Methodological guide for corruption risk assessments in fisheries value chains

September 2023

Targeting Natural Resource Corruption









DIOSes AMUR



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About the Targeting Natural Resource Corruption

The Targeting Natural Resource Corruption (TNRC) project is working to improve biodiversity outcomes by helping practitioners to address the threats posed by corruption to wildlife, fisheries and forests. TNRC harnesses existing knowledge, generates new evidence, and supports innovative policy and practice for more effective anti-corruption programming. Learn more at thrcproject.org.

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Using this guide

Corruption is <u>the abuse of entrusted power for private gain</u>. Corruption undermines democracy and is present in diverse sectors, including fisheries. WWF Peru developed this methodology for assessing corruption risks in the squid and mahi mahi fisheries value chains in Peru, an activity financed by the United States Agency for International Development through the <u>Targeting Natural Resource Corruption</u> program. This guide adapts their methodology for more general use.

Though it maintains many of the original methodology's references to the specific context of Peru, this version can be adapted to other sectors and contexts. Therefore, the Peru-specific information has been summarized and shortened. **The examples in this document should not be cited as results of WWF Peru's assessment**; they are only for illustrating the method.¹

The suggestions and instructions in this guide can, and should, be adapted to the needs and specific contexts of the user. For example, users could change the order of the methodological phases, add more steps for information collection, or use other methods to validate the results. Obviously, the content of the assessment will change; each specific fishery will have a value chain with different critical events and regulations. But in addition, the priorities and focuses of the assessment can also change according to individual needs.

Finally, this guide describes the process in a simple and concise way, but the space dedicated in this document to any specific step does not necessarily reflect the effort required to implement that step in reality. The process of carrying out a corruption risk assessment (CRA) as suggested in this guide can be laborious, and potential users should plan their research carefully. It is also important to consider, from the beginning, how the results of the CRA will be used. The final section returns to this theme.

In summary, this methodological guide is a point of departure for practitioners who want to carry out a similar assessment, based in the experience of WWF Peru's project. It is organized according to the four methodological phases that WWF Peru followed; each phase has two or three steps. The guide also describes the sources used to design each part of the process.

¹ The results of the assessment are not publicly available.

Phase 1

1.1 Selecting the initial methodology

The point of departure for the original assessment was the document "<u>Rotten Fish: A guide on</u> <u>addressing corruption in the fisheries sector</u>" from the United Nations Office on Drugs and Crime. Rotten Fish references the ISO Methodology 31000, with steps to identify, analyze and address corruption in the fisheries sector.

However, the ISO Methodology is most appropriate for application at the organizational level, rather than a sectoral level. For that reason, WWF Peru used that methodology more as a guide, adapting or assimilating the following steps:

- Step 1 Establishing the context for the corruption risks
- » Step 2 Identifying the corruption risks
- Step 4 Valuing the corruption risks (with regards to categorization)
- » Step 5 Mitigating the corruption risks
- Step 3, "Analyzing the risks," was incorporated into steps 2 and 4.

1.2 Identifying critical events and associated potential corruption risks in value chain stages

"Critical tracking events," simplified here to "critical events," are the steps within the value chain that must be monitored to ensure the traceability. legality, and compliance of a product's journey from its entry to the chain (capture) to its final consumption. The team therefore started by identifying which were the critical events, and then the potential corruption risks for each critical event. The team used the TNRC Guide "Identifying Corruption Risks along a Fishery Supply Chain" which contains that information at a high, generalized level. Being generalized, however, not all of the critical events and risks in the TNRC Guide are necessarily applicable to the specific country or fishery under analysis. Determining that applicability depends on the specialized knowledge of the practitioner(s) undertaking the CRA.

Practitioners should also consider the resources available for, and any security risks inherent in, investigating a certain critical event in a certain context. Skipping critical events will leave gaps in the analysis, but that must be assessed against resources, safety, and the top priorities for the assessment.

1.2.1 Determining the applicability of critical events

The team developed a table to determine the applicability of the critical events in the TNRC Guide to the fisheries to be evaluated. The team added some events not included in the Guide and modified others (indicated in strikethrough and/or red in Table 1). This step is summarized on the next page.

