

G20 Anti-Corruption Working Group

Accountability Report Questionnaire 2014



SUMMARY OF NATIONAL PROGRESS

1. Please provide a high-level summary of the most significant Anti-Corruption measures or initiatives that your country has introduced or implemented since the last progress report. (maximum 1 paragraph).

The 2013 Progress Report can be accessed at http://en.g20russia.ru/docs/g20_russia/materials.html

Law No. 190/2012 -Anticorruption Law - constitutes the reference point for policies aimed at fighting corruption and puts in effect a complex institutional and organizational plan referred to models mainly based on prevention.

Concerning the general anticorruption model, the norms introduced by Law No. 190/2012 find an essential complement in the Legislative Decrees No. 33 and No. 39 of 2013, to which the law has delegated the implementation of important principles and guidelines with reference, respectively, to the reorganization of the law concerning the obligations of publicity and transparency and to the system of ineligibility and incompatibility of positions in public administration and in the Presidential Decree No. 62/2013 which sets out the rules of conduct which all public employees have to respect.

With Law No. 190/2012, the legislator, establishing a system for combating corruption, focuses on prevention tools. The prevention of corruption is based on a model of regulation that provides for planning and control activities, with a “cascade” planning model that affects all levels of government and that is founded on four instruments - transparency, training, codes of conduct and risk-analysis - which are in part already present, except the last, in the Italian public administrations. The National Anticorruption Plan (PNA) is the heart of this planning model, and each public administration is required to adopt a Three Year Plan for the Prevention of Corruption (PTCP) using the PNA as the basis to be followed. These planning tools assume a fundamental importance in the system devised by the legislator, as long as the PNA ensures the coordination of national and international strategies for the prevention of corruption in public administration, whereas the PTCP identifies, on the basis of the first, the specific risks of corruption in each administration and the necessary measures to prevent them. Appropriate forms of coordination with respect to the other documents required by law are also necessary, first among all the Three-year Program for Transparency and Integrity and the codes of conduct of public employees.

The PNA is set up by the Department of Public administration and approved by the A.N.AC. - “National Anticorruption Authority for evaluation and transparency of public administrations”. The approval of the first PNA on September 2013, represented an important and necessary step to implement Law No. 190/2012 as it created the premises for administrations to prepare their PTCP.

The PNA allows for a unified and strategic planning of the activities to prevent and combat corruption in the public sector and has been calibrated for the pursuit of measurable objectives and for the identification of specific responsibilities. The PNA is structured as a programmatic tool, subjected to an annual update, with the inclusion of indicators and targets in order to make strategic objectives measurable and to ensure the monitoring of the possible deviations from these

targets arising from the implementation of the PNA.

As mentioned, the norms introduced by Law No. 190/2012, find an essential complement in the Legislative Decree No. 39/2013, to which the law has delegated the implementation of important principles and guidelines with reference to the system of ineligibility and incompatibility of positions in public administration. The Legislative Decree No. 39/2013 has stepped in to regulate the hypothesis of ineligibility and incompatibility of positions in the public administrations with the clear intention to avoid any form of interference or confusion between politics and administration in order to prevent corruption and conflicts of interest and to ensure the respect of the constitutional principle of impartiality of administrative action.

UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC)

2. Has your country ratified the UNCAC?

YES X NO

If no, is there a process underway to ratify the Convention?

3. Since the last progress report, has your country proposed or implemented any changes to its legislation to comply with the UNCAC?

YES NO X

If yes, please provide details.

4. Has your country begun the UNCAC peer review process as a country under review?

YES X NO

If yes, please indicate what stage of review your country has completed and the date.

