and encourage cooperation in intelligence and financial units.⁶⁹ The Security Blueprint is not a legally binding convention or agreement; however, it includes provisions for promoting a “rules-based Community” through the ASEAN Inter-Parliamentary Assembly. The document does not clarify enforcement or monitoring.

Guiding Questions:

- What is the role of the country-level anti-corruption body in implementing the MoU and Blueprint? What cooperation has occurred since signing? With which entities?
- What domestic policy and law were influenced by this agreement? What stakeholders engaged directly in this domestic process?
- What capacity development measures are planned or have been implemented, and for which groups or agencies?
- How does the Inter-Parliamentary Assembly make resolutions? What corruption provisions are included in these resolutions? How are those resolutions enforced?
- How does civil society monitor the implementation of resolutions, MoUs, and this Blueprint?

⁶⁵ Wickberg, Sofia (2013). Transparency International Knowledge Hub. [Comparative Analysis of the UNCAC and the OAS Convention](#). Transparency International.

⁶⁶ See: [MoU | ASEAN-PAC](#). (n.d.).

⁶⁷ [ASEAN-PAC](#). (n.d.).

⁶⁸ See: [ASEAN Political-Security Community Blueprint 2025 One Vision, One Identity, One Community](#). (n.d.).

⁶⁹ [Article A. 24. ASEAN Political Security Community Blueprint 2025](#).

Commonwealth of Independent States

Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States⁷⁰

Article 12 of the convention sets provisions for funding election campaigns for candidates and parties (including coalitions). It describes prohibitions on foreign funding and sets reporting requirements. This convention has been used to establish and advance electoral standards. Domestic law and legitimacy therein may be linked to it, but there do not appear to be punitive measures for non-compliance.

Guiding Questions:

- Does the national EMB or public finance oversight entity adhere to the standards established in this convention? Are monitoring processes in place to ensure these standards are met? Which office has oversight?
- Are political finance reports available publicly, either directly or through public information laws?
- Is there a civil society consultation mechanism?

Europe⁷¹

Council of Europe Resolution on the Twenty Guiding Principles for the Fight Against Corruption⁷²

“Guiding principles include raising public awareness, improving investigation and prosecution procedures, promoting specialization of persons or bodies in charge of fighting corruption as well as increasing international cooperation.”⁷³ Like the Bangalore Principles, this is a set of recommendations and standards for combating corruption. It is the basis for other instruments and centralized monitoring bodies (noted below), as well as international standards.

Guiding Questions:

- How are these principles represented in domestic law, policy, and procedures?
- Do different domestic administrative units apply these recommendations? Which ones?

Council of Europe Criminal Law Convention on Corruption and Civil Law Convention on Corruption

Criminal law. Much of this instrument focuses on active and passive bribery. Its emphasis on public officials, including judges and parliamentarians, is noteworthy. There are provisions for cooperation on extradition, investigation, specialized bodies, and sanctions.

Civil law. This instrument requires “Contracting Parties to provide in their domestic law for effective remedies for persons who have suffered damage as a result of acts of corruption, to enable them to defend their rights and interests, including the possibility of obtaining compensation for damage.”⁷⁴

⁷⁰ See: [European Commission for Democracy Through Law \(Venice Commission\) Convention on the Standards of Democratic Elections, Electoral Rights And Freedoms in the Member States of the Commonwealth of Independent States](#). (2007).

⁷¹ These are selected instruments of note. Other Council of Europe mechanisms and recommendations may be useful for advocacy and research on anti-corruption, particularly in reducing the corruption of elected officials in parliaments. See the full list at <https://www.coe.int/en/web/greco/documents/legal-instruments-and-other-texts>. (n.d.). Group of States against Corruption. <https://www.coe.int/en/web/greco/documents/legal-instruments-and-other-texts>

⁷² See: Council of Europe Committee of Ministers. (1997). [On the Twenty Guiding Principles for the Fight Against Corruption](#).

⁷³ Organization for Security and Cooperation in Europe. [Council of Europe Resolution \(97\) 24 on the Twenty Guiding Principles for the Fight Against Corruption](#) |

⁷⁴ Council of Europe. [Civil Law Convention on Corruption](#) (n.d.). Treaty Office.