Table 1. Critical events by stage in the value chain

Fisheries value chain					
Stage	Critical events in the	(Critical events (squid and mahi mahi)		
	TNRC guide	Applicable	Justification/Comments		
	Vessel ownership Vessel registration	Yes Yes	Artisanal and large-scale fishing vessels must have their ownership registered in the public record and then obtain a registration certificate (as fishing vessels) from the Navy.		
	Access agreements for foreign vessels	Yes	According to Supreme Decree ##, foreign vessels can access the squid fishery whenever the national fleet has not caught the full allowable quota. Foreign vessels have not been given access to the mahi mahi fishery.		
Access and preparation	Obtaining a fishing license (permit)	Yes	For both fisheries, artisanal and large-scale vessels must have a fishing permit. While some large-scale vessels have mahi mahi fishing permits, however, the mahi mahi fishery is mostly artisanal.		
	Hiring a captain and crew	No	This critical event is not applicable since employment in the artisanal sector is informal and large-scale fishing vessels are not active in the mahi mahi fishery.		
	Fisher registration Yes		Fishers must obtain a fishing license (in some cases, a "vessel logbook") from the Navy. The Navy manages the roster of registered fishers.		
	Departure certificate	Yes	This is the authorization to set sail / return, required for any vessel engaged in fishing.		
Fishing	Catch documentation	Yes	According to Supreme Decree ##, squid fishing vessels should have an official observer on board who reports the catch. Similarly, according to Supreme Decree ##, mahi mahi fishing vessels are selected at random for carrying an on-board observer.		
	Enforcement of management rules	Yes	The management rules are established by Infractions are listed in		
	Trans-shipment	Yes	While this topic is applicable to squid and mahi mahi fisheries, the team did not address trans-shipment in this assessment due to security concerns.		
	Reporting and inspecting catches	Modified	This type of inspection involves not just the verification of compliance with fishing		
Landing	Port inspections	Modified	and health and safety regulation, but also		
3	Inspections at points of landing	Yes	diverse, from Rule ##		

Continued on next page...

	Primary and secondary processing	Modified	The General Fishing Law applies to both primary (artisanal) and secondary (industrial)
	Access to primary processing	Yes	processing. But squid and mahi mahi processing takes place principally in industrial
	Access to secondary processing	Yes	to operate.
Processing	Audits and inspections	Modified	Fish processing plants are inspected according to ###, and infractions are contained in the
	Inspections in primary processing	Yes	General Fishing Law.
	Inspections in secondary processing	Yes	
	Customs inspections	Yes	SUNAT carries out customs inspections. "Fish inspections" and "Health and safety
Transport	Fish inspections	Yes	inspections" also take place at this stage.
	Health and safety inspections	Yes	
	Invoicing	Modified	"Invoicing" takes place during customs inspections. "Other inspections" was
	Other inspections	Modified	disaggregated. Local inspections, by local governments,
Sales	Customs inspections	Yes	take place in the markets, but generally it is the merchant who is sanctioned, not the
Commercialization	Fish inspections	Yes	inspections" was moved here.
	Health and safety inspections	Yes	
	Local inspections	Yes	
Consumer	Local inspections	No	
	Financial institutions and regulators	Yes	While these are applicable in the fish and squid fisheries in Peru, the team did not
Profits	Tax heavens	Yes	address them in this assessment due to security concerns and resource limitations.

1.2.2 Applicable critical events and potential risks

Once 1.2.1 was complete, the team turned to the corruption risks in the TNRC Guide. Being a corruption "risk" does not necessarily mean that that type of corruption is occurring, and what is more, not all of the risks may even exist in a specific context. That is why this guidance refers to them as "potential risks" and why the risks are later validated to identify those that are actually present in the specific reality being analyzed.

Stages	Applicable critical events	Potential corruption risks ²		
	Vessel ownership	A lack of transparency in ownership reduces the ability to investigate corrupt acts and hold owners accountable.		
	Vessel ownership	Registering in a location with weak regulation and oversight to reduce the possibility of corrupt/illegal acts being investigated.		
Access and preparation	Access agreements for foreign vessels	Hidden payments by governments or companies to fish in the territorial waters of another country, and the misappropriation of those funds.		
	Obtaining a fishing license (permit)	False permits provided in exchange for bribes or other benefits.		
	Fisher registration	Illicit payments (offered or demanded) to process the licenses.		
	Departure certificate	Illicit payments (offered or demanded) because of a failure to request the departure certificate.		
Fishing	Catch documentation	Bribes or other corrupt acts to avoid detection or sanction for exceeding quotas, discarding less valuable species or hiding/transporting illegal fish with legal fish.		
	Enforcement of	Bribes to avoid inspections;		
	management rules	Illegal payments to influence rule enforcement (for example fishing quotas, licenses, or catch method restrictions);		
		Bribes to patrols to not arrest vessels operating illegally.		
	Inspections at points	Bribes to avoid inspections or ignore exceeded quotas;		
Landing	of landing	Catch documentation for illegal catches in exchange for bribes.		
Landing		Bribes to avoid inspections;		
		"Ports of convenience" where catches can be landed with minimal or no inspection.		

Table 2. Potential corruption risks in the critical events

Continued on next page...

² The TNRC Guide does not contain all of these risks, primarily because it does not map all of these critical events in the high-level value chain. Therefore, this version has been supplemented with other risks derived from the expertise of the authors and contributors.

