

# Participation of society against corruption in Argentina



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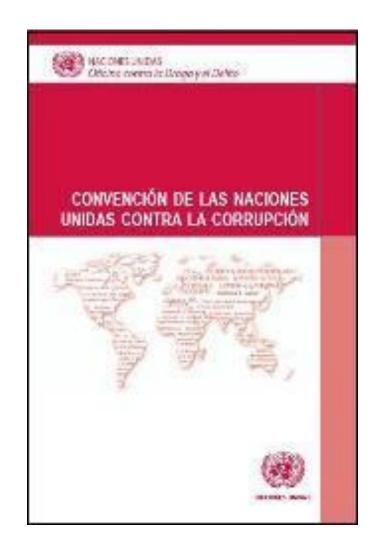
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# GOPAC GTF on Open Parliament and Participation of Society

- Active members:
- Mr. Mardani Ali Sera (Indonesia);
- Mr. António Augusto Eduardo Namburete (Mozambique);
- Mr. Mikaele Leawere (Fiji).
- Mr. Rodrigo Herrera Bravo (Argentina);





The Argentine Republic signed the **UNCAC** on December 10th 2003, and finished the ratification and deposit process on August 26th 2006.

# Some constitutional previsions about participation of society

- ► Federal, representative republic (art. 1 + art. 22)
- Popular Iniciative (art. 39). Some restrictions apply
- Popular consultation (art. 40)

LOGOS ESTRATÉGICOS

- Participation of Consumers Associations on the Board of Regulatory Agencies of public services (art. 42)
- Associations to be considered among legitimate actors on Amparo action for rights of collective incidence and also on Habeas Data action (art. 43)
- Popular participation in criminal justice through jury trial (art.118)

## Some constitutional previsions about corruption

- Art. 36: Likewise, whoever incurs in a serious intentional crime against the State that entails enrichment, will be disqualified for the time that the laws determine to hold public positions or jobs. Congress will enact a law on public ethics for the exercise of the function.
- Art. 38: Political parties are fundamental institutions of the democratic system. Its creation and the exercise of its activities are free within the respect of this Constitution, which guarantees its democratic organization and operation, the representation of minorities, the competence to nominate candidates for elective public office, access to public information and the dissemination of their ideas. The State contributes to the economic support of its activities and the training of its leaders. Political parties must publicize the origin and destination of their funds and patrimony.



#### Open Parliament procedures

- ➤ 2016: House of Representatives create the Modernisation, Transparency, Innovation & Democratic Enforcement Program, and the Open Parliament Network as a link with NGO specialized on parliament monitoring.
- ▶ 2018: First House of Representatives Platform on Open Data
- ▶ 2019-2021: First Platform of Open Draft of Law
- ▶ 2021-2022: Program on Open Parliament begins

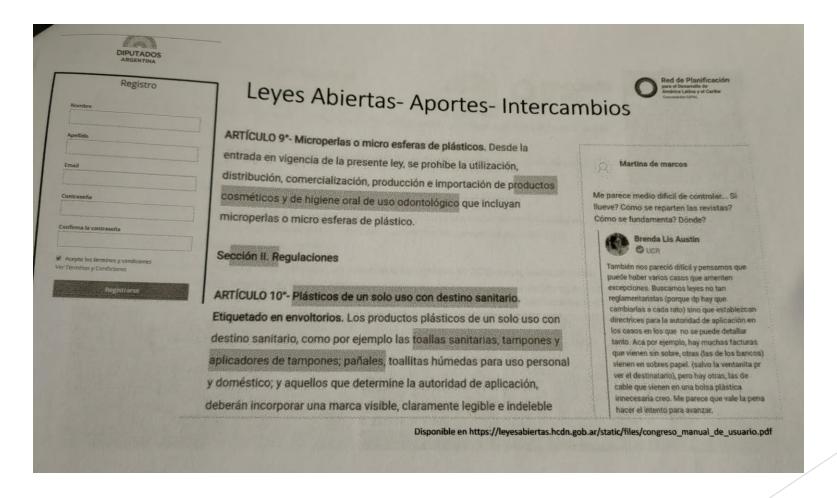


#### Open Drafts of Law

- Draft of law's collaborative writing process
- Representatives allow citizens or NGO to participate with documents, opinions or suggestions at first step of writing through a Citizen's Intervention Platform: <a href="https://leyesabiertas.hcdn.gob.ar">https://leyesabiertas.hcdn.gob.ar</a>
- ► The platform can be used to make surveys, field research, mapping and other services both for citizens or NGOs as for MP
- Press conferences and draft presentations via zoom or meet all over the country can be organized through the platform



#### Participation of Society on Draft of Law





### An Administration more committed with transparency

- ► Electronic file, on line prosecution
- ► Implementation of digital signature with legal force
- Intensive use of TICs to engage people with the fight against corruption
- More frecuent internal and external audits



#### Participation of Society against Corruption in Argentina: what to expect

Implementation progress and practices on:

- 1. engaging the public to report: the role of media and Courts
- 2. prevent and fight corruption: the role of basic and higher education
- 3. participation of society: hearings, co-writing, support
- 4. protection of reporting persons: the judiciary system