The CoE GRECO monitors national compliance with these instruments through mutual evaluations and provides a platform to share information across member and non-member states. GRECO is not a legal or adjudicative body, so it cannot prosecute crimes. However, it can issue public statements that may affect other commitments within the CoE.⁷⁵ The conventions have some authority (especially in the ways that non-compliance may affect other country engagements within the CoE). The recommendations and codes are suggestions on which to base domestic law and policy because they are general.

Guiding Questions:

- Are these provisions represented in domestic law? If so, have they been successfully prosecuted, and were damages awarded?
- For other questions, please see above.

Recommendation on Common Rules Against Corruption in the Funding of Political Parties and Electoral Campaigns⁷⁶

These recommendations focus on how parties are funded and engage in the electoral process. The general principles on finance call for transparency in party funding and establishing ceilings for donations.

Guiding Questions:

- Are these recommendations represented in domestic electoral and party law, EMB regulations, internal party platforms, procedures, and practices?
- Which administrative bodies have oversight? Who conducts monitoring, and how?
- Is the information available publicly, either as open source or through processes stipulated in public information law?

Recommendation on Codes of Conduct for Public Officials⁷⁷

This instrument recommends the inclusion of following elements in domestic codes for public officials (not elected officials): political neutrality, integrity and impartiality, cognizance of conflicts of interest, including private benefit.

Guiding Questions:

- Have these codes been developed for any public agencies? How are they monitored domestically?
- Do the codes correspond to the recommendation? Are they enforced by the leadership of public agencies? Do public officials find ways to work around them?
- Are citizens aware of the codes? Are there redress and complaints processes for the public? information law?

Middle East and Northern Africa

Arab Convention to Fight Corruption⁷⁸

This convention aims to prevent and repress all forms of corruption by reinforcing Arab cooperation, particularly in the recovery of stolen assets, criminalization of corruption, and setting of standards for transparency in public procurement. The convention references civil society's role in achieving these goals. There is emphasis on respecting the sovereignty of state parties to the convention.⁷⁹ The League of Arab States released its Regional Framework for Arab States, which includes monitoring and action against corruption. Implementation of regional monitoring remains a concern.⁸⁰

⁷⁵ Council of Europe. (2016, November 29). [What is GRECO](https://www.coe.int/en/web/greco/about-greco/what-is-greco). Group of States against Corruption; Council of Europe. <https://www.coe.int/en/web/greco/about-greco/what-is-greco>.

⁷⁶ See: [Council of Europe Committee of Ministers](#). (n.d.).

⁷⁷ See: [League of Arab States General Secretariat ARAB ANTI-CORRUPTION CONVENTION](#). (n.d.).

⁷⁸ *Ibid*.

⁷⁹ [A glance at the Arab Convention to Fight Corruption | UNCAC Coalition](#). (2012).

⁸⁰ [Signature of the Regional Framework for Arab States \(2023–2028\) and Launch of the Arab Plan for Prevention and Reduction of the Dangers of Drugs to Arab Society: Towards Effective Handling of the Issue from a Social Perspective](#). (n.d.).

Guiding Questions:

- Are these provisions represented in domestic law, policy, and agency procedures?
- What are some regional and national monitoring mechanisms that civil society can lead, per the convention? What types of monitoring would be required and of which agencies?
- Would engagement with civil societies across the region help implement the convention?
- Which governing institutions should be prioritized, based on the Regional Framework?

Considerations for National-Level Instruments or Institutions and Stakeholder Identification