Executive Summary adopted 19 November 2013 (CAC/COSP/IRG/2013/CRP.15)

5. If yes, has your country made use of any of the UNCAC peer review voluntary options, or committed to do so (if the review is not already started)?

a. Publication of full report YES NO COMMITTED TO DO SO X

b. Involvement of civil society YES X NO COMMITTED TO DO SO

c. Involvement of business YES X NO COMMITTED TO DO SO

d. Allowing country visits YES X NO COMMITTED TO DO SO

If yes, please provide details (e.g., Web link for published report, how and when civil society / business was engaged during the review process, date of country visit)

<https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/26-27November2013/V1387842e.pdf>

6. Has your country taken steps to respond to recommendations identified in its UNCAC peer review report?

YES YES TO SOME NO NOT YET RECEIVED THE REPORT X

If yes, please indicate what steps your country has taken / is taking.

7. If you have responded to all or some of the recommendations, have you made those responses publicly available?

YES NO NOT YET

8. Has your country taken measures to promote, facilitate and support technical assistance in the prevention of and fight against corruption?

If yes, please provide a short overview indicating in which regions and topics you have provided technical assistance.

BRIBERY

Note - questions relating to implementation of the G20 *Principles on the Enforcement of the Foreign Bribery Offence* endorsed by Leaders in 2013 and the OECD *Convention on Combating Bribery of Foreign Public Officials in International Business Transactions* are included in a separate questionnaire. The questions below concern other aspects of bribery not covered by this set of principles.

9. Has your country criminalized the domestic offer or payment of bribes (active bribery)?

YES X NO

10. Has your country criminalized the domestic solicitation or acceptance of bribes (passive bribery)?

YES X NO

11. If no, is your country taking steps to criminalize active and/or passive bribery?

YES NO

If yes, please provide details.

12. Has your country instituted measures to discourage the solicitation of bribes?

YES X NO

If yes, please provide details.

Italian Criminal Code (art. 322) criminalise the solicitation of bribes from the public official o under any form. See in particular para. 3 and 4.

Article 322, Criminal Code: incitement to corruption

Whoever offers or promises undue money or other benefits to a public official or person in charge of a public service in the quality of employee of public authorities, in order to induce him/her to perform a duty of his/her office, if the offer or promise has not been accepted, is bound by section 318 to the punishment provided for in the first subsection, reduced by one third.

If the offer or promise is made to induce a public official or a person in charge of a public service to omit or delay a duty of his/her office, or rather to make an act contrary to his/her office, if the offer or promise has not been accepted, the offender is bound by section 319 to the punishment provided for therein, reduced by one third.

The punishment provided for under first subsection shall apply to the public official or person in charge of a public service in the quality of employee of public authorities who solicits a promise, or giving of money, or other benefits by a private individual, for the purposes specified under section 318.

The punishment provided for under second subsection shall apply to the public official or person in charge of a public service who solicits a promise, or giving of money, or other benefits by a private individual, for the purposes specified under section 319..

13. Does your country provide support for/work with business in resisting solicitation?

YES X NO

If yes, please provide details.

Legislative Decree n.231/2001 outlines responsibility rules for enterprises that includes a series of prevention measures for corruption and other crimes. Central and local Administrations encourage the adoption and implementation of these measures.

14. Has your country instituted measures to discourage facilitation payments?

YES X NO

If yes, please provide details.

Facilitation payments, as to be intended under Commentary 9. to the OECD 1997 Convention, are illegal in Italy and will fall under the sanctions of the Italian Criminal Code which do not provides for any possible *defence* related to these cases. Furthermore, the issue has never been raised under any of the different procedures of evaluation which Italy went through.

ANTI-MONEY LAUNDERING

15. Since the 2013 progress report, has your country taken any measures to implement the revised FATF standards on anti-money laundering?

YES X NO

If yes, please provide details.