	Access to primary	Authorizations / permits to process illegal seafood in	
	processing	exchange for bribes.	
	Access to secondary		
Dressering	processing		
Processing	Inspections in primary	Bribes or other corrupt acts to avoid detection or sanction	
	processing	for processing illegal fish alongside legal catches.	
	Inspections in		
	secondary processing		
	Customs inspections	Bribes to avoid inspections, falsification of documents (for	
		example, fraud, incorrect labeling, improver invoicing).	
Transport	Fish inspections	Bribes to avoid inspections.	
	Health and safety		
	inspections		
	Customs inspections	Bribes to avoid inspections.	
	Fish inspections		
Commercialization	Health and safety		
Commercialization	inspections		
	Local inspections	Bribes to avoid inspections or sanctions in the local market,	
		or to avoid investigations into the source of products.	

1.3 Identification of fishery management requirements and stakeholders by critical event

Fishery management requirements are the registrations and certificates (permits, authorizations, concessions, licenses, etc.) or other documents required to operate at each stage of the value chain. The stakeholders include all legal or natural persons that act at each stage. These can be fishers, vessel owners, public institutions, businesses, etc. In other contexts, other actors can be relevant, like organized crime.

To proceed with the identification of requirements by the applicable critical events, the team reviewed all the relevant laws and regulations. This part of the process can result in a very large document; Table 3 is a small extract, and an example of the full result <u>can be accessed here</u> (in Spanish).

Stage	Critical event	Public institution	Registrations and certificates	Requirements	Legal basis
Access and preparation	Vessel ownership and registration	SUNARP	Comprehensive ownership certificate on file with the fishery vessel registry	 A properly completed and signed "public record request" Payment of the registration fees 	Article 92 of Resolution #281-2015-SUNA- RP-SN, Regulat- ing the Public Records Service (03/11/2015) Articles 90 section c), 92, 93 section b), 95 section a) of Resolution #142-2006-SU- NARP/SN

Table 3. Extract from the analytical framework for identifying fishery management requirements

The point of this identification is to understand how each step of the value chain, and the critical events in each, function, including the actors involved. It also serves as an input for developing the interview guides (see 2.1 in Phase 2). Additionally, the compiled information may have value for communications materials or other outputs that could help stakeholders working on the topic. Figure 1 is an example of an infographic produced by WWF Peru.

Figure 1. Example of an infographic of fisheries management requirements



1.4. Identification of existing or potentially applicable anticorruption approaches

The WWF Peru team started this step with another TNRC tool, "<u>The Anti-corruption Toolbox</u>." The Toolbox provides a list of general anticorruption approaches and classifies and defines them.

Table 4: Anticorruption approaches from the TNRC Anti-Corruption Toolbox

PREVENTION APPROACHES

- Financial management
- Citizen monitoring and participation
- Streamlining and publicizing administrative procedures
- Rewarding good behavior
- Social marketing and behavioral approaches
- Civil society advocacy
- Political party/election funding reforms
- Technology

ENFORCEMENT APPROACHES

 Investigating, prosecuting and sanctioning corrupt actions

PREVENTION & ENFORCEMENT

- Human resources management
- Codes of conduct

GENERAL ANTI-CORRUPTION APPROACHES

- Anti-corruption laws and regulations
- Anti-corruption agencies
- Asset declaration regimes
- Transparency measures

PREVENTION

ENFORCEMENT DETECTION

DETECTION APPROACHES

 Strengthening oversight mechanisms

INTERNAL INSTITUTIONAL APPROACHES

- Internal policies
- Training
- Risk & context monitoring
- Adaptive management

DETECTION & ENFORCEMENT

 Whistleblower/ compliance mechanisms

1.4.1 Determining existing or applicable anti-corruption approaches

Practitioners can begin by reviewing the legal framework in the country and relevant literature. They can also hold interviews or submit official inquiries or freedom of information requests.³ To organize results, a version of Table 4 can serve as a basis, resulting in a table like the example in Table 5.

Not all approaches will be applicable in all contexts; for example, if there is not an anticorruption agency with relevant jurisdiction. Other approaches in the

Anti-corruption approaches (TNRC)			Existing anti-corruption measures in Peru
	Anti-corruption	Drafting/revising anti- corruption laws and	Supreme Decree #92-2017-PCM – National Policy for Integrity and the Fight against Corruption
General	regulations and laws	regulations can define offenses, close accountability gaps, or strengthen penalties.	Ministerial Resolution #101-2021-PRODUCE, Actions for integrity and the fight against corruption, 2021-2022
	Anti-corruption agencies	Supporting an anti-corruption agency through training or other resources can build specific capacities that are	Presidency of the Council of Ministers (authority over public integrity matters)
		missing, strengthen public awareness, or facilitate better collaboration with wildlife or environmental authorities, depending on its mandate.	Ministry of Production – PRODUCE (Authority over fishing matters)
	Asset declaration regime	An asset declaration regime provides information that can be used to detect or prosecute conflicts of interest or unexplained wealth (where laws exist regarding the latter).	[Identification continues]

Table 5. Extract from a table of existing or applicable anti-corruption approaches

Toolbox are more like types of projects or measures to incorporate into an intervention, like "Social marketing and behavioral approaches," "adaptive management," and "risk and context monitoring."

