

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

INFORMATION PROVIDED BY SPAIN

The 2017-2018 G20 Anti-Corruption Implementation Plan recognizes that, through provision of technical assistance¹, 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:


Overhaul and Strengthening of the Spanish legal framework for fighting corruption and promoting transparency

Revision of the legal framework: two laws in the area of monitoring the economic and financial activities of political parties and of high government officials were adopted, sanctions against corruption were strengthened through the reform of the Penal Code, and the Criminal Procedure Act was amended to favour streamlined procedures and the recovery of assets gained through criminal offences.

Setting up of the Asset Recovery and Management Office


In October 2015, the Asset Recovery and Management Office (“Oficina de Recuperación y Gestión de Activos”, ORGA) was set up within the Ministry of Justice. It is responsible for locating, retrieving, storing, and managing effects, property, instrumentalities and proceeds of crime, decide on the award of the use of frozen property as well as on the conservation measures which should be taken, and provide technical advice to judges, courts and prosecution offices.

TYPE OF ASSISTANCE ²:

 Legislative assistance

 Institution-building

 Policymaking

 Others: please specify:

The Spanish Asset Recovery and Management Office (ORGA in its Spanish acronym), set up within the Ministry of Justice, is aiming at improving its coordination with other equivalent bodies existing in other jurisdictions.

2. Existing anti-corruption technical assistance programmes

PIT Honduras, of the EuroJusticia programme Fight against impunity and support to transparency [↗](#) [↗](#)

The EU and the Spanish Cooperation Agency AECID, launched the programme EUROJUSTICIA with the aim to accompany the reform of the justice sector in Honduras, supporting institutional capacity to ensure efficient and effective public service, in a framework of transparency and accountability.

POTENTIAL OUTREACH:

Bilateral

INSTITUTIONAL FRAMEWORK³:

AECID is implementing PIT through a delegated cooperation mechanism with funds from the European Union. AECID
Total Budget delegated by the EU: 8.388.840 €
Budget co-financed by AECID funds: 500.000€
Dates: from February 2014; until November 2018

Integrity Pact for national institutions and companies involved in the "Improvement of the network of aqueducts and sewerage systems in the metropolitan area of San Salvador" program of AECID [↗](#)

The Integrity Pact is a transparency tool sponsored by the NGO Transparency International in the 90s to fight against corruption in public tenders. It includes an agreement between public institutions and companies that compete in national tenders.

In this case, the pact is signed by El Salvador's National Administration of Aqueducts and Sewers (ANDA), Foundation for the Study and Application of the Law-FESPAD (as external social overseer) and the bidders. All parties agree to act in strict accordance with the law and values contained in the Ethics in Government Act and Ethical Guidelines in the Construction Industry for the successful completion of the tender process and the execution of the works in Santa Tecla, Mejicanos, Soyapango and San Salvador (El Salvador).

The document also specifies that ANDA will disclose all information related to this tender and subsequent execution of the work to FESPAD, so the process can be monitored by the civil society organization that will publish periodical reports and make them publicly available.

POTENTIAL OUTREACH:

Bilateral

CONTACT INFORMATION:

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INSTITUTIONAL FRAMEWORK³: The pact is part of the program “Improvement of the network of aqueducts and sewerage systems in the metropolitan area of San Salvador” that aims to benefit 31000 people by improving service delivery and it has a \$ 4 million budget from the Cooperation Fund for Water and Sanitation of the Spanish Agency for International Cooperation (AECID). The Project involves the Water Governance Facility and (ANDA), supported by the AECID and the Business and Integrity experts in the water sector, CEWAS, as collaborators. This agreement aims to support ANDA in promoting and institutionalizing integrity into their organization’s culture, by conducting a series of workshops and activities in order to improve the management of the institution through integrity aspects.

