PROVISION OF TECHNICAL ASSISTANCE BY G20 ANTI-CORRUPTION WORKING GROUP COUNTRIES

INFORMATION PROVIDED BY ARGENTINA

The 2017-2018 G20 Anti-Corruption Implementation Plan recognizes that, through provision of technical assistance[1], G20 countries can assist other countries in becoming States Party to, and effectively implementing, relevant international instruments such as the United Nations Convention Against Corruption (UNCAC).

1. National anti-corruption programmes/tools that could be shared with other countries:

Strengthening of the Integrity System ⬈

Making available in an open data format the civil servants' declaration of assets, which are hold and controlled by the Anti-corruption Office with the objective of reducing the risk of corruption and illicit enrichment among public officials. In line with the mandates of the Open Data Executive Decree (117/2016), the Ministry of Justice has published on the central portal the declaration of assets of more than 45 thousand civil servants (current and former).

TYPE OF ASSISTANCE[2]:   🏭 Capacity building

🔍 Research/data-gathering and analysis

2. Existing anti-corruption technical assistance programmes

N/A

3. Recent technical assistance provided

N/A

4. Challenges and gaps in providing technical assistance

Although the Anti-Corruption Office (OA) is able to provide training and technical assistance, as it is defined in the United Nations Convention Against Corruption (UNCAC), it is mostly able to do it in national grounds. In the last year, the OA has carried out many training programmes in specific, targetted public entities which deal with corruption risks, mostly on the Asset Disclosure System. These programmes aim at strengthening public institutions and creating a culture of integrity.

On the other hand, Argentina has faced some challenges in regards to international capacity building and technical assistance. Firstly, although the Anti-Corruption Office has the capacity and specialized staff to provide such training, there is a lack of sufficient human resources that has been a concurrent limitation on the provision of technical assistance.

Another limitation on the provision of international technical assistance is the difference beween legal systems, be it Civil (Continental European) or Common Law. In this case, although we may provide assistance using our system as an example, the methodology for implementation of certain policies may vary depending on the other country's legal system.

5. Current anti-corruption priorities

Currently, the Anti-Corruption Office, which works towards the strengthening of ethics and integrity in the national public administration, through the prevention and investigation of corruption, has set out as its main prorities the following initiatives concerning the anti-corruption agenda:

To promote a culture of integrity in the private sector, including within State Owned Enterprises. This is one of the main focus points for Argentina in the G20 Anti-Corruption Working Group (ACWG) Implementation Plan 2017-2018. As part of the Troika and selected for the G20 presidency during the year 2018, Argentina has set out to increase cooperation with international organizations such as the World Bank and the OECD amongst others. The OA is looking to better the dialogue between the public and private sectors as well as ongoing training for the implementation of better monitoring and preventive corruption measures.

To comprehensively and effectively criminalize domestic and foreign bribery and establish the liability of legal persons, which may be criminal, civil or administrative, as quickly as possible. The OA has already presented a Bill to Congress on the Liability of Legal Persons. This is a priority for the Argentine government, specifically for the Anti-Corruption Office, in order to comply with international measures and the OECD Convention on Combatting Bribery of Foreign Public Officials in International Business Transactions.

Argentina has assured its interest in promoting during its G20 presidency transparency in public contracting, including the use of open data across the contracting cycle, consistent with applicable law, and the use of e-procurement. Looking to implemente the Open Data Charter and the Open Contracting Data Standard to promote transparency and accountability and to help reduce corruption.

Also, Argentina aims at working with relevant bodies, conducting analytical work on the opportunities provided by open data, and by improved sharing of data between government

agencies, for tackling corruption. This is done by sharing information across borders, to help ensure that corrupt bidders cannot participate in public procurement tenders.

Finally, another main priority for Argentina is to fully comply and implement international recommendations and resources that have been provided as a means to improve domestic integrity systems. In this case, by adhering to the OECD Recommendation of the Council on Public Integrity, Argentina has demonstrated a strong commitment to the application of such, which looks to set clear and proportionate procedures to help prevent violations of public integrity standards and to manage actual or potential conflicts of interest, to provide easily accessible formal and informal guidance and consultation mechanisms to help public officials apply public integrity standards in their daily work as well as to manage conflict of interest situations, and more.

We will work towards creating the technological conditions for the Asset Disclosure Unit of the OA to interoperate with databases from various sources of information and / or languages. This will contribute to the investigation and detection of corresponding conflicts of interest of public officials.

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1   *Technical assistance should be understood in line with UNCAC provisions, and cover relevant programs aimed at strengthening capacities in the prevention and fight against corruption as well as both public and private sectors' integrity*

2   *For further information on each of these forms of technical assistance please refer to https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReview Group/20-24June2016/V1603598e.pdf*