The resulting table is an important input for later phases of the assessment, but it is also another

output with potential communications value. In the project in Peru, the team developed and published a "<u>Quick Guide: Anticorruption approaches</u> <u>applicable to the fishery sector in Peru</u>" (in Spanish).

³ During document and literature review, consider presenting freedom of information requests or administrative inquiries to relevant public bodies. A deep dive on the topic of corruption or the focus fisheries may require official information or more information than is available without directly requesting it from relevant agencies.

Figure 2. Excerpt from the Quick Guide



Phase 2

2.1. Deciding on information collection instruments

The next step is to design the instruments needed to collect information to validate everything identified in Phase 1. The choice of instrument(s) to use will depend in part on the type of information (qualitative or quantitative) needed. There are many types of instruments, including interviews, focus groups, and surveys as well as others probably already used during Phase 1, like desk research, document and website review, and freedom of information requests.

For the CRA in Peru,⁴ the team used the following instruments (in addition to document review):

2.1.1 Focus groups

The team held various focus groups to, for example, identify and validate the corruption risks in the critical event "acquiring a departure certificate." The focus groups took place as workshops with artisanal fishers and boat captains (those who solicit the departure certificate) as well as public officials in the Navy (who provide the departure certificates). This highlights the importance of identifying actors (point 1.2), since that allowed the team to know whom to include in the focus groups and to begin identifying irregularities and gaps that enable corrupt acts.

As an illustration, one of the focus groups took place like Table 6.

2.1.2 Interviews

There are <u>different types of interviews</u>: according to the level of structure (structured, semi-structured, and unstructured/in-depth) or according to the point in the research process where the interview takes place (initial/exploratory/diagnostic, monitoring/developmental, or final). For the

Activity	Duration (approx.)			
1. Welcome and overview of the study	10 minutes			
2. Presentation of the process map with identified vulnerabilities	10 minutes			
3. Discussion of the identified vulnerabilities and options for mitigation them	20 minutes			
4. Presentation of the corruption risk assessment for the process	10 minutes			
5. Discussion the identified risks and options for mitigating them	20 minutes			
6. Proposal of the solution: digital departure certificate				
7. Discussion of the importance of using technology to mitigate corruption in the fishery sector	20 minutes			
8. Summary and final comments	15 minutes			

Table 6. Focus group agenda

⁴ In this case, some of the instruments had already been applied through other related research and projects prior to the assessment. They are presented here since they provided necessary information that the team otherwise would have needed to collect.

assessment in Peru, the team primarily used initial unstructured and semi-structured interviews. The team used both types for interviews of officials in public institutions related to the fisheries sector as well as stakeholders of that sector, like captains and representatives of fishing companies. The principal difference of the semi-structured interview is that it uses a more rigid interview guide that an unstructured/exploratory interview. Even so, the interviewer is still able to use other questions and be flexible with the interviewee.

In other words, flexibility will be necessary for interviews. And while such flexibility is necessary no matter the topic, corruption can be a sensitive and risky topic, so the team had to consider various additional components in the design, scheduling, and carrying out of the interviews.

Willingness to participate in the research

In general, stakeholders like artisanal fishers and captains will be very willing to participate in research related to challenges they face in the fisheries sector. However, due to dynamics of the fishing sector, practitioners should consider:

- » Providing interviewees with at least one month advance notice, whether practitioners have previous relationships and trust with the interviewees or not.
- Keeping in touch informally, like calls or videocalls, to provide information about the goal of the research, any guarantees or benefits to interviewees, and the format of the interview. This gives the opportunity to resolve any doubts interviewees may have.
- Identifying a person or organization with a trusting relationship with interviewees, so they can "back up" the person or organization carrying out the interviews (if they do not have that trusting relationship themselves). If this is not possible, then it will be up to the skills of the interviewer to build that trust with the interviewees.

Interview format and protections

During initial outreach, and again when carrying

out the interview, interviewers should inform the interviewee about several key elements.

- Suarantee anonymity in such a way that any of the information used in the assessment (whether published or not) cannot be identified with the interviewee who provided it.
- If the interview is recorded, only record audio, and only for internal purposes. If the interview will also be transcribed (which makes later steps of the research easier), give the interviewee a chance to review the transcript and clarify, modify, or add information.
- Be intentional about selecting the location of the interview. Consider letting the interviewee suggest the location, which gives them the opportunity to select private places where they will be more comfortable discussing sensitive topics. At the same time, of course, the safety of the interviewer is a vital consideration for interview location as well.

