

U4 Helpdesk Answer 2019:12

# Corruption and anti-corruption within the research sector and university system in Bolivia

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Higher education is a sensitive sector for corruption as it involves a substantial amount of resources and high degrees of discretion. In particular, Bolivia dedicates around 17% of its annual budget, more than most Latin American Countries, to this sub-sector. The specific areas of corruption risks in higher education are: i) accreditation and quality control; ii) administration; iii) recruitment and admission; iv) academic integrity. Bribery, embezzlement, misappropriation/fraud, trading in influence, abuse of power/influence, collusion, patronage, nepotism, clientelism, and conflict of interest are the most common types of corruption occurring in the higher education sector. The following specific measures are proposed to decrease the risk of corruption in the higher education sector: control and sanctions; whistle-blower protection; ranking and accreditation; ethical code / code of conduct; promotion of academic integrity; monitoring of universities expenditure.

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**U4 Anti-Corruption Helpdesk**

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# Query

Please provide an overview of corruption and anti-corruption within the research sector and university system in Bolivia.

## Contents

1. Corruption in the Bolivian higher education sector and university system
2. Corruption in Bolivian higher education sector: a risk assessment
3. Measures to fight corruption in Bolivian higher education sector
4. Conclusions

## Caveat

For the purpose of this Helpdesk answer, higher education is *understood* to include teaching, research, and related work (Pucciarelli & Kaplan Andreas, 2016).

## Corruption in the Bolivian higher education sector and university system

Bolivia ranks below regional averages in most governance areas, including higher education (Wickberg 2012). The lack of resources and capacity building strategies, combined with low salaries and a lack of training, create a framework with opportunities and incentives for corruption (Wickberg 2012). Furthermore, according to 59% of the respondents to the Global Corruption Barometer, corruption in Bolivia increased in 2017 (Transparency International 2017). Public officials, in particular, are believed to be very corrupt by 42% of the respondents, and 17% had to pay a bribe to a public school (Transparency International 2017).

## Main points

- Bolivia dedicates around 17% of its annual budget to education, more than most Latin American countries.
- Bolivia does not have specific regulations to address corruption in higher education as it refers to the broader anti-corruption legal framework, which has been consistently reformed in the last decade.
- The higher education sector features four main areas of risk: accreditation and quality control; administration; recruitment and admission; academic integrity.
- The following specific measures are proposed to decrease the risk of corruption in the higher education sector: control and sanctions; whistleblower protection; ranking and accreditation; ethical code/code of conduct; promotion of academic integrity; monitoring of universities expenditure.

A consolidated body of literature provides evidence on the interdependence between the quality of education and development on a theoretical (Denison 1962; Romer 1989) and an empirical level (Krueger & Lindahl 2001; Barro & Lee 2001). In the case of Bolivia, authors such as Kessler (2008), Liberato et al. (2006) Krishnakumar and Ballon (2008) provide evidence about the relationship between the level of development and the inefficiencies of the higher education sector. According to the Bertelsmann Foundation (2012), for example, Bolivian public administration is affected by overstaffing, clientelism and general inefficiency.

Information about the quality of Bolivian higher education institutions is, in general, scarce. As with other countries in Latin America and the Caribbean (LAC), the number of Bolivian private universities is growing. The amount of unaccredited institutions is changing regularly, and the total number is therefore hard to obtain. Overall, there are four types of universities accredited by the Ministry of Education: autonomous public universities (9), public universities under a special affiliation (such as a school of government or military academy) or regime (6), private universities affiliated with the Bolivian university system (3), and private universities (64).

This expansion comes with the risk of prioritising profit at the expense of quality of education (Merisio 2015). Public universities are also often criticised for providing obsolete education. Moreover, they carry only a small percentage of Bolivian students (approx. 30,000 new students a year). Private universities seem in this sense more able to compete by generally providing computer labs and better technology than traditional universities (Merisio 2015). Additionally,

institutions of higher education show high levels of heterogeneity and deficits in terms of research and development.

Furthermore, the relationship between corruption and gender has become increasingly prominent on the global agenda (Rheinbay & Chêne, 2016). In the higher education sector, corruption can act as a barrier for women, preventing equal access to quality education. Hence, very recent survey data has shown how women are particularly vulnerable to sextortion, a form of corruption that is particularly prevalent in the higher educational system. In particular, some women are forced to provide sexual favours in order to receive public services such as education. Overall, one in five citizens of Latin America and the Caribbean experiences sextortion, or knows someone who has (Pring & Vrushi, 2019).

