

Executive summary

Corruption in the public administration and the capture of political decisions are risks to the economic and political stability of any country. Recognising this, the government of Argentina has been introducing reforms demonstrating its commitment to fight corruption. The law on liability of legal persons, the access to information law or the law of the repentant are examples of such progress, and cases of corruption are increasingly detected and investigated. Nonetheless, by investing more in addressing underlying structural weaknesses, Argentina could promote a culture of integrity that creates resilience to corruption and ensures sustainable and inclusive development.

Key findings and recommendations

The Anti-corruption Office (OA) plays a key role in Argentina's integrity system and has initiated many reforms. To achieve its potential in driving systemic change, the OA needs to be more visible as a policy maker and advisor. Greater financial and administrative autonomy and clearer criteria for selecting and removing its leader could further strengthen the OA. Along with the OA, other entities are crucial for a systemic response to corruption. The creation of co-ordination roundtables and the Secretariat for Institutional Strengthening in the Executive Office of the Cabinet of Ministers are positive steps towards greater involvement of all the relevant entities. A Commission for Integrity and Transparency in the executive could further promote coherent, mutually reinforcing policies, while a National Integrity Strategy could set the strategic goals of the integrity system and the basis for monitoring and evaluation. Dedicated integrity units could translate laws into practice at organisational level, provide guidance and share experiences across the administration.

Obstacles to an integrity system can be found across branches and levels of government. The Public Ethics Law is not consistently applied outside the executive. Argentina should implement the law in all branches of government, and could consider a policy dialogue among the branches to share lessons. At the subnational level, the majority of provinces do not have a similar ethics law. A Federal Council for Integrity could provide the space for a dialogue, within constitutional mandates, between levels of government and promote the development of integrity systems in the provinces adapted to subnational realities.

Currently, the national public ethics framework is fragmented and a compliance-oriented, legalistic approach to ethics undermines the effective promotion of values in the public service. Merit-based recruitment would be a significant step towards achieving a culture of integrity. Others include harmonizing ethics regulations, clarifying the process for managing conflict of interest, and streamlining and updating the Code of Ethics. The financial and interest disclosure system is robust, but the OA could improve it by requesting additional information on sources of conflict of interest. A broader and more detailed disclosure of information according to the hierarchical level of the public servant and providing an improved online search function could facilitate oversight by citizens.

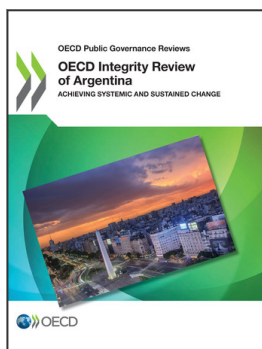
A solid internal control and risk management framework is the cornerstone of an organisation's defence against corruption. Argentina's internal control and risk management framework is generally in line with international standards, but could be better integrated into the day-to-day management of public entities. In particular, the Office of the Comptroller General (SIGEN) could reinforce the risk management framework by explicitly incorporating integrity risks. A clear separation of risk management from the audit function would enable managers to take ownership of the risks affecting their objectives and to identify these risks without fear. Control committees in all government entities can promote internal control. Finally, the National Auditor General could be strengthened by increasing its power to select its own external audits topics, outlining its independence and mandate in a specific organic law, and reinforcing the follow-up and monitoring of audit recommendations.

Weaknesses in the disciplinary regime contribute to impunity and undermine state legitimacy and the rule of law. To strengthen accountability, the disciplinary regime could be applied to all categories of public officials such as non-permanent staff and advisors, who represent about one-third of the workforce. Entities involved in the disciplinary proceedings should better co-ordinate and exchange information to improve case management. Also, Argentina could benefit from relevant data on the disciplinary system to track its performance and to identify risks.

When public policy decisions favour a specific interest over the public interest, inequalities are exacerbated and democracy, economic performance and trust in government, undermined. Argentina's policy-making processes are vulnerable to such policy capture. Powerful groups or individuals may not only obtain public contracts or subsidies; they can also impede effective reforms to maintain their benefits or advantages. Argentina has a regulation on lobbying, but it only applies to the executive. Furthermore, its officials only have to disclose meetings with lobbyists, leaving room for influence through other activities. Argentina should extend the lobbying regulation to the legislative, ensuring consensus by engaging relevant stakeholders. Coupled with effective implementation of the access to information law, this regulation could contribute to more balanced policies.

Weaknesses in political finance and election processes can also lead to capture. Anonymous campaign contributions are banned, but donations in cash – which represent 90 % of all donations in Argentina – make it impossible to identify the donors, and can become a channel for undue influence. The existing controls and sanctions of political finance regulations are insufficient to deter political parties from non-compliance, and gaps between national and provincial regulations provide opportunities for abuse. Argentina therefore could prohibit donations in cash and ensure compliance through effective monitoring and enforcement. Agreements between the national level and the provinces could encourage reforms at the provincial level to ensure coherence among regulations. Clientelism and vote buying could be addressed by implementing the “Australian ballot” system, prohibiting vote buying and by introducing more effective sanctions.

Finally, Argentina should promote a culture of integrity in the whole of society. The OA could raise awareness amongst citizens about integrity and their shared responsibility for nurturing society's integrity values. The OA could also provide incentives and guidance to the private sector to strengthen integrity within companies. In addition, education programmes for children and young people could be integrated into the existing civics curriculum.



From:
OECD Integrity Review of Argentina
Achieving Systemic and Sustained Change

Access the complete publication at:

<https://doi.org/10.1787/g2g98ec3-en>

Please cite this chapter as:

OECD (2019), "Executive summary", in *OECD Integrity Review of Argentina: Achieving Systemic and Sustained Change*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/dbdb1d34-en>

This work is published under the responsibility of the Secretary-General of the OECD. The opinions expressed and arguments employed herein do not necessarily reflect the official views of OECD member countries.

This document and any map included herein are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

You can copy, download or print OECD content for your own use, and you can include excerpts from OECD publications, databases and multimedia products in your own documents, presentations, blogs, websites and teaching materials, provided that suitable acknowledgment of OECD as source and copyright owner is given. All requests for public or commercial use and translation rights should be submitted to rights@oecd.org. Requests for permission to photocopy portions of this material for public or commercial use shall be addressed directly to the Copyright Clearance Center (CCC) at info@copyright.com or the Centre français d'exploitation du droit de copie (CFC) at contact@cfcopies.com.