Post-research follow-up

One of interviewees' most frequent questions is what happens after the research, that is, the postresearch follow-up. The researchers should prepare an accurate response to this question to avoid creating commitments that will not be followed through. If follow-up activities are not yet clear, it is fine to reply with complete transparency that the post-research follow-up is not yet decided.

For the assessment in Peru, the post-research follow-up was simply to be able to propose recommendations and strategies. At the time, there were no financial resources for follow-up, although the team did commit to looking for means to implement the recommendations the assessment would produce. The team did indicate that there would be a workshop on the results of the assessment (see below), to which interviewees would be invited.

Possible involvement in corrupt acts

It is possible that at least some of the interviewees in a corruption risk assessment could be involved in acts of corruption. The presumption of that involvement (or confidence that they are not involved) is therefore an important consideration for the interviews.

In these cases, an unstructured interview, without a rigid interview guide, can be useful. It lets the conversation develop in the most casual way possible, which can help generate a trusting environment for the interviewee.

The interview should be solicited as a "meeting," with all due formality. Once in the meeting, in general the conversation will not go directly to the topic of the assessment (corruption). It can be better to first (or only) discuss contextual factors, like the interviewee's role in the sector.⁵ Depending on the interviewee's openness to providing information, the interviewer can ask if there have been any corrupt practices identified as systemic in the fishing sector, their organization, institution, or area; if anyone has been implicated in corruption; and what measures have been taken in response. As an alternative, the questions can refer to "other" organizations or institutions; in general, it is easier for stakeholders to say that no corruption exists in their institution, but that it certainly does in others.

It will probably be possible to identify public officials and other well-informed individuals who, according to information from other interviews or the researchers' experience, are more likely to be acting with integrity. Interviews with these people can involve more direct questions and deeper probing into their responses.

Time for coordination and follow-up

Coordinating the interviews, especially with public officials, can be a demanding step in the process.

For the Peru CRA, the general method of requesting interviews was to send a formal document asking for a meeting with the highest-level official in the relevant institution. The meeting request included the name of the assessment in the subject line, and the body of the letter described the objective of the research, the importance of that institution's participation in the research, the need to hold interviews, and which departments within the institution were most relevant. The team attached the interview guide to illustrate the topics of the interview, while noting that other questions could come up, especially to probe responses.

The first meeting (which took place after the first request or after more follow-up) focused on protocol. It was not the interview, but rather the space to coordinate the interview. In many of these first meetings, the highest-level authority from the institution attended alongside the heads of the relevant departments. The participants asked various questions on the point of the assessment and post-research follow-up, as well as the logistics of the interview (contact person, modality, etc.). Some officials insisted on certain accommodations to which the researchers had to be flexible. For example, some participants only agreed to respond in writing to the exact questions in the interview guide, some wanted the interviews to be held in their offices or virtually, and some wanted a team of specialists from communications and public engagement offices in attendance.

Regardless, subject to the willingness and workloads of the officials, following up, getting responses, and actually holding the interviews takes time. Especially if there are certain stakeholders who *must* be involved, for example to maintain relationships, the process can last between one and four months. In other cases, practitioners can have firmer deadlines for responses and reach out to multiple respondents with similar expertise to maximize the likelihood of getting answers.

Systematizing the information

Creating a database can be a useful way to organize the information from the interviews. Important categories of information to include in such a database might be:

Stage in the value chain: The stage or stages (it can be more than one) in which the interviewee is active.

³ Although a key element of informed consent is to not hide the point of the research. Especially since the goal of the CRA is not to uncover specific acts of corruption, consider potential impacts if the respondent is "surprised" by the public results.

- » Name, institution, department, position, and length of service: This type of information helps identify the interviewee (for internal purposes).
- > Identifier / Code: Each interview or interviewee should have an anonymized identifier. A common structure is "Anonymous #1, month/year of interview." This identifier can then be cited in the CRA report for quotes and paraphrasing.
- > Type of actor, location, region, gender, age: This demographic information can be aggregated for reporting in an annex to the report, demonstrating the different types of actors who were interviewed. Even more importantly, however, this can help researchers make sure they have interviewed a sufficiently representative group of stakeholders, and not just the most available, visible, or powerful.
- Personal data permission: This indicates whether the interviewee gave permission for their personal data to be recorded, which is a legal requirement in some contexts. In Peru, the team created a form for this permission and attached it to the interview guide.

2.1.3 Access to information requests

In the Peru assessment, the team also submitted official access to information requests. In Peru (as in most cases), there is a period of time allowed for the public agencies to respond (10 working days) and for the submission of additional administrative requests (30 working days).