Institutional Power and Authority	
Selection of Relevant Concepts:	Potential Stakeholders for Power Mapping:
<ul style="list-style-type: none"> • Balancing the powers of states by establishing checks of one branch on another (e.g., judicial review, executive veto, legislative overrides, rule by executive decree in emergencies) • References to judicial independence and power of judicial review • Integrity of the judiciary ensured through clauses that do bar litigation processes from contravening constitutionality and legality⁸¹ 	<ul style="list-style-type: none"> • Constitutional oversight bodies (courts and independent and legislative commissions) • High court clerks or staff • Executive advisory councils • Judges and bar associations • Judicial performance commissions • Legislative staff • With regards to the right to a fair trial: Judicial oversight entities (e.g. ministries of justice and relevant parliamentary commissions), judges, judicial staff, lawyers, media, advocacy organizations for victims and defendants, media
Guiding Questions for Discussion or Basic Research	
<ol style="list-style-type: none"> 1. Are there provisions for judicial review? Can the executive veto legislation? Does the executive rely on advisory committees or councils that are unelected or are not publicly vetted? 2. How does executive authority change during emergencies? Can executive authority increase under other conditions without an amendment process? Does a limitation clause justify reduction of rights under specific circumstances? Does this result in reduced transparency in budgeting and spending processes? 3. What are the references to judicial independence? How are judges elected or selected? Does the constitution set criteria for judges, legislators, and executives? Are there references to codes of conduct or what should be part of such codes? 4. Are there provisions to ensure that litigation is not carried out illegally? 5. Is there a right to a fair trial? Is fairness constitutionally defined? 	
Elections and Representation	
Selection of Relevant Concepts:	Potential Stakeholders for Power Mapping:
<ul style="list-style-type: none"> • Equality in political representation • Political party regulation (including political finance) • Role of foreign influence in political processes 	<ul style="list-style-type: none"> • Election management bodies (EMBs) • National and subnational authorities responsible for creating districts • Political parties • Finance oversight agencies (e.g. the Ministry of Finance) or other bodies responsible for auditing parties and evaluating foreign funding or other influence (e.g. disinformation)
Guiding Questions for Discussion or Basic Research	

⁸¹ Bloom, R. M., & Fentin, D. H. (2010). "A More Majestic Conception: The Importance of Judicial Integrity in Preserving the Exclusionary Rule." *University of Pennsylvania Journal of Constitutional Law*, 13(1), 47.

1. What electoral system is stipulated in the constitution? How does this system affect representation?
2. Does it give more representative weight to certain groups? (Do these same groups represent patronage networks?) How are the districts drawn and how does that affect representation?
3. Are there provisions for regulation of political parties – directly in the constitution or calling for a party law or laws to govern their conduct?
4. Does the constitution allude to foreign influence in political processes, particularly on financial matters?

Direct Anti-Corruption Provisions

Selection of Relevant Concepts:	Potential Stakeholders for Power Mapping:
<ul style="list-style-type: none"> • Equality in political representation • Political party regulation (including political finance) • Role of foreign influence in political processes 	<ul style="list-style-type: none"> • Election management bodies (EMBs) • National and subnational authorities responsible for creating districts • Political parties • Finance oversight agencies (e.g. the Ministry of Finance) or other bodies responsible for auditing parties and evaluating foreign funding or other influence (e.g. disinformation)

Guiding Questions for Discussion or Basic Research

1. What electoral system is stipulated in the constitution? How does this system affect representation?
2. Does it give more representative weight to certain groups? (Do these same groups represent patronage networks?) How are the districts drawn and how does that affect representation?
3. Are there provisions for regulation of political parties – directly in the constitution or calling for a party law or laws to govern their conduct?
4. Does the constitution allude to foreign influence in political processes, particularly on financial matters?

Direct Anti-Corruption Provisions

Selection of Relevant Concepts:	Potential Stakeholders for Power Mapping:
<ul style="list-style-type: none"> • Establishing independent anti-corruption bodies • Provisions for integrity and accountability of public officials, including impartiality and publishing reports • How public institutions are financed and limits on their political activity 	<ul style="list-style-type: none"> • Constitutionally-mandated anti-corruption bodies, including oversight commissions • internal and independent audit agencies • Ethics commissions or ethics oversight actors in public institutions

Guiding Questions for Discussion or Basic Research

1. Does the constitution provide for an independent anti-corruption body? If not, what other provisions contribute to accountability of public officials, including codes and procurement references?
2. Are there provisions for audits or how public institutions are financed?
3. Are there provisions for public officials to be politically neutral and impartial?
4. Are there public disclosure requirements?

Fundamental Rights and Freedoms

Selection of Relevant Concepts:	Potential Stakeholders for Power Mapping:
<ul style="list-style-type: none"> • Freedom of expression (speech and access to information) • Freedom of the press 	<ul style="list-style-type: none"> • Constitutionally-mandated anti-corruption bodies, including oversight commissions • internal and independent audit agencies • Ethics commissions or ethics oversight actors in public institutions

Guiding Questions for Discussion or Basic Research

1. Are freedoms of expression and press explicit? What specific rights come under freedom of expression (e.g., access to information)?
2. Are there references to access to information as a right? How is freedom of press treated in the constitution?
3. Are there clauses to protect the press and public from intimidation?
4. How has constitutional litigation affected whistleblowers? Are they protected under freedom of expression provisions?

