

GLOBAL ACCESS | Indicators | Center for Public Integrity 2004

#	Indicator
I	Civil Society, Public Information and Media
I-1	Civil Society Organizations
1	In law, do citizens have a right to form civil society organizations (CSOs)?
2	Can citizens organize into trade unions?
2a	In law, citizens have a right to organize into trade unions.
2b	In practice, citizens are able to organize into trade unions.
3	In practice, do CSOs actively engage in public advocacy campaigns?
4	Are citizens able to form CSOs?
4a	In practice, the government does not create barriers to the organization of new CSOs.
4b	In practice, citizens can obtain any necessary license to form a CSO within a reasonable time period.
4c	In practice, citizens can obtain any necessary license to form a CSO at a reasonable cost.
4d	In practice, in the past year, no existing CSO has been banned by the government for non-violent advocacy.
5	Are civil society activists safe when working on corruption issues?
5a	In practice, in the past year, no civil society activists working on corruption issues have been imprisoned.
5b	In practice, in the past year, no civil society activists working on corruption issues have been physically harmed.
5c	In practice, in the past year, no civil society activists working on corruption issues have been killed.
I-2	Access to Information Law
6	In law do citizens have a right of access to information?
6a	In law, do citizens have a right of access information and basic government records?
6b	In law, do citizens have a right of appeal if access to a basic government record is denied?
7	In practice, is the right of access to information effective?
I-3	Freedom of the Media
8	In law, is freedom of the media guaranteed?
9	In law, is freedom of speech guaranteed?
10	Are citizens able to form media entities?
10a	In practice, the government does not create barriers to forming a media entity.
10b	In law, where a license is necessary, there is an appeal mechanism if a license is denied or revoked.
10c	In practice, where necessary, citizens can obtain a media license within a reasonable time period.
10d	In practice, where necessary, citizens can obtain a media license at a reasonable cost.
11	Is the media able to report on corruption?
11a	In law, it is legal to report accurate news even if it damages the reputation of a public figure?
11b	In practice, the government does not encourage self-censorship of corruption-related stories.
11c	In practice, there is no prior restraint on publishing corruption-related stories.
12	Are journalists safe when investigating corruption?
12a	In practice, in the past year, no journalists investigating corruption have been imprisoned.
12b	In practice, in the past year, no journalists investigating corruption have been physically harmed.
12c	In practice, in the past year, no journalists investigating corruption have been killed.
II	Electoral and Political Processes
II-1	National Elections
13	In law, is universal and equal adult suffrage guaranteed to all citizens?
14	Can all citizens exercise their right to vote freely and fairly?
14a	In practice, all adult citizens can vote.
14b	In practice, ballots are secret or equivalently protected.
14c	In practice, elections are held according to a regular schedule.
15	Do citizens participate in the political process?
15a	In practice, all citizens have a right to form political parties.
15b	In practice, all citizens have a right to run for public office.
15c	In practice, at least 30 percent of national legislators are women.
15d	In practice, the ruling political party controls less than 2/3 of seats in the legislature.

15e	In practice, during the most recent election, political parties received media coverage roughly proportional to their popular support.
II-2	Election Monitoring Agency
16	In law, is there an election monitoring agency?
17	Is the election monitoring agency effective?
17a	In law, the agency is protected from political interference.
17b	In practice, agency appointments are made that support the independence of the agency.
17c	In practice, the agency has a professional, full-time staff.
17d	In practice, the agency makes reports to the legislature following an election cycle.
17e	In practice, when necessary, the agency imposes penalties on offenders.
II-3	Political Party Finances
18	Are there regulations governing political party finances?
18a	In law, there are regulations governing private contributions to political parties.
18b	In law, there are limits on individual donations to candidates and political parties.
18c	In law, there are limits on corporate donations to candidates and political parties.
18d	In law, there are limits on total party expenditure.
19	Are the regulations governing political party finances effective?
19a	In practice, when necessary, an agency monitoring political party finances independently initiates investigations.
