

## Executive summary

Mexico’s newly established National Anti-corruption System (NACS), signed into law on 18 July 2016, has the potential to become a game-changer in the country’s fight against corruption. The package of laws creating the System - eight in total - mark a turning point in Mexico’s approach to anti-corruption policies, and aim to overcome some key shortcomings of the past by: 1) addressing fragmentation in policies and developing a more comprehensive and coherent approach to integrity; 2) avoiding notorious “implementation gaps” by improving co-ordination both across and between levels of government, and particularly by bringing states under the remit of the system; 3) strengthening enforcement mechanisms for investigating and sanctioning integrity breaches by public officials and firms under both administrative and criminal jurisdictions; and 4) reinforcing oversight through greater transparency, expanded auditing powers and greater involvement of civil society.

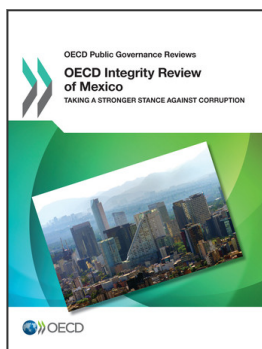
This review provides an overview of the initiatives planned under this ambitious reform agenda. At the federal level, these include a new governance structure for anti-corruption policy consisting of a NACS Co-ordination Committee, a Citizen Participation Committee, and ethics committees in individual line ministries. Codes of conduct for public officials, as well as the federal manual for internal control and risk management standards, are being revamped across the federal government. An online digital platform comprised of key databases (sanctions, procurement, etc.) will be developed to support better detection and oversight. On a national scale, Mexico’s 32 States will be required to follow suit with their own Local Anti-corruption Systems (LACS) and respective committees. More stringent asset and interest declarations will be required of all officials, and both government employees and firms involved in public sector activities (such as public procurement contracts) will be subject to a new disciplinary regime for integrity violations. Specialised Anti-corruption Prosecutors will be enlisted across the country to prosecute acts of corruption that constitute potential breaches of the criminal code.

In accordance with the OECD’s Recommendations on Integrity, Conflict of Interest and Procurement, the review examined key aspects of Mexico’s integrity system, including the institutional arrangements underpinning the system, policies for instilling integrity values, prevention and management of conflict of interest, internal control, audit and enforcement mechanisms, and integrity and transparency of public procurement. The review found Mexico’s new laws to be essential, given the unfortunately major role that corruption plays in hindering Mexico’s growth, productivity and inclusiveness. However, it also identified some weaknesses and areas for improvement that need to be addressed if current plans are to result in real impact for the economy and society. In total, over 60 concrete proposals for action are included in the review, under four central themes:

- **Strengthening institutional arrangements for coherence and co-operation.** While the governance structure of the NACS, including the LACS, could substantially improve co-ordination across federal government and between levels of government, there is a risk that it will be an exclusively top-down approach,

and therefore fail to attain greater buy-in and genuine ownership from individual organisations and officials. Requiring organisational anti-corruption plans could help address this issue, as would ensuring the integration of integrity considerations into other national strategies, such as the National Development Plan. There is still a great deal of scope to further mainstream integrity and human resources management policies, specifically recruitment, performance evaluation, training and post-employment policies should all be used to promote integrity and better manage conflict of interest.

- **Building a culture of integrity.** New laws and stricter standards are a way of promoting integrity, but experiences from other OECD member countries have shown them to be insufficient for cultivating sustained adherence to integrity values on their own. Greater consultation with staff, more broadly including civil society and public servants in the design of codes of conduct, launching more ambitious awareness-raising initiatives, targeting youth in schools to entrench integrity values early on, and establishing stronger protections for those who report wrong-doing would ensure that standards are kept relevant, up-to-date and, most importantly, respected.
- **Strengthening the lines of defence against corruption.** Managers, internal controllers and auditors are on the front line in the fight against corruption. While the new reforms update and strengthen risk management and internal control policies, they should be buttressed by stronger professionalisation and capacity building to foster genuine commitment and ensure that they are not seen as simply an administrative burden. Greater professionalisation would make internal control staff more independent and effective through greater job security and stronger skills in auditing and investigation. Likewise, managers would be more inclined to identify and manage risks of fraud and corruption if the right incentives were in place.
- **Enforcing the integrity framework for deterrence and greater trust in government.** The new anti-corruption reforms may lose their credibility if corrupt officials and firms are permitted to continue “business as usual” with impunity. The new administrative disciplinary regime streamlines proceedings for serious offences, placing them directly under the jurisdiction of administrative justice tribunals. However, the effectiveness of this approach depends on cases arriving at tribunals in the first place, and on internal control bodies and managers having the capacity to adequately detect and conduct preliminary investigations. Facilitating investigators’ access to the necessary tax and financial information, as well as producing better performance information on the classification of cases and performance of the disciplinary regime, would help bring cases to fruition and hold organisations accountable for effectively applying sanctions.



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