Considerations for Domestic-Level Legislation and Legal Frameworks

Selection of Relevant Types of Law	Guiding Questions	Potential Stakeholders for Power Mapping
General		
Laws and processes governing emergencies ⁸²	<ol style="list-style-type: none"> 1. What authorities does the executive have in emergencies? 2. What are the justifications for increasing scope of this power? 3. Is parliamentary oversight limited during emergencies? If so, do these limits include oversight of emergency spending of public funds? 4. Does it suspend other types of oversight? 5. Are emergency declarations bound by time? 6. Can the legislature be dissolved indefinitely? 7. Can the judiciary intervene or are their reviews suspended? How can these issues be remedied? 	<ul style="list-style-type: none"> • Independent budget oversight commissions • Parliamentary committees or MPs focused on spending oversight • Agencies that are consulted during emergency declarations, both officially and unofficially
Abuse of State Resources ⁸³		
Legal requirements for state agencies to act impartially	<ol style="list-style-type: none"> 1. Do laws, regulations, or agency codes require state officials and staff to maintain impartiality? 2. Which laws – electoral, administrative, institutional/agency ethical codes – govern this impartiality? Where are there gaps? 3. Are there barriers to equal participation that favor some groups over others, such as high fees for filing candidacy or different reporting requirements? 4. What are the consequences for non-compliance? Are these offenses subject to legal action? If so, who can file a complaint? 	<ul style="list-style-type: none"> • Ethics bodies within key agencies where public spending is ineffective or there is a lack of transparency • Human resources professionals within agencies (to understand demographics within the agency) and whether institutional actions have been taken for breaches • Election management bodies (which are critical because partiality can affect election outcomes)

⁸² Emergencies often present authoritarian opportunity because public attention is focused on the crisis and circumstances, such as natural disasters, may limit formal oversight ability because of urgency of processing funds. Accountability measures for how funds are spent can be delayed which provides more cover for fraud and abuse of funds. For example, during the COVID- 19 pandemic, many countries experienced abuse of state resources at national and subnational levels, where unchecked executive authority or reduction of authority of legislative oversight of funds led to embezzlement of state funds, patronage in awarding procurement contracts, limited intermittent audits, and other limitations on anti-corruption measures. For more on this, please see the following:

- **South Africa:** Mantzaris, Evangelos & Ngcamu, Bethuel. (2020). Municipal Corruption in the Era of a COVID-19 Pandemic: Four South African Case Studies. 55. 461-479.
- **Brazil:** Almada, M.P., Aggio, C., Amorim, P.K. et al (2022). Assessing Priorities of Transparency During COVID-19 Pandemic in Brazil. *Public Organization Review* 22, 545–570
- **United Kingdom:** "Track and Trace: Identifying Corruption Risks in UK Public Procurement for the COVID-19 Pandemic. (2021)" Transparency International. <https://www.transparency.org.uk/track-and-trace-uk-PPE-procurement-corruption-risk-VIP-lane-research>

⁸³ Other than emergency law, types of law and guiding questions are taken from: *Abuse of State Resources Research and Assessment Framework* (2018). The International Foundation for Electoral Systems (IFES).

<https://www.ifes.org/publications/abuse-state-resources-research-and-assessment-framework>. Pgs. 9-14 and Kühn, Susanne and Laura B Sherman (2014). *Curbing Corruption in Public Procurement: A Practical Guide*. Transparency International. https://images.transparencycdn.org/images/2014_AntiCorruption_PublicProcurement_Guide_EN.pdf.