2.2 First validation of the critical events, potential corruption risks, and recommendations

The interviews that the team is able to complete serve to validate the information collected in previous phases. Ideally, actors relevant to every identified critical event will be interviewed. For the CRA in Peru, the team held interviews in person and in each of the selected regions, so that the information collected would be as reliable as possible and to maintain the casual, trusting environment generated with stakeholders in the first phase.

The information gathered in these interviews can help contextualize the steps in the value chain and corruption scenarios the team may want to develop to describe the types of corruption (see 2.3.2). Critical events and potential corruption risks can be added or removed based on the results of the interviews. For that reason, "initial" or "exploratory" (see 2.1) interviews may be most helpful. More structured interviews can be used in later validations.

In fact, the information from these first interviews can inform the interview guide for later semistructured interviews, keeping in mind that guides must be adapted according to the profile of interviewees (e.g., public officials, artisanal fishing stevedores, fishing business representatives, transporters, etc.). For example, the first interview guide for public officials can consider not mentioning "corruption," since that could discourage responses. Instead, the guide could use "vulnerabilities" or "irregularities." and use "corruption" later, in the second validation (3.1).

2.3 Drafting the assessment

At this point in the process, if they have not already done so, the researchers should begin to develop the draft of the report, or at least some key ideas around which to organize the information being collected. This section describes how the team in Peru developed their draft.

2.3.1 Contextualizing the stages, critical events, and potential corruption risks

This information forms the "skeleton" of the report. For each stage of the value chain, describe what happens, the processes and procedures of the fisheries management requirements, the actors involved, and the applicable critical events and corruption risks. Box 1 contains an illustrative excerpt of just the first (of two) critical events in the "Landing" stage.

Box 1. Narrative description (shortened) of the critical event "Inspections at points of landing"

8.3. LANDING

The landing stage is when artisanal fishing vessels unload the squid and mahi mahi caught during their trip, at points of landing [...]

Building and operating a point of landing requires a series of administrative procedures, such as [...]

Corruption risks may emerge both in the operation of the points of landing and in the process of obtaining the certifications to operate.

8.3.1. Inspections at points of landing

Corruption risks may include bribery to avoid inspections or ignore exceeded quotas, documenting illegal catches as legal in exchange for bribes, and "ports of convenience" where catches can be landed with minimal or no oversight. [...]

Inspections at the points of landing include checking compliance both with the fish, health and safety, and maritime regulations [...] as well as the rules governing the fisher registry and hiring crew members (itself a critical event in the stages "Access and preparation" and "Extraction." These checks could generate corruption risks... to that effect. Anonymous 13, 15, 30 and 31, 2022, all reported that for mahi mahi the most common infractions are [...]

2.3.2 Description of corruption scenarios by critical event

After that, begin detailing the identified actual corruption risks (instead of the more general risks from the beginning of the process) and organize them by critical event (including any new ones that emerged during the first validation). How to present the information will depend on the researcher, but in Peru the team used "corruption scenarios."

Describe the corruption scenarios according to the information provided by the interviews (which should be cited or paraphrased with the anonymization indicated earlier). Synthesize that information with the previously gathered information from the beginning of the process, which may or may not agree with what emerges during validation.

Box 2 continues the illustrative example from Box 1.

Box 2. Narrative description (shortened) of the corruption scenarios for the critical event "Inspections at points of landing"

8.3.1.1. Corruption scenarios

a) Informality of crew members leads to incomplete personnel declarations during the departure certificate process

One severe problem in the fisheries sector is the high percentage of informal crew members. Around 50 percent of crew members are seasonal, alternating with other activities like agriculture [...] In this situation, fishing captains often depart with both formal and informal crew members, and when requesting the departure certificate only declare the formal fishers. However, once they return to port, they may be inspected...at which point the inspector will note the incorrect crew declaration. This raises the possibility of corruption to avoid fines, at a cost of S/ 50.00, S/100.00, or even S/500.00 Soles according to Anonymous 19 and Anonymous 21 (2022).

[...]

b) Possible laxity in duties due to interpersonal relationships

[...] In that sense, some inspectors are assigned to a work zone within their region of influence for prolonged periods (Anonymous 31, 2022). Others end up assigned to the same point despite a rotation between points of landing. These situations lead to frequent interaction between inspectors and inspected, which can lead to a relationship between them and favor laxity in duties (with or without bribes). [...]

c) Inaccessibility of points of landing

Certain points of landing are in very inaccessible zones, with no public transportation to get to the docks. In those situations, inspectors have to pay for private transport just to carry out their duties. Others have to spend nights at the points of landing, waiting for the inspector that will replace them (Anonymous 31, 2022). Even some zones with public transportation have high costs, up to S/50.00 a day, which the inspectors have to pay out of their own salaries (Anonymous 13, 2022). [...] Some inspectors could engage in corruption, requesting bribes to cover their transport costs [...]

d) Lack of regulatory knowledge on the part of inspectors or inspected

[Description of the scenario]

e) Information leaks about fish and health and safety inspection activities

[Description of the scenario]

f) Unloading at unauthorized points of landing

2.3.3 Categorizing corruption risks

Once the risks are identified, the next step is to organize them with short names or easily identifiable codes, according to the preferences and needs of the practitioners. Organizing the risks in a table (see an example in Table 7) can facilitate this.