Indigenous peoples, especially from rural areas, have fewer opportunities to receive higher education, get a job in the formal economy and escape poverty, compared with their non-indigenous counterparts (Bertelsmann Foundation 2018). Furthermore, universities are mostly concentrated in urban areas rather than rural areas, putting indigenous and rural students at further disadvantage.

Although public expenditure on education increased from 2.4% of the GDP in the early 1990s to 7.3% in 2014<sup>1</sup>, corruption in the sector reduces the economic rate of return on the investment in higher education by public institutions and individual students alike (Heyneman et al. 2008). The types of corruption involved may range from petty corruption (e.g. bribery for admission, good grades, graduation or the hiring of teachers) to grand corruption (e.g. administrators embezzling

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<sup>1</sup>UNESCO Institute for Statistics,  
<http://data.uis.unesco.org/index.aspx?queryid=3373>

funds allocated to public procurement projects). Other examples may involve the capture of government allocations for “ghost” departments or universities (Trines 2017).

Furthermore, the use of bribery and nepotism in the recruitment process brings unqualified teachers and researchers into universities, lowering the quality of instruction and creating costs which affect the long-term development of the country.

## Corruption in the Bolivian higher education sector: a risk assessment

Corruption in higher education drew the attention of academics and policymakers only in the 1990s. Over the last decade, this attention expanded to focus on the most common forms of corruption and their prevalence in higher education (Heyneman 2008). This included the changes in the nature of corruption in different sectors, ranging from financial corruption and student plagiarism to sexual violence (Heyneman 2008).

Competition in the global job market puts extraordinary pressure on the higher education environment, making it attractive for people to resort to questionable practices to achieve results. In some instances, corruption has become a systemic issue that threatens the quality of research products, the reputation of the organisation and its work. Moreover, if corruption is widespread, the institution’s reputation can be ruined to the point where “no graduate is free of being tainted” (Heyneman 2013).

### Areas of corruption risk

Higher education is a complex process, and corruption can occur at different stages. There are four main areas of risk recognised in the literature.

### Accreditation and quality control

Politicians may decide to establish and sponsor private universities to pursue political interests, or institutions who do not have the required staff or facilities (classrooms, libraries, learning materials, internet access, etc.) may use bribery and extortion to get accreditation and licences. Decision makers can also be vulnerable to corruption in the quality control process, manipulating the outcomes established for external and internal quality assessment.

Another risk is related to politicisation of universities: according to Kokutse (2018), politicians or key actors may be accredited without meeting the minimum requirements, or university managers may be appointed on the basis of political connections. This could also hamper the quality of the research results, which could be over-emphasized or underestimated in order to meet political expectations.

### Recruitment and admission

Corruption can occur in the early stages of educational processes, such as recruitment and admission. Students of Bolivian universities are admitted on the basis of an academic test of basic knowledge acquired during secondary education and a psycho-technical diagnostic. Some students are granted special admissions, such as experienced professionals, police officers or students with foreign titles recognised by international or bilateral agreements. The Global Corruption Report on education (2013) provides evidence of students feeling pressured to pay a bribe to be admitted to particular programmes or universities with restricted access.

Bribery, favouritism, nepotism and clientelism are among the ways of gaining a place through the “back door.” Hence, those without resources (or

willingness) to resort to corruption lose access to state-financed scholarships and/or chances of good-quality education, with long-term consequences such as unemployment.

According to Kirya (2019), corruption in accreditation may generate a vicious cycle of related forms of corruption. For example, some universities may lower their admission requirements to admit students who do not meet the necessary requirements. This may generate other corruption risks, as these students could be more likely to engage in academic plagiarism and cheating in order to meet expected standards.

Furthermore, higher numbers of students generate larger incomes for the universities. This financial incentive may lead to pressure from university management on teaching staff to lower the threshold for passing exams, transforming higher education institutions into “degree mills” to ensure their sustainability.

Finally, there are many cases of nepotism and favouritism in the recruitment and promotion of academic and non-academic staff at institutions of higher education, hampering meritocracy and the overall quality of the education provided by institutions.