The Integrity Pact was signed by ANDA, the UNDP Water Governance Facility, the Foundation for the Study and Application of the Law (FESPAD) as the social overseer, and the bidders. At the signing of the pact the Vice President of the Republic, Oscar Ortiz, was present as well as representatives of the Secretariat for Citizen Participation, Transparency and Anti-Corruption and AECID, as witnesses of honor.

The amount used is of 27.500 \$.

Training to the Mozambican Tax Authority in Tax forecast and Fiscal Gaps estimation (including fraud and laundering)

The Tax Authority requested support in 2014 to improve its tax forecast system, as well as the capacity to analyze data and estimate fiscal gaps. Six technical missions were provided between 2015 and 2016, reaching around 20 technical staff, mainly statisticians and economists working at the Tax Analysis and Forecast Unit. Estimation of fraud, evasion and money laundering was included as part of the Fiscal Gaps training. This series of training is expected to continue in next years.

POTENTIAL OUTREACH:

Bilateral

CONTACT INFORMATION:

Spanish Cooperation Office in Mozambique.
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Cristina Gutiérrez – Head of Cooperation
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INSTITUTIONAL FRAMEWORK³:

This training program is integrated in the Governance component of the Spanish Cooperation strategy for Mozambique, which includes 2 other sectors (Health and Rural development). We define governance mainly as Public Finance Management, through support to the Tax Authority, the Ministry of Finance (General Budget Support), and the Provincial Government of Cabo Delgado province

Institutional strengthening of the Regional Government of Cabo Delgado (Mozambique)

This long-lasting programme has been supporting the Government of the northern province of Cabo Delgado in crucial areas of Public investment and Public Financial Management, many of which contribute to the fight against corruption (Rolling-out of the Financial Administration system – SISTAFE-, internal controls, internal auditing, training, support to the regional office of the Tax Authority to avoid evasion, fraud and money laundering)

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3. Recent technical assistance provided

Egypt

Promotion of integrity, transparency and fight against corruption for Egyptian youth (40.000€). This project was executed by One World Foundation (OWF) through a grant conceded by AECID (Spanish International Cooperation Agency).

OWF has carried out several courses and debates and has created a national anticorruption network for the youth to include young people in the fight against corruption.

Jordan

Institutional strengthening of Security Forces, Ministry of Justice, Central Bank and Anti-Corruption Bodies (150.000€). This project of technical assistance was executed directly by AECID and the DG Public Security of Jordan, through courses and workshops in Madrid, Amman and Aqaba.

The courses have focused mainly on topics such as fraud, economic delinquency and customs management.

Morocco

Assistance in the modernization of the civil service (100.000€). The technical assistance between AECID and the Moroccan Ministry of Civil Service is carried out through workshops and missions in Madrid in Rabat, in which one of the main topics has been the Spanish experience fighting corruption and lessons learned that could be of use in Morocco.

The project also encompasses the reform of the statute of the civil servant, the development of digital administration and the enhancement of public policy in Morocco, all of them articulated through technical assistance.

Panama

Technical Assistance provided for the assessment of how the implementation is being conducted of the Judiciary on the Special Jurisdiction on Integrity and Transparency of Judicial bodies. During the month of April this year, a Spanish magistrate was present in Panama, so as to provide this technical assistance in the Assessment and Conception of the Implementation Plan on a Specific Jurisdiction for Integrity and Transparency of Judicial Bodies in the Republic of Panama (15 days, 8 of which were of actual presence in Panama. The President of the Supreme Court of Panama has insisted on his interest that this Spanish magistrate will visit again Panama in the near future, to provide this technical assistance).

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4. Challenges and gaps in providing technical assistance

N/A

5. Current anti-corruption priorities

- Registration of Lobbies by specific Registries for transparency purposes
- Whistleblower protection
- Prevention of corruption
- International cooperation
- Asset recovery
- Public procurement

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/ImplementationReviewGroup/20-24June2016/V1603598e.pdf>*

3 *Institutional framework under which the program is undertaken (e.g, agency responsible for implementing the program, other agencies involved, legal framework, etc).*

