

English Abstract

The aim of the work is to portray, in a predominantly domestic environment as the Italian one, the evolution of the corruptive phenomenon within the PA; to understand how it acts within the most vulnerable administrative areas, such as public procurement, and to analyze all aspects of corruption, depending on the institutions in which it manifests itself.

Furthermore, the task seeks to understand what answers were actually given over the years by the Italian legislature within the administrative sector.

Therefore, after having given an account of the birth of a new concept of administrative corruption, not connected to the commission of criminal activities, and after having highlighted how the legislator has understood the need to act on prevention rather than acting on repression, the first part of the work will analyze the main reforms with which the system, under the pressure of the indications issued by international organizations, has revolutionized the prevention of corruption within the PA system.

In the second chapter, the main corruptive risks underlying in the public procurement sector will be outlined.

Only at the outcome of this analysis it will be possible to detect all the remedies that the new Code of Public Procurement, Legislative Decree. n. 50/2016, has offered in order to find a solution to the uncontrolled corruption in the public procedures.

In closing, it will be given an account of what kind of preventive systems other countries have implemented in order to counteract the same phenomenon within public procurement. Therefore, the French system will be analyzed in order to understand how the European Directives of 2014 have been acknowledged in the French system, and, for a broader comparison, the US system will be taken as a referent point, in which some differences in the approach to the problem have produced great results in terms of prevention.