1. *Instructions by Ministry of Economy and Finance (Treasury) for the implementation of art. 23 AML Law n. 231/2007: "When institutions or persons subject to this decree are unable to comply with the customer due diligence requirements laid down by Articles 18(1)(a), 18(1)(b) and 18(1)(c), they should not establish a continuous relationship or carry out transactions or professional services or must terminate the continuous relationship or professional service and must assess whether to make a report to the FIU".*
2. *Indicators of anomalies for auditing firms and auditors who are responsible for statutory audits of entities of public interest, as defined in Article 16 of Legislative Decree 39 of 27 January 2010 (February 2013, Bank of Italy upon FIU proposal).*
3. *Instructions for the Customer Due Diligence (April 2013, Bank of Italy, in agreement with Consob and the IVASS). The measure provides a comprehensive framework of rules, which raises the level of protection of the banking and financial system.*
4. *Instructions for the maintenance of the Single electronic Archive (April 2013 Bank of Italy, in agreement with Consob and the IVASS, after consultation with the FIU). It has been also introduced a specific provision on the registration of the beneficial owner.*

16. Since the last progress report, have changes to your country's anti-money laundering legislation been proposed or implemented?

YES X NO

If yes, please provide details.

1. *Self-laundering. (a legislative proposal is under ongoing examination by the competent parliamentary commission).*
2. *Beneficial owner (there's a government legislative proposal to set a further explicit*

obligation in AML Law (already set up for all customers in art. 21) for legal persons to declare their BO to obliged entities and competent authorities.

DENIAL OF ENTRY

17. Have any changes to your country's legislation, regulations or powers to deny entry to foreign officials charged with or convicted of corruption offences been proposed/implemented since the last progress report?

YES NO X

If yes, please provide details.

As part of the Schengen System, reference has to be done to the EU legislation. It does not provide specific provisions for corruption, but it does allow to deny entry:

- when the foreigner is a person for whom an alert has been issued in the Schengen Information System (SIS), for the purpose of refusing entry;
- when the foreigner is considered a threat to public policy, internal security, public health or to the international relations of any of the Schengen Member States (in particular, where an alert has been issued in Member States' national database for the purpose of refusing entry on the same ground).

In both cases, the alert could be issued for a criminal conviction of the foreigner.

If no, is such legislation under consideration?

YES NO

If yes, please provide details.

INTERNATIONAL COOPERATION

18. Is your country's administration of mutual legal assistance consistent with the G20 High Level Principles?

YES X NO

If your country's approach is not yet consistent, are you taking steps to implement the Principles?

YES NO

If yes, please provide details.

19. Are you aware of your country having used one or more of the G20 country Guides to Mutual Legal Assistance? NO

If yes, please provide details.

20. Are you aware of non-G20 members having used the G20 Guide to Mutual Legal Assistance to request mutual assistance from your country? NO

If yes, please provide details.

21. Have any changes to your country's legislation related to international cooperation been proposed since the last progress report?

YES NO X

If yes, please provide details.

22. Has your country either used UNCAC, or stated that it will allow the use of UNCAC, as the treaty basis for mutual legal assistance (MLA) and/or extradition?

a. Has used as the treaty basis for MLA YES X NO

b. Will allow use as the treaty basis for MLA YES X NO

c. Has used as the treaty basis for extradition YES X NO

d. Will allow use as the treaty basis for extradition YES X NO

23. Do domestic authorities in your country cooperate and share information with the integrity offices of international organizations?

a. Cooperate and share information

b. Could cooperate, but has not been asked

c. Cannot cooperate

If you cannot cooperate, please provide details.

24. Has your country designated an appropriate authority responsible for mutual legal assistance and law enforcement requests relating to asset recovery (a point of contact)?

YES X NO

If yes, to which organizations:

a. UNODC

b. StAR/Interpol Focal Point Initiative X

c. Camden Asset Recovery Network

d. Other(s) X

If yes to 'Other(s)', please provide details.

European Union (Decision 2007/845/GAI)

ASSET RECOVERY

25. Does your country have legislation allowing for asset recovery by foreign authorities or is such legislation proposed?

YES X NO

If yes, please provide details.

UNCAC Convention is the legal basis for action in asset recovery. There are also several bilateral agreements for specific MLA (serving the purposes of asset recovery as well).

Among the features of Italy's assets tracing capabilities there those: for identifying and locating bank accounts, a national registry is accessible to authorities without a court order. For identifying real estate, landowners' registration/deed registration is mandatory at the national level. For identifying companies, a registry exists at the national level, and nominal shareholders are identified. Securities are registered at the national level and (foreign) trust instruments are held by AML/CFT obliged agents.