### **Administration**

Decision makers could be bribed to favour one or more bidders in procurement procedures. Other typical cases may involve conflicts of interest (e.g. a university employee who also owns a bid winning company), collusion or embezzlement. Research grants present another opportunity for undue diversion of funds or “double-dipping” - illicitly accepting funding for the same project from two different sources. False or duplicate travel reimbursement, fake invoices, additional working

hours or unnecessary expenses are among the most common situations.

Research funds and procurement may be particularly vulnerable to corruption. Examples in this sense are travel and workshop fraud, invoicing fraud (i.e. fake travel expenses, fake events organization), and additional work invoicing or payments to fictitious employees (Semrau, Scott, & Vian, 2008). Research grants in innovative fields may be especially vulnerable, as they often do not initially entail a clear path of deliverables.

Finally, decentralised autonomous organisations in universities, combined with weak internal systems of control and oversight can create opportunities for corruption (Deloitte, 2011). For instance, university management may misdirect funds by colluding with suppliers in the procurement process, especially in poorly regulated frameworks. In Bolivia, the autonomy of universities gives them power to exercise independent control over the academic and financial matters. This presents a significant corruption risk.

Finally, weak Human Resource (HR) regulations can enable favouritism and nepotism throughout HR management processes, including recruitments and promotions, compensation, conditions of service and personal records (Chêne 2015).

### **Academic integrity**

Academic integrity, a concept linked to the commitment to and demonstration of honest and moral behaviour in an academic setting, is under threat in many universities. This area involves all the main actors of the educational system (administrators, researchers, teachers, students) and involves cheating in exams, forging exam results, qualification forgery and plagiarism.

## Forms of corruption

Corruption risks in the higher education sector may include any of the following types of conduct:

### **Bribery**

Bribery can involve the purchase or sale of exams, or the access to faculties with a limited number of places for students. The use of gifts or sexual favours seem to be among the most common forms of corruption in the higher education system (Heyneman 2013). Furthermore, corruption can entail the payment of bribes to teachers to pass an exam or to the administration to modify grades registered in the database.

### **Embezzlement/misappropriation/fraud**

One typical situation where embezzlement occurs in higher education is in the management of funds. Financial fraud remains a major challenge for higher education institutions. A lack of control systems and transparency may result in deviations of resources from submitted plans, misuse of research training grants and the falsification of data to get access to more funding (McCook 2016).

### **Trading in influence**

Corruption can occur when one or more individuals capable of granting undue advantage to the university or to an individual entrusted with power can facilitate access to the university or influence exam results. The access to social capital resources, namely strengthening relationships with influential public figures from political or social life, are typical examples.

### **Abuse of power/influence**

This involves the use of an entrusted power for personal gain, such as the abuse of power to make or implement rules in colleges and universities.

(Zhao 2016). It might also involve bullying (The Guardian 2018).

### **Cheating and plagiarism**

This form of corruption may involve students, teachers or administrators. One example, hampering academic integrity involves the collaboration of two or more students in the preparation of an assignment which is submitted by each in an identical (or very similar form) but is represented by each to be the product of individual efforts. Another example is the unauthorised cooperation between a student and a third person in the preparation of a work presented as the student's own (Liverpool University 2019).

### **Patronage, nepotism and clientelism**

This form of corruption is very common in higher education and involves favouring persons based on personal or party considerations. This can involve favouring students to pass an exam, favouritism in the recruitment process of university staff. Recent scandals revealed the career progression of researchers/professors within universities due to their parental links rather than on the basis of merit (Durante et al. 2011).

### **Finance and procurement fraud**

Although not defined as corruption, financial fraud represents a major challenge for higher education institutions. The Global Corruption Report in education (2013) provides evidence about the effect of financial reductions on the reduction of internal controls established to prevent financial fraud. Fraud can involve schemes of account skimming, thorough fictitious expenses or shell companies. One more example is related to procurement, where cooperating bidders (e.g. for office furniture) agree to submit higher priced bids to ensure winner is awarded the contract at inflated



prices. Complementary bids from shell companies can be used to increase the number of competitors, giving the appearance of competition.

According to Kranacher (2013), the most common fraud schemes in higher education are: i) forged endorsements; ii) skimming; iii) shell companies; iv) asset misappropriation, personal purchases and fictitious expenses; v) financial aid frauds.