19b	In practice, when necessary, an agency monitoring political party finances imposes penalties on offenders.
19c	In practice, contributions to political parties are audited.
20	Can citizens access the financial records of political parties?
20a	In law, citizens can access the financial records of political parties.
20b	In practice, citizens can access the financial records of political parties within a reasonable time period.
20c	In practice, citizens can access the financial records of political parties at a reasonable cost.
III	Branches of Government
III-1	Executive
21	In law, can citizens sue the government for infringement of their civil rights?
22	Can members of the executive be held accountable for their actions?
22a	In practice, members of the executive give reasons for their policy decisions.
22b	In law, the judiciary can review the actions of the executive.
22c	In practice, when necessary, the judiciary reviews the actions of the executive.
23	Is the executive leadership subject to prosecution?
23a	In law, the head of state is not immune from prosecution.
23b	In law, ministerial-level officials are not immune from prosecution.
24	Are there regulations governing conflicts of interest by the executive branch?
24a	In law, the head of state is required to file an asset disclosure form.
24b	In law, ministerial-level officials are required to file an asset disclosure form.
24c	In law, there are regulations concerning gifts and hospitality for the executive.
25	Can citizens access the asset disclosure records of the head of state?
25a	In law, citizens can access the asset disclosure records of the head of state.
25b	In practice, citizens can access the asset disclosure records of the head of state within a reasonable time period.
25c	In practice, citizens can access the asset disclosure records of the head of state at a reasonable cost.
26	In practice, is the ruling party distinct from the state?
III-2	Legislature
27	Can members of the legislature be held accountable for their actions?
27a	In law, the judiciary can review the actions of the legislature.
27b	In practice, when necessary, the judiciary reviews the actions of the legislature.
28	In law, are members of the legislature subject to prosecution?
29	Are there regulations governing conflict of interest by members of the legislature?
29a	In law, members of the legislature are required to file an asset disclosure form.

29b	In law, there are regulations concerning gifts and hospitality for members of the legislature.
30	Can citizens access the asset disclosure records of members of the legislature?
30a	In law, citizens can access the asset disclosure records of members of the legislature.
30b	In practice, citizens can access these records within a reasonable time period.
30c	In practice, citizens can access these records at a reasonable cost.
31	Can citizens access legislative processes and documents?
31a	In law, citizens can access records of legislative processes and documents.
31b	In practice, citizens can access these records within a reasonable time period.
31c	In practice, citizens can access these records at a reasonable cost.
32	Does the legislature have control of the budget?
32a	In law, the legislature can amend the budget.
32b	In practice, significant public expenditures require legislative approval.
33	Can citizens access the national budgetary process?
33a	In practice, the national budgetary process is conducted in a transparent manner in the debating stage.
33b	In practice, citizens provide input at budget hearings.
33c	In practice, citizens can access itemized budget allocations.
34	In law, is there a separate legislative committee which provides oversight of public funds?
35	Is the legislative committee overseeing the expenditure of public funds effective?
35a	In practice, department heads regularly submit reports to this committee.
35b	In practice, a member of an opposition party presides over this committee.
35c	In practice, this committee is protected from political interference.
35d	In practice, when necessary, this committee initiates independent investigations into financial irregularities.
III-3	Judiciary
36	In law, is the independence of the judiciary guaranteed?
37	Is the appointment process for high court judges effective?
37a	In practice, there is a transparent procedure for selecting high court judges.
37b	In practice, there are certain professional criteria required for the selection of high court judges.
37c	In law, there is a confirmation process for high court judges (i.e. conducted by the legislature or an independent body).
37d	In law, high court judges are protected from removal without relevant justification.
37e	In practice, high court judges are protected from political interference.
38	Can members of the judiciary be held accountable for their actions?
38a	In law, members of the judiciary are obliged to give reasons for their decisions.
38b	In practice, members of the judiciary give reasons for their decisions.
38c	In law, there is an ombudsman (or equivalent agency) for the judicial system.