Restrictions on state personnel running for office or participating in electoral campaigns	<ol style="list-style-type: none"> 1. Do personnel have to resign before running for office? 2. Are personnel allowed to work on or volunteer with political campaigns while employed with the state? 3. Is it a legal restriction, in an agency ethics code, or another mechanism? How is it enforced? 4. What are the consequences and penalties? 	<p>Please see the potential stakeholders in the box directly above.</p>
Transparency and integrity in public procurement processes	<ol style="list-style-type: none"> 1. This group of laws covers a broad scope of actions and processes. Are there laws governing conflicts of interest? Regulations and codes to declare conflicts of interest for state officials? 2. Are there laws governing disclosure of assets and affiliation with corporations? 3. How are these disclosures reported? What are the filing processes? 4. Are there competitive bidding processes for public procurement? Are these bids published? What agencies have oversight of the bidding processes? How are the bids reviewed? Are the evaluations public? 5. Is there an appeals and complaints process? Which agency has oversight of these processes? 	<ul style="list-style-type: none"> • Public procurement commissions and independent agencies • Administrative services • Public information agencies • Lawyers
Restrictions on uses of state funds and resources for elections and campaign activities	<ol style="list-style-type: none"> 1. What restrictions are there on the use of state funds and physical resources (e.g., facilities) during an election that are not legally mandated (e.g., public funds legally allowed for election administration)? 2. Are there restrictions on using public funds to hire temporary election and other public workers just before an election? 3. Are there restrictions on state-owned or affiliated agencies contributing to political or issue campaigns? 4. Is there public access to reports detailing election spending by the state? 5. What is the complaints process – who can file a complaint and how? Does this process lead to good faith investigation? 	<ul style="list-style-type: none"> • Legal officers of the election management body (EMB) • Various EMB staff coordinating with financial oversight bodies • Leadership within these financial oversight bodies who focus on election spending • Finance leadership • Staff of state owned and affiliated agencies
Restrictions on state media	<ol style="list-style-type: none"> 1. Are there laws and regulations requiring state media to spend equal reporting and broadcasting time on each party or candidate? 2. Are they applied? Is the coverage impartial? 3. What is the complaints process? Does this process lead to good faith investigation? 	<ul style="list-style-type: none"> • Journalists within and outside of state media • Information oversight commissions within governing agencies and legislature • Media commissions within election management bodies • Courts • Legal bodies with final oversight on complaints
Restrictions on use of government communications to influence electoral campaigns	<ol style="list-style-type: none"> 1. Are there laws and regulations about how or if government agencies can issue formal communications about elections? 2. What about informal communications (e.g., social media)? 3. What restrictions exist and are they followed? 	<ul style="list-style-type: none"> • Government communications bodies and communications offices within electoral, foreign, financial and other legal and governing relevant agencies • Courts

		<ul style="list-style-type: none"> • Independent and parliamentary oversight bodies and actors
Laws, regulations, and codes governing independent oversight of public institutions and transparency of oversight commissions	<ol style="list-style-type: none"> 1. What mechanisms govern oversight bodies, ensuring that their monitoring is impartial and investigative? 2. Under what legal and social authority do these bodies operate? 3. Is there space for citizen oversight? 	<ul style="list-style-type: none"> • Government oversight bodies • Civil society organizations monitoring these investigations and related processes • Legislators (and their party leadership) who monitor oversight bodies and processes • Courts • Independent media
Enforcement of sanctions and penalties for state officials who violate the law, regulations, and rules noted above	<ol style="list-style-type: none"> 1. Are there penalties or consequences in these laws, regulations, and codes? 2. If so, which bodies enforce them and what are their investigative processes? 3. Are there opportunities for appealing decisions? 	<ul style="list-style-type: none"> • Law enforcement within and outside of the specific agency • Courts • Adjudicative bodies
Whistleblower protections	<ol style="list-style-type: none"> 1. Do these laws, regulations, and codes have provisions to protect whistleblowers? 2. Do laws outside of those governing state resources have whistleblower protections? 3. Are they applied or practiced? 4. How have whistleblowers been treated in the past? 	<ul style="list-style-type: none"> • Law enforcement agencies • Government oversight bodies • Labor and employment agencies • Courts • Adjudicative bodies
Political Finance⁸⁴		
Political finance regulations including transparency, asset disclosure, campaign finance contributions, reporting requirements, etc.	<ol style="list-style-type: none"> 1. Who can contribute and how much? Are there limits on individual contributions for individual candidates and political parties? 2. Can corporations contribute? Can foreign entities make contributions and/or do they have to register as foreign agents to increase reporting requirements, limitations on candidacy or work on campaigns, and/or audit requirements? 3. Do candidates and parties have to disclose their personal and organizational assets? 4. Are these filings frequent and available to the public? 5. What are the reporting requirements and to which agencies are they submitted? 6. Are there audit procedures to verify filings? 7. Which institutions and oversight bodies audit these filings? 	<ul style="list-style-type: none"> • Offices and directorates within electoral management bodies receiving and auditing filings • Electoral commissions and those with regulatory authority • Public finance oversight bodies within ministries of finance or justice • Legislative commissions with electoral oversight • Legislators seeking reform
Enforcement of penalties and consequences	<ol style="list-style-type: none"> 1. What are the consequences and penalties for non-compliance? 	<ul style="list-style-type: none"> • Law enforcement • See section directly above for additional stakeholders