26. Has your country established a specialist/dedicated unit for the recovery of the proceeds of corruption?

YES X NO

If yes, please provide the name of the specialist unit and contact details.

Italy has an ARO/Asset Recovery Office entity in the International Police Cooperation Service (Servizio per la Cooperazione Internazionale di Polizia – SCIP) . Also there are laws pertaining to conflicts of interest for most public employees and the disclosure of income and assets of public officials and public employees (Law 5 July 1982, n. 441 - Provisions for the disclosure of the financial situation of holders of elective positions and executive positions in some institutions. November 2012: Law n. 190, 6 November 2012, on Anti-corruption introduced improvements in the asset recovery related activity. Law n.190 of 6th November 2012, provides for a comprehensive set of measures aimed at preventing and repressing corruption and illegality in the Public Administration).

27. Does your country publish or otherwise make publicly available details of amounts frozen, seized, recovered or returned?

YES X NO

If yes, please provide details.

Yes, for asset recovery related mainly on a need to know basis and/or for specific operations.

28. Is your country providing technical assistance to developing countries aimed at helping the recovery and return of proceeds of corruption?

YES X NO

If yes, please provide details.

There are several Italian entities and agencies that provide and/or have provided technical assistance to developing countries and to countries of North Africa such as among others the courses and seminars of the Guardia di Finanza (equivalent to a financial police) and the Bank of Italy, for the financial aspects.

TRANSPARENCY OF LEGAL ENTITIES

29. Does your country have transparency requirements for legal persons, including companies, bodies corporate, foundations and partnerships?

YES X NO

If yes, please provide details.

All the relevant requirements are regulated in minute detail in the **Italian AML Law n. 231/2007** (Title II) in each of those parts dedicated to CDD (art. 18) – Record-keeping – STRs (reporting obligations).

Article 22 of the Legislative Decree No. 33/2013 is related to the “publication requirements concerning supervised public bodies, publicly controlled private bodies, and state holdings in companies”.

30. Does your country require that the beneficial ownership and company formation of all legal persons organized for profit be reported by the legal person?

YES X NO

If yes, to whom is it reported?

1. Every information on ownership structure and control internal bodies and natural persons involved in the high level management of the company are registered by notaries and given to the central public Register on companies. (www.infocamere.it)
2. To the obliged entities, who have the duty (set in primary law) to collect information on BO of their customers.

31. If yes, is this information available to the public?

YES X NO
(information under 2. Is not public)

32. If this information is not available to the public, is it available to law enforcement?

YES X NO

WHISTLE BLOWER PROTECTION

33. Does your country have legislation to protect whistleblowers:

a. In the public sector YES X NO

b. In the private sector YES NOX

34. Have changes to whistle blower protection legislation been proposed or implemented since the last monitoring report?

YES NO

If yes, please provide details.

Directives for the effective implementation of the rules on the protection of whistleblowers have been provided by the National Anti-Corruption Plan prepared by the Department for Public Administration and approved by the National Anti-Corruption Authority in September 2013.

The Plan provides all the measures that the public administrations should take in their Three-year Plans for the Prevention of Corruption in 2014:

- provide different channels for receiving reports
- provide reserved codes for the identification of the complainant
- prepare models for receiving reports
- establish duties of confidentiality for all those who receive or become aware of the report.

To this end the National Plan recommends the creation of a computerized system for reporting and provides that the protection of complainants will also be supported by effective awareness, communication and training through the website of each public administration.

As recommended by the Working Group on Bribery of the OECD, the National Plan provides that the protection must be designed to also protect employees who report suspected cases of foreign bribery referred to in article 322 bis of the Criminal Code.

35. Since the last progress report, has your country implemented any measures to protect journalists reporting incidents of corruption?