38d	In law, the judicial ombudsman (or equivalent agency) is protected from political interference.
38e	In practice, when necessary, the judicial ombudsman (or equivalent agency) initiates investigations.
38f	In practice, when necessary, the judicial ombudsman (or equivalent agency) imposes penalties on offenders.
39	Can citizens access the judicial system?
39a	In practice, citizens earning the median yearly income can afford to bring a legal suit.
39b	In practice, a typical small retail business can afford to bring a legal suit.
39c	In practice, the state provides legal counsel for defendants in criminal cases who cannot afford it.
39d	In practice, all citizens have access to a court of law, regardless of geographic location.
40	In law, is there a program to protect witnesses in corruption cases?
41	Are judges safe when adjudicating corruption cases?
41a	In practice, in the last year, no high court judges have been physically harmed because of adjudicating corruption cases.
41b	In practice, in the last year, no high court judges have been killed because of adjudicating corruption cases.
IV	Administration and Civil Service
IV-1	Civil Service Regulations
42	Are there national regulations for the civil service?

42a	In law, there are regulations requiring an impartial and independent civil service.
42b	In law, there are regulations to prevent nepotism within the civil service.
42c	In law, there are regulations to prevent cronyism/patronage within the civil service.
42d	In law, civil servants convicted of corruption are prohibited from future government employment.
42e	In law, there are restrictions for senior public servants entering positions in the private sector.
42f	In law, there are regulations and registers concerning gifts and hospitality for senior civil servants?
43	Is the law governing the administration and civil service effective?
43a	In practice, civil servants are protected from political interference.
43b	In practice, civil servants are appointed according to professional criteria.
43c	In practice, civil servants are not employed based on nepotism.
43d	In practice, civil servants are not employed based on cronyism/patronage.
43e	In practice, civil servants have clear job descriptions.
43f	In practice, in the past year, the government has paid civil servants on time.
43g	In practice, civil servants convicted of corruption are prohibited from future government employment.
43h	In practice, restrictions on private sector employment for senior public officials are enforced.
44	In law, are there conflict of interest regulations for senior civil servants?
45	Can citizens access the asset disclosure records of senior civil servants?
45a	In law, citizens can access the asset disclosure records of senior civil servants.
45b	In practice, citizens can access the asset disclosure records of senior civil servants within a reasonable time period.
45c	In practice, citizens can access the asset disclosure records of senior civil servants at a reasonable cost.
IV-2	Whistle-blowing Measures
46	Are employees protected from recrimination or other negative consequences when reporting corruption (i.e. whistle-blowing)?
46a	In law, civil servants who report corruption are protected from recrimination or other negative consequences.
46b	In practice, civil servants who report corruption are protected from recrimination or other negative consequences.
46c	In law, private sector employees who report corruption are protected from recrimination or other negative consequences.
46d	In practice, private sector employees who report corruption are protected from recrimination or other negative consequences.
47	Is there an effective internal mechanism (i.e. phone hotline, e-mail address, local office) where civil servants can report corruption?
47a	In practice, the internal reporting mechanism for public sector corruption has a professional, full-time staff.
47b	In practice, the internal reporting mechanism for public sector corruption receives regular funding.
47c	In practice, the internal reporting mechanism for public sector corruption acts on complaints within a reasonable time period.
47d	In practice, when necessary, the internal reporting mechanism for public sector corruption initiates investigations.
IV-3	Procurement
48	Is the public procurement process effective?
48a	In law, there are conflict of interest regulations for public procurement officials.
48b	In practice, the conflict of interest regulations for public procurement officials are enforced.
48c	In law, there is a mechanism that monitors the assets, incomes and spending habits of public procurement officials.
48d	In law, all major procurements require competitive bidding.
48e	In law, strict formal requirements limit the extent of sole sourcing.
48f	In law, unsuccessful bidders can instigate an official review of procurement decisions.
48g	In law, unsuccessful bidders can challenge procurement decisions in a court of law.