⁸⁴ Types of law, regulations and codes are taken from: Ohman, Magnus, Ed. (2013). *Training in Detection and Enforcement (TIDE): Political Finance Oversight Handbook*. The International Foundation for Electoral Systems (IFES). https://www.ifes.org/sites/default/files/migrate/tide_political_finance_oversight_handbook_1.pdf. Pgs. 12-19.

Judicial Integrity and Independence ⁸⁵		
Impartiality of judiciary (beyond constitutional references) and non-interference with the judicial process	<ol style="list-style-type: none"> 1. Are there laws establishing judges as state employees and subject to state impartiality laws, regulations, and codes? 2. What laws govern judicial conduct beyond constitutional law? 3. Is judicial review enshrined in law? 4. Can the legislature or executive invalidate judicial rulings directly? 	<ul style="list-style-type: none"> • Constitutional lawyers, bar associations • Judges' associations • Ministries of justice • Judicial oversight commissions in parliament
Resources for adjudicative processes	<ol style="list-style-type: none"> 1. How does the state guarantee resources for judicial processes? 2. How is it funded and does the funding favor one geographical area over another? 3. How is it monitored or audited? 	<ul style="list-style-type: none"> • Justice and state finance oversight bodies
Other components of judicial integrity and redress measures for non-compliance and discipline	<ol style="list-style-type: none"> 1. Are there codes within national judicial institutions (ministries of justice and individual courts) that cover issues such as: confidentiality, respect for law, nondiscrimination, political neutrality, rejecting influence, and continuing training? 2. If so, do judges have to swear by them? 3. How are they held accountable for compliance? 4. Are there measures within courts to monitor judicial conduct against standards listed in judicial codes? 5. Are proceedings documented and available to the public? 6. Who can file a complaint against a judge acting against codes? 7. Do disciplinary processes include investigations and hearings? What entities preside over these processes? What are the consequences and are they included in the codes? Is there any method of appeal if these processes are applied improperly? 	<ul style="list-style-type: none"> • Constitutional lawyers • Bar associations • Judges' associations • Ministries of justice • Administrative leadership of courts • Judicial oversight commissions in parliament • Legal/judicial education entities
Civic Space and Press Freedom		
Freedom of expression/press (to supplement constitutional references) and access to information provisions	<ol style="list-style-type: none"> 1. Are there legal protections against censorship? 2. Are there laws against dissent or speaking out against certain government agencies or offices? 3. Are they enshrined in law or done as a matter of practice? 4. What are the consequences of dissent? Are there legal penalties? 5. What laws govern public access to information? 6. What are the processes for the public to gain access to information? 7. Which agencies have oversight of public information requests? 8. What laws govern media activity? Do they have limitations on reporting? 	<ul style="list-style-type: none"> • Bar associations • Constitutional lawyers • Public information authorities • Media oversight commissions • Media organizations and companies • Independent journalists • Press councils

⁸⁵ These components are taken from: "Basic Principles on the independence of the Judiciary (1985)." United Nations Office of the High Commissioner. <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary#:~:text=1..the%20independence%20of%20the%20judiciary> and the Bangalore Principles of Judicial Conduct (2002). <https://www.judicialintegritygroup.org/jig-principles#:~:text=The%20Bangalore%20Principles%20of%20Judicial%20Conduct&text=Six%20core%20values%20are%20recognized,and%20finally%20competence%20and%20diligence.>

National security and digital surveillance laws	<ol style="list-style-type: none">1. How do national security laws contribute to monitoring civil society activities? Are there redress mechanisms for civil society?2. What digital surveillance laws exist?3. How do they affect civil society's ability to monitor governing processes?4. What types of information are collected and why?5. What laws govern civil society activity?6. What restrictions exist on civil society activities?	<ul style="list-style-type: none">• Civil society networks and organizations• National security institutions• National security oversight bodies in parliament• Information technology experts
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