	Scenarios	Corruption Risks	Code
a)	Informality of crew leads to incomplete	Possible requests or offers of monetary bribes to inspectors, upon arrival to the points of landing, to avoid fines for lacking fishing permits	
ŕ	declarations for departure certificates	Possible requests or offers of monetary bribes to officials to speed up the bureaucratic process of getting a fishing permit	R2
b)	Possible laxity in duties due to interpersonal	Personal contact between inspected and inspectors assigned continuously to the same location enables laxity in duties, modification of catch information, and the offering or acceptance of bribes	R3
	relationships	Possible acceptance of bribes to turn the other way or modify catch information on the part of inspectors with temporary contracts or low salaries	R4

Table 7. Excerpt of the corruption scenarios and risks for "Landing"

Then, the risks can be categorized. The risk categories then allow for more specific recommendations, including recommendations that can address multiple risks, as explained in the next subsection.

There is not a predetermined list of categories; the researchers will have to identify and define the categories using the laws of the country and/or desk research. It may also be useful to include other types of risk besides corruption. As summarized in Table 8, for the Peru CRA the team adapted and used the parts of <u>Peruvian regulatory law</u> that define the types of risks from a policy perspective and the Environment Ministry's official "<u>Guide to</u> <u>evaluating environmental risks</u>." For the corruptionspecific risks, the team used M. Nest's "<u>Mining</u> <u>Awards Corruption Risk Assessment Tool</u>."

Source	Categories	Definition		
ARTICLE 15 OF SUPREME DECREE #002-2019-JUS	Economic	Monetary/financial		
	Reputational	Related to the image of the public body in the eyes		
		of its constituents.		
	Commercial or	Related to daily or common activities of public		
	operational	officials, including budgetary, logistical, and human		
		resource factors.		
	Environmental	The probability that a natural or anthropogenic		
MINAM (2010)		danger directly or indirectly affects the environment		
		and biodiversity in a specific place and time.		

Table 7. Excerpt of the corruption scenarios and risks for "Landing"

	Unrestricted decision- maker discretion	Where there are no decision-making criteria (or transparency about the criteria) and a single authority or individual has broad discretion or decision-making power with little scrutiny.		
	Deviations from the law	Where what happens in practice is different to what is required by law.		
	No fixed timeframe	No clear time limits on conducting steps in the awards process.		
NEST (2016): Corruption risks	No documentation requirements	When an agency does not require applicants to submit documentation to support decisions.		
	Lack of independence	Steps particularly vulnerable to external influence, for example by ministers.		
	Conflicting duties	Inadequate segregation of duties between officials i the relevant government agencies.		
	No decision maker	Points where no one is responsible for certain steps, or it is confusing who is responsible.		
	Multiple decision makers	Points at which there is more than one person who can authorize a decision, creating opportunities for requestors to choose who they prefer to approve the request.		
	Work-arounds	Accepted informal processes that depart from formal procedure.		
	Face-to-face contact	Points requiring the manual input of data, which creates opportunities for corruption and human error.		
	Complexity in the awards process	Due to, for example, unclear requirements, recent or frequent changes to the law that are not well understood, or involvement of multiple government authorities with overlapping responsibilities.		
	Confusion	About the steps of the process, which can indicate a lack of transparency.		

With this guide for the categories, the risks can be organized into a matrix, which will help guide the development of mitigation plans.

2.3.4 Mitigating corruption risks

All of the previous steps serve as inputs for developing plans to mitigate the corruption risks. This mitigation consists of identifying the applicable anticorruption approach (see 1.3) as well as policy or other recommendations to address each risk. In some cases, the same recommendation could address more than one corruption risk in one or more critical events.

Recommendations can come both from the researcher and the fisheries sector stakeholders who were interviewed. Additionally, sector specialists can be consulted.

To close the example from "Landing" used in the previous tables and boxes in this section, Table 9 is an illustrative excerpt of the result of this last step of preparing the complete report draft.