If yes, please provide details

PROCUREMENT

36. Does your country publish online any of the following?

a. Procurement laws and policies including any legislation defining the use of exceptions YES NO

b. Selection and evaluation criteria YES NO

c. Awards of contracts and modifications of contracts YES NO

Please provide details.

According to Law n. 190/2012 contracting authorities shall publish on their web sites information on:

the subject of the contract notice; the economic operators invited to tender; the successful contractor; the amount of the award; the time limit to complete the work, service or supply; the amount paid. Each year, by the end of 31 January, summary tables providing information, freely available in digital format, on the previous year are published in order to allow data assessment, also for statistical purposes. Contracting authorities shall transmit such information in digital format to the Authority for the Supervision of Public Contracts that shall publish it on its web site, in a section freely available to all citizens, listed by typology of contracting authority and Region. The Authority, by means of its own deliberation, identifies the relevant information and the transmission method. Moreover, each year by the end of 30 April, the Authority shall transmit to the Court of Auditors the list of administrations which have not provided and published, in whole or in part, the information in digital format. According to art. 6, paragraph 11 of the Code of Public Contracts, if the information is not provided or false information has been provided, administrative sanctions can be inflicted by the Authority. The modifications of contracts are not published online; according to art. 6, par. 7 letter h.4 of the Legislative Decree 163/2006 (Code of Public Contracts), the Authority for the Supervision of Public Contracts in its annual report to the Parliament (also available online) makes an analysis on the modifications of contracts.

37. Since the last progress report, have any new initiatives to promote public procurement transparency and integrity been proposed or implemented?

If yes, please provide details.

Ministerial Decree n. 55 of 3/4/2013 introduces provisions in the field of issue, transmission and receipt of electronic invoices to be applied to public administrations.

In order to comply to such decree, a specific application has been implemented on the Italian eProcurement platform, managed by Consip, in order to allow to all SMEs registered to the system to issue electronic invoices towards public administrations.

The practice is already in use on the MEPA, the public marketplace for the purchase of goods and services below the EU threshold.

38. Are there regulations and procedures for public procurement officials to govern conflicts of interest?

YES NO

If yes, please provide details.

Article 1 , paragraph 41 of Law No. 190/2012 introduces the article 6bis “conflict of interest” in the chapter II of Law No. 241/1990 on administrative procedures. According to the article 6bis the responsible for the procedure and the holders of the offices in charge of adopting the opinions, the technical evaluations, the acts occurring within the proceedings and the final provisions must abstain in case of conflict of interests and must signal every situation of conflict, also potential.

Articles No. 6 and 7 of the Presidential Decree no. 62/2013 containing the “regulation bringing the code of conduct of the public employees, pursuant to article 54 of the Legislative Decree no.165 of 30th March 2001” govern, respectively, “notice of financial

interests and conflicts of interest” and “obligation of abstention” with reference to every potential situation of conflict thus covering even the public procurement context.
Article 14, paragraph 2 of the Presidential Decree No.62/2013 governs specifically contracts and the others negotiating acts stating that the employee does not conclude, on behalf of the administration, procurement, supply, service finance, or insurance contracts with companies with which the employee has signed contracts privately or from which he has received benefits in the previous two years with the exception of those concluded through prescribed forms. In the event that the administration concludes contracts with companies with which the employee has signed contracts privately or from which he has received benefits in the previous two years, he must abstain from participating in decision-making processes and in the activities related to the execution of the contract.
Moreover, the National Anticorruption Plan, in paragraph 3.1.5 “obligation of abstention in case of conflict of interest” states that public administrations must undertake adequate initiatives to inform their personnel about the obligation of abstention and the behaviour to follow in case of conflict of interest.

39. Are companies that have been found to be involved in corrupt contracting practices excluded from future participation in public tenders?

YES NO

If yes, please provide details.

Law 190/2012 (Art. 38) introduces provisions for these cases.

40. If yes, is the debarment list of International Financial Institutions taken into account?

YES NO

41. Are the names of companies excluded from future participation in public tenders made publicly available?

YES NO

If yes, please provide details.