48h	In law, companies guilty of major violations of procurement regulations (i.e. bribery) are prohibited from participating in procurement bids.

48i	In practice, companies guilty of major violations of procurement regulations (i.e. bribery) are prohibited from participating in future procurement bids.
49	Can citizens access the public procurement process?
49a	In law, citizens can access public procurement regulations.
49b	In practice, citizens can access public procurement regulations within a reasonable time period.
49c	In practice, citizens can access public procurement regulations at a reasonable cost.
49d	In practice, major public procurements are widely advertised.
49e	In practice, citizens can access the results of major public procurement bids.
IV-4	Privatization
50	Is the privatization process effective?
50a	In law, all businesses are eligible to compete for privatized state assets.
50b	In law, there are conflict of interest regulations for government officials involved in privatization.
50c	In practice, conflict of interest regulations for government officials involved in privatization are enforced.
51	Can citizens access the terms and conditions of privatization bids?
51a	In law, citizens can access the terms and conditions of privatization bids.
51b	In practice, citizens can access the terms and conditions of privatization bids within a reasonable time period.
51c	In practice, citizens can access the terms and conditions of privatization bids at a reasonable cost.
V	Oversight and Regulatory Mechanisms
V-1	National Ombudsman
52	In law, is there a national ombudsman, public protector or equivalent agency covering the entire public sector?
53	Is the national ombudsman effective?
53a	In law, the ombudsman is protected from political interference.
53b	In practice, the ombudsman is protected from political interference.
53c	In practice, the ombudsman is protected from removal without relevant justification.
53d	In practice, the agency has a professional, full-time staff.
53e	In practice, agency appointments support the independence of the agency.
53f	In practice, the agency receives regular funding.
53g	In practice, the agency makes regular reports to the legislature.
53h	In practice, the government acts on the findings of the agency.
53i	In practice, the agency acts on citizen complaints within a reasonable time period.
54	Can citizens access the reports of the ombudsman?
54a	In law, citizens can access reports of the ombudsman.
54b	In practice, citizens can access the reports of the ombudsman within a reasonable time period.
54c	In practice, citizens can access the reports of the ombudsman at a reasonable cost.
V-2	Supreme Audit Institution
55	In law, is there a national supreme audit institution, auditor general or equivalent agency covering the entire public sector?
56	Is the supreme audit institution effective?
56a	In law, the supreme audit institution is protected from political interference.
56b	In practice, the head of the agency is protected from removal without relevant justification.
56c	In practice, the agency has a professional, full-time staff.
56d	In practice, agency appointments support the independence of the agency.
56e	In practice, the agency receives regular funding.
56f	In practice, the agency makes regular reports to the legislature.
56g	In practice, the government acts on the findings of the agency.
57	Can citizens access reports of the supreme audit institution?
57a	In law, citizens can access reports of the agency.
57b	In practice, citizens can access the agency reports within a reasonable time period.
57c	In practice, citizens can access the agency reports at a reasonable cost.
V-3	Taxes and Customs
58	In law, is there a national tax collection agency?
59	Is the tax collection agency effective?
59a	In practice, the tax collection agency has a professional, full-time staff.

59b	In practice, the agency receives regular funding.
59c	In practice, the agency makes regular reports to the legislature.
60	In practice, are tax laws enforced uniformly and without discrimination?
61	In law, is there a national customs and excise agency?
62	Is the customs and excise agency effective?
62a	In practice, the customs and excise agency has a professional, full-time staff.
62b	In practice, the agency receives regular funding.
62c	In practice, the agency makes regular reports to the legislature.
63	In practice, are customs and excise laws enforced uniformly and without discrimination?
V-4	Financial Sector Regulation
64	In law, is there a central bank?
65	In practice, is the central bank independent of the executive?
66	In law, is there a financial regulatory agency overseeing publicly listed companies?
67	Is the financial regulatory agency effective?
67a	In law, the financial regulatory agency is protected from political interference.
67b	In practice, the agency has a professional, full-time staff.