		Mitigation				
Critical event	Scenario	Corruption risk	Category	Anti- corruption approach	Recommendation	
		R1 - Possible requests or offers of monetary bribes to	Deviations from the law Work-arounds	Prevention Detection and Law Enforcement	Mechanism #10: Technology Mechanism #16: Complaint mechanisms	1. Provide fishers, captains, and officials with information about the various complaint channels available and Rule #1327 that establishes protections for
		inspectors, upon arrival		General	Mechanism #4 : Transparency measures	whistleblowers and sanctions for complaints made in bad faith
Inspection at points of landing	<pre>to the points of landing, to avoid fines for lacking for lacking fishing permits for departure certificates</pre>			Mechanism #1 : Anti-corruption and integrity rules		
			Prevention	Mechanism #9 : Strengthening civil society and demands for reforms	2. Within the relevant public bodies and with the support of civil society, evaluate the level of	
			General	Mechanism #2 : Competent integrity and anti-corruption institutions	implementation of integrity and anticorruption rules set by the Secretary for Public Integrity, and propose any necessary reforms	
				Mechanism #1 : Anti-corruption and integrity rules		
			Internal intitutional processes	Mechanism #15 : Internal policies and capacity building	3. With civil society support, build public officials' capacity and knowledge around the integrity and	
				General	Mechanism #1 : Anti-corruption and integrity rules	anticorruption rules, with special emphasis on the procedures for
			Prevention	Mechanism #9 : Strengthening civil society and demands for reforms	recognizing public employees who embody the code of ethics.	

Table 9. Excerpt of the corruption risk mitigation recommendations for a critical event in the "Landing" phase



3.1 Second validation

Once the first draft is ready, the next step is the second validation. In Peru, this was done through a focus group workshop. A range of actors in the sector should participate, including (if appropriate) those who were previously interviewed. The structure of the workshop can vary, and a one-day workshop can be sufficient in many cases; in any event, it should not last more than one to three days. It is also helpful to send the draft in advance, and to hire a team of professional facilitators if possible.

The workshop in Peru took place in a single day. The team sent invitees the following materials in advance:

- > The infographic on the fisheries management requirements and relevant actors;
- > The quick guide of anti-corruption approaches applicable to the sector; and
- » A list of corruption scenarios, by critical event, in each step of the fisheries value chain.

The workshop began with speeches to set the scene and explain the goals of the workshop. After, the team explained the methodology and provided a high-level overview of the main points of the draft.

With this common starting point established, the 50 attendees were divided into two "Multi-actor Working Groups." The participants were grouped based on their specific roles in the value chain and, after going to separate rooms, the two large groups were further divided at random into tables of five to seven people.

In each group:

- Using a Jamboard, the facilitators presented to the entire group the first critical event of the first stage, and the relevant corruption scenarios.
- 2. The participants in the small tables then discussed that critical event and the corruption scenarios. They added detail based on their expertise, identified new scenarios, and developed proposals to mitigate the risks. Each group documented their discussion on sticky notes.
- When time was up, the facilitators collected the sticky notes and raised some for clarification or discussion with the full group. The group then passed to the next critical event.

The facilitators organized all the results of the workshop, and the team proceeded to revise the draft and incorporate the results (maintaining, as always, the principles of anonymity). This revised draft was then validated one final time.



4.1 Third validation

The third validation involves sending the preliminary version of the final report to the public agencies with authority over the fisheries sector. Include an official, timebound request for their opinions or comments, which will help validate all the compiled information. While one month should be sufficient for this step, in practice it can take longer than expected. How long to wait will be at the researcher's discretion.

Then, with the response (or not) of the public institutions, the final version of the report can be published.

Post-research follow-up and use of results

During post-research follow up, practitioners should communicate any changes or updates with all key stakeholders. At a minimum, they should share the final results of the assessment and how those results are being used. To that end, CRAs are most valuable when they are published in some form, as possible. Publication opens a conversation about the topic and elevates the visibility of the problem. On this point, organizations should do their part to make sure the recommendations in the CRA are followed through, which may involve establishing strategic partnerships with other organizations (like international donor agencies, for example).

Additionally, sharing and building on the findings can strengthen teams' understanding of the conservation problems in the sector and the threats corruption presents to the sector's sustainable management. For example, the CRA may reveal where policies do not exist and are needed; where policies are undermined by corruption; or where divergent stakeholder interests lead to conflict and distrust. Other TNRC research has highlighted as outcomes of CRAs and similar analyses:

- » a keener eye to issues of "convergence" with criminal efforts and across sectors;
- » new or strengthened strategic alliances and partnerships; and
- » clarity around "quick wins," feasible goals, and longer-term endeavors.

In sum, the CRA's findings about power dynamics, illicit networks, local understanding of corruption, "hot spots," and social and cultural norms, will likely have immense value across the organization's prevention, advocacy, policy, and programmatic work in that space. Building from the experience of WWF Peru, this guide aims to facilitate that process for future CRA processes.