DISCLOSURE BY PUBLIC OFFICIALS

42. Does your country require disclosure by public officials of:

a. Income YES NO

b. Assets YES NO

- c. Conflicts of interest YES NO
- d. Gifts YES NO
- e. Other YES NO

If yes, please provide details.

Within the framework of the Anticorruption Law and in execution of its principles, two Legislative Decrees have been issued in relation to the disclosure requirements:

The Legislative Decree No. 33/2013, "Reorganization of the regulations concerning the obligations of publicity, transparency and diffusion of information by public administrations". Specifically: the article 14 is related to the "publication requirements concerning the members of the political bodies"; the article 15 refers to "publication requirements concerning the holders of management positions and consultants".

The Legislative Decree No. 39/2013 provides the rules concerning the absence of conflicts of interest, both at regional and local level, and the incompatibility between management positions in public administrations, in bodies under public control, political offices and professional assignments.

According to the D.P.R. n. 62/2013, art. 4 (Gifts and benefits), public employees and civil servants do not ask gifts or other benefits.

The employee does not accept, for himself or for others, gifts or other benefits, except for those of modest value occasionally given as part of normal courtesy relationships and as part of international customs.

In any case, regardless of whether the act constitutes a crime, the employee does not ask, for himself or for others, gifts or other benefits, even of modest value, as an award for performing or having performed his duties, from subjects that can draw benefits in relation to the execution of these duties or from subjects to whom he is or is about to be given the task to perform his duties.

The employee does not accept, for himself or for others, from an own subordinate, directly or indirectly, gifts or other benefits, except for those of modest value. The employee does not provide, directly or indirectly, gifts or other benefits to his own superior, except for those of modest value.

Gifts and other benefits anyway received out of the cases permitted by this article, are immediately made available, by the same employee who received them, to the Administration to be returned or to be donated for institutional purposes.

Gifts or other utilities of modest value are those that do not exceed, indicatively, the amount of 150 euro, even in the form of discount. The codes of conduct adopted by each public administration may provide lower limits and may even exclude the possibility of receiving gifts, according to the characteristics of the institution and to the type of tasks performed.

PUBLIC OFFICIALS' IMMUNITIES

43. Does your country provide immunities from prosecution to individuals holding public offices for corruption related offences?

- a. All public office holders YES NO
- b. Certain public office holders YES NO
- c. No immunities available to public office holders YES NO
- d. While in office YES NO
- e. Permanently YES NO

If yes, which public office holders are immune and if immunity is limited, please explain.

In the Italian legal framework there are no laws providing the immunity for public office holders, except for the President of the Republic (art. 90 of the Italian Constitution) and the members of the Parliament (art. 68 of the Italian Constitution).

EDUCATIONAL INITIATIVES

44. Is your country involved in any of the following international anti-corruption educational initiatives?

- International Anti-Corruption Academy YES NO
- UNODC Anti-Corruption Academic Initiative YES NO
- Other international anti-corruption educational initiative(s) YES NO

If yes, please provide details.

ANAC (Italian National AntiCorruption Authority) is currently involved in several international anti-corruption educational activities. As a partner of the Council of Europe, ANAC will organize educational and training activities in Morocco on 16-17 2014 October as well as in Tunisia in November. In 2014 ANAC has also been engaged in bilateral initiatives with Uzbekistan, Kosovo and Nigeria.

45. Does your country provide anti-corruption educational/training programs for officials, including public office holders?

YES X NO

If yes, please provide details.

i) About training of police services:

Corruption is a subject matter in the training of the Italian police forces personnel. In the framework of the Italian National Police officers' training this subject is included in the Criminal Law Module of the second level master course in Security Sciences that is conducted in cooperation with the "Sapienza" University of Rome. Likewise, international corruption is dealt with in the criminal disciplines covered by the courses organized in the Carabinieri Corps schools and over 2,000 Carabinieri officers are trained yearly on this specific subject.