Fraud is often enabled by conflicts of interest, where individuals have to choose between their duties and their own private interests. Conflict of interest cases in higher education often involve procurement, where university employees were also owners of bid winning companies within the same institution. There are many examples of conflict of interest in Latin-American countries based on the interconnected networks of politicians, businesses and social elites (Luna & Zechmeister 2005).

### **Sextortion**

Sexual harassment of students, faculty, and staff members is considered a serious problem in the university system. However, empirical evidence in this sense is scarce (Times Higher Education 2017; Flaherty 2017; Dey, Korn, & Sax 1996). According to Kirya (2019), although most of the evidence on sextortion in higher education comes from developed countries (Dziech & Hawkins, 2018; Kalof et al., 2001), this phenomenon appears to be pervasive also in developing countries. For instance, a recent under-cover investigation by the BBC revealed “sex for grades” in several West African Universities (BBC, 2019).

### **Other risks of corruption**

The structure of the higher education sector involves a number of specific issues which, although they do not represent a direct risk of corruption, may facilitate corrupt practices. For example, a rising issue in education is the so called “degree mills”, which promise degrees in a short amount of time with little effort from the students, giving credits for non-academic experience. There is also an increasing number of fake accreditation agencies that guarantee easy assessments and permanent accreditations.

In addition, due to the increasing competition among universities and the growing importance of global rankings, some institutions may exaggerate the success of their graduates to get more subscriptions. This may happen more frequently in for-profit institutions.

## **Developing an overall strategy to fight corruption in the Bolivian higher education sector**

Corruption in higher education is a global issue that affects the quality of research and the reputation of institutions. Bolivia dedicates around 17% of its annual budget to education, a higher percentage than in most other LAC countries<sup>2</sup>. A 2014 study by the Bolivian Institute for Studies on Transparency and the Fight against Corruption [IBEC] found that greater state budget allocations to public universities from 2006 onwards had reduced tensions between them and the state. On the other hand, the increase in resources had increased power struggles between different factions and exacerbated corruption (IBEC 2014).

It is therefore important that Bolivia develops strategies to deter corrupt behaviour in higher

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<sup>2</sup> UNESCO Institute for Statistics, <http://data.uis.unesco.org/index.aspx?queryid=3373>

education. Education, however, is a complex area which encompasses several sectors with very different structures (see section 2). At the same time, constitutional and social reforms are necessary, as well as the political will to ensure that laws are enforced.

Bolivia does not have specific regulations to address corruption in higher education, but there is a broader anti-corruption legal framework, which has been regularly reformed in the last decade. Evo Morales' zero tolerance strategy created a new institutional and legal framework to counter corruption at all levels of society. Since the first decade of 2000s, transparency and anti-corruption reforms have been part of the political agenda, with Lozada's *Secretaria de Lucha contra la Corrupcion* and Carlos Mesa's *Delegacion Presidencial Anticorrupcion*.

In the following years, the Bolivian government worked to build a permanent structure for auditing and oversight, with a number of integrity policies implemented in public administration (UNODC 2010). In 2009, the Bolivian government established a Ministry for Institutional Transparency and the Fight Against Corruption, and the parliament passed the Law on Anti-Corruption, Illicit Earnings and Fortunes Investigation<sup>3</sup>.

Bolivia also established a National Council Against Corruption, Illicit Enrichment and Money-laundering, tasked with monitoring progress of the National Plan against Corruption. The council reports to the president and to civil society on an

annual basis. The verification process for asset declarations has been strengthened and has encouraged the government to address issues of conflict of interest and whistleblower protection (OAS 2012).

However, Law 458 for Whistleblower and Witness Protection does not provide a definition of whistleblower, but defines a 'protected person' as any public official, former public official or particular person that is granted protective measures for having executed a protected activity.

Protected activities established by the law are: i) manifesting the alleged commission of a crime; ii) revealing information or evidence conducive to an investigation; iii) intervening as a witness, expert or technical advisor; or iv) other forms of participation<sup>4</sup>.

The new regulatory processes have not been followed by with resources for implementation or building the capacity of the new structures. Although this is a common situation that occurs with the recent approval of legislation, it should be monitored (UNODC 2018). Thus, it can be a sign of a lack of will by the government to pursue real implementation of legislation, which are only formally implemented without providing key-actors with the necessary resources (Costantino 2018).

