

Survey on the effectiveness of Anticorruption Authorities

Background Information

1. Please enter country name in the space below

Guatemala

2. The name of the agency

Transparency and Fighting Corruption Commission of the Guatemala Vice-presidency

3. The date of establishment

2008

4. Contact Information

Juan Luis Velasquez Carrera

5. Webpage

www.vicepresidencia.gob.gt; www.comisiontransparencia.ning.com

Legal Environment

6. What are the main anticorruption laws of your country?

Politic Constitution of the Guatemalan Republic; Access to the Public Information Law; Law against Money Laundry and other Assets; Penal Code; Law against Financial Terrorism; Law against Transnational Bribe. Probity Law.

7. Does your government have a single or primary anticorruption strategy?

Yes. Strategic Plan of the Transparency and Fighting Corruption Commission 2010 – 2012.

8. Does your country have freedom of information legislation?

Yes No

9. Does your country have conflict of interest legislation?

Yes No

10. Does your country have a financial disclosure system to help prevent conflicts of interest?

Yes No

Institutional Environment

11. What are the main functions and operations of your agency? Please check all that apply

Research Prevention Investigation Prosecution Forensic Accounting Policy

12. Is there one agency in charge of coordinating AC efforts across agencies?

Yes No

If Yes, Please specify: Transparency and Fighting Corruption Commission, Transparency and Evaluation Vice ministry of Public Finance Ministry; Access to Information Units in the Public Sector institutions.

13. Does your agency have the ability to share information or data with

(a) Other agencies within your government, and

Yes No

(b) Government partners from other countries?

Yes No

14. Please enter current size of permanent staff in the space below

Seven (7)

15. Number of prosecutors (if applicable)

N/A

16. Number of investigators (if applicable)

N/A

17. Number of cases handled annually (if applicable)

N/A

18. Please enter the name of other agencies with similar functions.

Transparency and Evaluation Vice ministry of Public Finance Ministry; Inspector's Office: Section against corruption Public Ministry; Access to Information Units in the Public Sector institutions

19. Does your agency have a system to monitor performance of staff?

Yes No

20. Are the human resource management, i.e. recruitment, promotion, termination built on the emphasis of staff integrity and professionalism?

Yes No

21. Who appoints the head of your agency?

President of the Guatemalan Republic

22. Who has the authority to remove the head of the ACA?

President of the Guatemalan Republic

23. Is there any term limit for the head of the ACA?

Yes No

If Yes, Please specify:

Yes, the President and Vice-president of Guatemala have a period of 4 years to new elections.

24. Is the agency subject to judicial review?

Yes No

25. Is the agency subject to expenditure reviews?

Yes No

26. Does your agency publish an annual report of activities?

Yes No

27. Does your agency measure performance?

Yes No

If yes, against what indicators?

- Number of investigations conducted
- Number of investigations concluded
- Ratio of number of investigations/staff
- Percentage of total budget allocated to outreach activities and communication
- Other, please specify Activities in Transparency's Annual Report

28. Does your agency keep a comprehensive skill list of its staff?

Yes No

29. Is the staff provided with regular training and refresher training to ensure that their skills are up-to-date?

Yes No

30. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistle-blowing)?

Yes No

31. Does your agency have a communication strategy?

Yes No

32. Does your agency have a comprehensive corporate plan?

Yes No

33. Is there a strategy in formulating partnership with outside agencies in fighting corruption?

Yes No

34. Is there strategy in dealing with media?

Yes No

Resource Mobilization

35. Does your agency have budgetary autonomy?

Yes No

36. What is the annual budget of your agency?

0.00

37. Is the annual budget determined by (Please choose the answer/s that best fits your agency)

<input type="radio"/>	Number of staff
<input type="radio"/>	Number of investigations
<input type="radio"/>	Budget is constitutionally mandated
<input type="radio"/>	Other, please specify

38. How much does it roughly cost to (please enter the dollar amount per stated activity)

\$	File a case	\$	Manage a paper case	\$	Analyze a case
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39. Any Donor Involvement?

Yes No

40. Does your agency use a computerized system to handle cases?

Yes No

Social Environment

41. Does your agency offer a mechanism for citizens to report anonymously complaints or offer information on corrupt activities?

Yes No

42. Does your agency or government provide a hotline to report corruption?

Yes No

43. Does your agency produce regular public reports of its activities?

Yes No