The above also applies to the Guardia di Finanza, whose specific tasks imply an enhanced personnel training through the regular organization of dedicated conferences and seminars in this operative sector.

In addition to the training organized by the police forces it is worth highlighting the activity carried out by the European Police Academy CEPOL, which organized two courses in Rome on money laundering with the participation of trainers/experts of the Bank of Italy, the Ministry of Treasury and the academic world.

Moreover, CEPOL organized various courses at European level ("Economic and Financial crime -- Investigating Corruption", "Fight Corruption", "Money Laundering", "Investigating and Preventing Corruption") with the participation as trainers of officers from the Italian National Police, the Guardia di Finanza and the Carabinieri Corps.

The Italian CEPOL National Unit participated in the "Euromed III Police Project" by sending a Guardia di Finanza trainer to the course "Fight against International Corruption", which was held in the United Kingdom from 10 to 14 December 2012.

About training of prosecutors and judges.

In 2013 the new Scuola Superiore della Magistratura – SSM (Superior School of the Judiciary) entered into functioning while the Consiglio Superiore della Magistratura abandoned its competences in the field of judicial training.

In 2013, in the framework of the continuous training program for judges and prosecutors, the SSM organized the course nr. P13045 devoted to the subject of the investigations in the field of corruption; one entire working group was devoted to the subject of international bribery.

In 2014 a new project (course P14042) will be devoted to the same subject and an entire session will deal with the issue of international bribery.

In the framework of initial training, the 2 programs for magistrates newly appointed (Magistrati in Tirocinio Ordinario - M.O.T.) in 2012 and 2013 have included conferences and training on the subject of corruption and corruption related offences.

A rough estimation of each continuous training course attendance is of about 90 magistrates while the global number of M.O.T. who have went through an initial training until now (from the opening of the SSM) is of 645.

46. Does your country or business associations in your country promote anti-corruption training for the private sector?

YES X NO

If yes, please provide details.

Confindustria (main organisation representing Italian manufacturing and services companies) promotes information and training activities focused on corruption.

47. Has your country disseminated G20 products and documents developed by the group with relevant domestic authorities?

YES X NO

If yes, please provide details.

G20 ACWG documents are regularly circulated to the relevant Italian authorities.

JUDICIARY

48. Has your country taken any measures to promote and disseminate the Bangalore Principles for Judicial Integrity? YES

If yes, please provide details

The Bangalore Principles are mentioned or recalled in a number of documents of the *Consiglio Superiore della Magistratura* – CSM (the body granting the judicial independence of the Italian Judiciary, of the different networks to which the CSM participate at the European level (European Network of the Council of the Judiciary – ENCJ; European Judicial Training Network) or of the *Associazione Nazionale Magistrati* (Italian Association of Judges) . See for instance:

<http://www.birosag.hu/sites/default/files/allomanyok/kozadatok/obh/6.sz.melleklet-cceje-opinion-no-3.pdf>

http://www.csm.it/circolari/110628_6.pdf

<http://www.associazionemagistrati.it/allegati/deontologia-giudiziaria.pdf>

<http://www.csm.it/ENCJ/pdf/RelazioneFinaleWGJudicialConduct-EN.pdf>

<http://books.google.it/books?id=NPlokArchiUC&pg=PR11&lpg=PR11&dq=CSM+Consiglio+Superiore+della+Magistratura+Bangalore+Principles&source=bl&ots=Vc2P3WPMUY&sig=rslmWSu-VU7yrwRN4gWivbzKJFs&hl=it&sa=X&ei=9ItsU-zxLLKu7AaC3oGwCg&ved=0CEgQ6AEwBA#v=onepage&q=CSM%20Consiglio%20Superiore%20della%20Magistratura%20Bangalore%20Principles&f=false>

http://www.cnr.it/commesse/ModuloAbstract.html?id_mod=2367

49. Has your country taken other measures to promote the accountability and independence of the Judiciary? YES

If yes, please provide details

The Italian Constitution itself provides that the *Consiglio Superiore della Magistratura* – CSM is the body responsible for granting the independence and the accountability of the Judiciary (see art. 104 and followings) Italian Constitution (excerpts)

Art. 104

The Judiciary is a branch that is autonomous and independent of all other powers. The High Council of the Judiciary is presided over by the President of the Republic

...