67c	In practice, the agency receives regular funding.
67d	In practice, when necessary, the financial regulatory agency independently initiates investigations
67e	In practice, when necessary, the financial regulatory agency imposes penalties on offenders.
68	Can citizens access the financial records of publicly listed companies?
68a	In law, citizens can access the financial records of publicly listed companies.
68b	In practice, the financial records of publicly listed companies are regularly updated.
68c	In practice, the financial records of publicly listed companies are audited according to international accounting standards.
68d	In practice, citizens can access the records of disciplinary decisions involving publicly-listed companies.
68e	In practice, citizens can access the financial records of publicly listed companies within a reasonable time period.
68f	In practice, citizens can access the financial records of publicly listed companies at a reasonable cost.
69	Are business licenses available to all citizens?
69a	In law, business licenses are not restricted to domestically-owned enterprises.
69b	In law, a complaint mechanism exists if a business license request is denied.
69c	In practice, citizens can obtain any necessary business license (i.e. for a small import business) within a reasonable time period.
69d	In practice, citizens can obtain any necessary business license (i.e. for a small import business) at a reasonable cost.
VI	Anti-Corruption Mechanisms and Rule of Law
VI-1	Anti-Corruption Law
70	In law, is there legislation criminalizing corruption?
70a	In law, attempted corruption is illegal.
70b	In law, extortion is illegal.
70c	In law, offering a bribe (i.e. active corruption) is illegal.
70d	In law, receiving a bribe (i.e. passive corruption) is illegal.
70e	In law, bribing a foreign official while in domestic territory is illegal.
70f	In law, using public resources for private gain is illegal.
70g	In law, using confidential state information for private gain is illegal.
70h	In law, money laundering is illegal.
70i	In law, conspiracy to commit a crime (i.e. organized crime) is illegal.
71	In practice, are anti-corruption laws enforced?
V1-2	Anti-Corruption Agency
72	In law, is there an agency (or group of agencies) with a legal mandate to address corruption?
73	Is the main anti-corruption agency effective?
73a	In law, the agency is protected from political interference.
73b	In practice, the agency is protected from political interference.

73c	In practice, the head of the agency is protected from removal without relevant justification.
73d	In practice, appointments to the agency are based on professional criteria.
73e	In practice, the agency has a professional, full-time staff.
73f	In practice, the agency receives regular funding.
73g	In practice, the agency makes regular reports to the legislature.
73h	In practice, the agency has sufficient powers to carry out its mandate.
73i	In practice, when necessary, the agency independently initiates investigations.
74	Can citizens access the main anti-corruption agency?
74a	In practice, the main anti-corruption agency acts on complaints within a reasonable time period.
74b	In practice, citizens complain to the agency without fear of recrimination.
VI-3	Rule of Law and Access to Justice
75	In practice, does the criminal justice process function according to the rule of law?
76	In law, is there a general right of appeal?
77	Are citizens protected from detention without trial?
77a	In practice, the government does not detain anyone without charging them for more than 48 hours.
77b	In practice, the government does not detain anyone accused of petty theft for longer than two weeks without a resolution in a court trial.
78	Are individual economic rights guaranteed?
78a	In law, individual property rights are protected
78b	In practice, individual property rights are protected.
78c	In practice, the government does not expropriate property without appropriate compensation.
78d	In practice, legal contracts are honored.
VI-4	Law Enforcement
79	Is the law enforcement agency (i.e. the police) effective?
79a	In practice, appointments to the law enforcement agency are made according to professional criteria.
79b	In practice, the agency has a budget sufficient to carry out its mandate.
79c	In practice, the agency is protected from political interference.
80	Can law enforcement officials be held accountable for their actions?
80a	In practice, there is an independent mechanism for citizen complaints about police action.
80b	In law, there is an agency to investigate and prosecute corruption committed by law enforcement officials.
80c	In law, law enforcement officials are not immune from prosecution.
80d	In practice, law enforcement officials are not immune from prosecution.