The government's anti-corruption efforts are challenged by the fact that their results so far are concentrated in highly publicised court cases (Bertelsmann Foundation 2012), and few advances

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<sup>3</sup> The law criminalises active and passive, domestic and foreign bribery as well as the abuse of public resources for private gain. Individuals and legal entities can be held liable for bribery acts, which can carry civil and criminal liability (Getting the Deal Through 2012).

<sup>4</sup> Bolivian law provides the following protections for whistleblowers: i) protection of identity and personal data; ii) preservation of labour rights;

iii) police protection in connection with personal mobility and domicile; iv) government use of technology to preserve the confidentiality of the whistleblower's identity; v) lodging in safe houses; vi) psychological care; vii) separation from other prisoners; and viii) others, as needed, to guarantee personal safety. See International Bar Association. 2018. Whistleblower Protections: A Guide, p. 24.



have been so far made in access to information and open government (Transparencia Bolivia 2009).

The following section presents two groups of anti-corruption measures. First, general anti-corruption strategies that can be applied to higher education. Second, sector specific anti-corruption control for higher education institutions.

## Application of general anti-corruption measures to the education sector

### System of control and sanctions

The implementation of an efficient system of control and sanctions is a major step in the development of an effective anti-corruption strategy for any institution. Therefore, it is crucial that university management alerts staff about the consequences of corruption, both criminal sanctions from the penal code and administration penalties that can include suspension or termination of a contract. Crucially, such penalties must be accompanied by transparent criteria of application.

Additionally, controls to detect and dissuade fraud and embezzlement could include surprise audits, systematic checks and evaluations, conducted by either private audit firms or the Supreme Audit Institution.

### Whistleblower protection

Whistleblowers are one of the most effective measures to facilitate the reporting of corrupt conduct and the misuse of public funds. According to OECD (2012), organisations that do not have a system of whistleblower protection are affected by higher numbers of corruption cases. Universities should therefore implement a system (e.g. whistleblower hotlines, law support) to report suspicious conduct, but the protection of

whistleblower should be extended beyond the university. Legal support can enact whistleblower legislation and ensure that legislation is enforced. Bolivia recently enacted a law for the protection of whistleblowers.

Universities human resources should be at the forefront of applying a company's anti-corruption and whistleblowing policy. It is important in this sense providing HR with strong regulations to control corruption. These include merit-based HR and recruitment policies, transparent pay packages and internal controls, as well as integrity management systems, including the implementation of codes of ethics, ethics training, and whistle-blowing mechanisms (Chêne 2015).

However, public university employees may not be entitled to legal protection if they report a corruption case in their institutions. It is therefore important to include university staff (and other similar occupations) in legally protected categories to provide them with the same secure instruments for disclosing corruption (Kranacher 2013).

Alongside measures to protect whistleblowers, broader student empowerment in higher education can help curb corruption. Students and university staff alike can play a key role in exercising social accountability in their faculties, notably via initiatives such as the [Student Toolkit on Social Accountability in Medical Schools](#), promoted by the International Federation of Medical Students' Associations.

Complementing citizen-led approaches are civil society initiatives such as Transparency International's network of Advocacy and Legal Advice Centres (ALACs). ALACs provide a channel for citizens, students and staff to disclose evidence of wrongdoing such as corruption in the education sector. This is crucial, given that education is the fifth most affected sector worldwide in which

people report concerns, after the judicial sector, property rights violations and the police (Transparency International 2013).

## Sector-specific controls for higher education

### Ranking and accreditation

Transparency in higher education includes the promotion of accreditation institutions and the participation in international and domestic rankings based on independent and transparent standards. An efficient ranking and accreditation system also provides an empirical basis for future policy formulations, contributing to building capacity against corruption. Bodies to create and enforce the accreditation system are a critical component of any higher education integrity system. These bodies can either take the form of an independent national higher education regulatory agency, or as is the case in Bolivia a specialised department in the education ministry, the General Directorate of University Higher Education [DGESU] (Ministerio de Educación 2019).

The DGESU does not appear to have an anti-corruption mandate, but is responsible for the accreditation of academic institutions and sets out a [series of regulations](#) for the operation of private universities. The DGESU website also offers the opportunity to [lodge complaints](#), publishes [audit findings](#) as well as [management reports](#). A 2014 study nonetheless noted that the state does not carry out impact evaluations of funds allocated to public universities, focusing rather on budget absorption (IBEC 2014). As of 2014, DGESU's remit was restricted to accrediting various faculties of public universities and it was not mandated to conduct performance evaluations. The IBEC (2014) study concluded that this limited oversight and accountability increased the risk of irregular

practices and corrupt behaviour in public universities.