Art. 105

The High Council of the Judiciary, in accordance with the regulations of the Judiciary, has jurisdiction for employment, assignments and transfers, promotions and disciplinary measures of judges.

Art. 107

Judges may not be removed from office; they may not be dismissed or suspended from office or assigned to other courts or functions unless by a decision of the High Council of the Judiciary, taken either for the reasons and with the guarantees of defence established by the provisions concerning the organisation of Judiciary or with the consent of the judges themselves.

The Minister of Justice has the power to originate disciplinary action.

Judges are distinguished only by their different functions.

The state prosecutor enjoys the guarantees established in the prosecutor's favour by the provisions concerning the organisation of the Judiciary.

Art. 108

The provisions concerning the organisation of the Judiciary and the judges are laid out by law.

The law ensures the independence of judges of special courts, of state prosecutors of those courts, and of other persons participating in the administration of justice.

Art. 110

Without prejudice to the authority of the High Council of the Judiciary, the Minister of Justice has responsibility for the organisation and functioning of those services involved with justice.

SECTOR-SPECIFIC TRANSPARENCY INITIATIVES

50. Is your country supporting or implementing any sector-specific initiatives?

Extractive Industries Transparency Initiative (EITI)

Implementing YES NO X

Support YES NO

(At the G8 Summit of Loch Erne, in June 2013, Italy announced its engagement to become Implementing Country of the EITI)

Construction Sector Transparency Initiative (CoST)

Implementing YES NO X

Support YES NO X

Other (specify below)

Implementing	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Support	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Please provide details on other sectoral initiatives supported by your country, or domestic measures taken in relation to specific sectors.

The Global Compact Network Italy established in 2011 the Anti-Corruption Working Group with the aim, inter alia, of engaging a dialogue with the institutions in order to promote transparency in business relations. Mention is made, among the various initiatives, to i) the contribution in the definition of the regulation "Rating di Legalità" (rating of rule of law) by the AGCM (Autorità Garante della Concorrenza e del Mercato), which has been introduced by Legislative Decree no. 1/2012, and to ii) the dialogue with the Ministry of the Interior (Ministero dell'Interno) aimed at finalising an Integrity Pact (Protocollo di Legalità) .

51. Does your government have integrity pacts with the business sector?

YES NO

If yes, please provide details.

On May 10, 2010 the Italian Ministry of the Interior and Confindustria (main organisation representing Italian manufacturing and services companies) signed a Legality Protocol, renewed in 2012 and updated in 2014, with the aim to promote transparency and the rule of law in business activities as well as to strengthen cooperation with Administrations to prevent organized crime infiltrations. The implementation of the Legality Protocol is monitored by ad hoc Committee which includes representatives from the signatory parties.

FISCAL AND BUDGET TRANSPARENCY

52. Has your country taken steps to implement the IMF Good Practices in Fiscal Transparency?

YES NO

If yes, please provide details.

Department of Finance (Ministry of Economy and Finance) provides the online publication of the Tax Revenues Monthly Bulletin that includes State Budget figures processed on cash and accrual basis. In agreement with the General Accounting Office, the monthly report on fiscal revenues affecting the entire public administration is published on line. Income Tax Returns statistics are yearly published, available on the official website of the Department. Finally, the revenues forecasts set by this Department are included in the Document of Economics and Finance.

53. Has your country taken steps to implement the OECD Best Practices on Budget Transparency?

YES NO

If yes, please provide details.

The State Balance is currently published on Ministry of Economy and Finance website and kept up-to-date in aggregate and detailed form. This is the link to general information translated into English language. <http://www.rgs.mef.gov.it/ENGLISH-VE/Public-Fin1/General-st/>

Thank you for your time in completing this questionnaire.