Bolivia would benefit from the creation of a national ranking system of both public and private universities. Some of the most common indicators to measure university performance include the number of publications by department, quality of publications, impact factor of journals where faculty members publish, teaching evaluations and industry impact, e.g. cooperation with companies, contribution to respective industries through knowledge creation and the development of relevant tools. This type of information provides data and information that can be used in discussions regarding improvements. Publicly available information on rankings would be an excellent source of information for policymakers, administrators and, especially, students and parents (Pastra 2013).

### Specific ethical code/code of conduct for higher education

Another crucial measure to prevent corruption in higher education institutions is the establishment of a code of conduct, including high standards of academic integrity (Whitton 2009), to provide guidance on anti-corruption, legal and policy issues, and compliance with national regulations. This code needs to be included in a single document, with clear rules and sanctions in case of violation (see above: system of control and sanctions). In particular, universities should implement rules to mitigate the risks presented by private donations (or services) on their integrity. The acceptance of donations or the engagement in commercial services should be backed by due diligence procedures to avoid funds from illicit sources.

## Promoting academic integrity

Higher education is a system based on competition at any level, ranging from admission processes to career progressions and competition for funding based on ranking systems. For this reason, corruption may take the forms of academic misconduct when it involves a misuse of power by professors and lecturers. The effect of violations of academic integrity can range from undermining the credibility of a single faculty to the overall reputation of the university system. This causes damage to the society as a whole, making it difficult for employers to determine who is qualified for a particular job and who is not.

A number of scholars advocate a “holistic approach” (Bertram Gallant & Drinant 2008; Davis et al. 1995; Sutherland-Smith 2008), which involves the promotion of integrity at each phase of the academic process. In practice, this means that integrity should be at the heart of university mission statements, marketing, assessment practices and curriculum design, in line with the five core elements of academic integrity outlined by Bretag et al. (2014) which include: i) access; ii) approach; iii) responsibility; iv) detail; and v) support.

## Monitoring universities' expenditure

Monitoring expenditure is based on tracing the flow of public resources for the provision of public goods or services from origin to destination (World Bank 2011). Internal audits at universities are important to monitor spending against budgets on a regular basis, providing evidence about the regularity of expenditure (i.e. money spent on suitable items). Any budget variations should be formally requested and investigated if necessary.

A system to monitor expenditure can detect inefficiencies in the transfer of public goods, and is

a key tool for civil society organisations and the government to prevent corruption, ensuring efficient, transparent and accountable financial management. It is also important to establish accessible open data portals that includes the contracts and tenders awarded by the institutions. A recent study of higher education institutions in seven EU countries found that transparency in university tendering and the use of e-procurement is increasingly becoming the norm in Europe (European University Association 2018). Such methods are by no means limited to Europe, the Universidad Nacional Autonoma de Mexico, for instance, publishes all its [tenders online](#) in an accessible format.

## Conclusions

Higher education is sensitive to corruption as it involves consistent amount of resources and high degrees of discretion. Bolivia dedicates around 17% of its budget to education. Furthermore, higher education is a complex process which encompasses different areas, such as administration, academic integrity and politics. Corruption can therefore occur at any stage of the educational process, affecting inputs, processes and outcomes.

The specific areas of corruption risk in higher education are: i) accreditation and quality control; ii) administration; iii) recruitment and admission; iv) academic integrity.

Bribery, embezzlement, misappropriation/fraud, trading in influence, abuse of power/influence, collusion, patronage, nepotism and clientelism, conflicts of interest are the most common types of corruption occurring in the higher education sector.

The following specific measures are proposed to decrease the risk of corruption in the higher education sector: control and sanctions;

whistleblower protection; ranking and accreditation; ethical code/code of conduct; promotion of academic integrity; monitoring of universities' expenditure.

Bolivia has made significant progress in its anti-corruption framework. However, an efficient implementation of new legislation requires time and resources to ensure compliance both at formal and substantial level (i.e. training of university staff, creation of new figures, such as integrity and anti-corruption officers etc.).

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