

Side Event – Asset Disclosure Statement – Argentina
November 8th

First of all, on behalf of Anticorruption Office, I would like to thank the opportunity to be part of this panel that allows me to tell you the Argentina's experience in Assets Disclosure Statements.

Argentina has a long history regarding assets disclosure statements, we started in 1953 and since then it has been different systems:

- At the very beginning, the asset disclosure statements were secret and submitted on paper

- In the middle nineties, an electronically submitted system was developed, and every person who would consult them, have to prove identity

- Nowadays, we continue with an electronically submitted system and the assets disclosure statements of the Executive and Legislative branches are public on the internet and, in the case of Executive branch, are also available in open format.

The Anticorruption Office was created in 1999 and is responsible for the verification of the assets disclosure statement at the Executive Branch.

Argentina has an Ethic in Public Function Legislation which regulate principles of civil servants behavior and conflict of interest cases. According to this law, some public officials must submit an asset disclosure statement which includes details of the official's financial position, including all the incomes, assets and debts.

The law is very clear and applies to the Executive, Legislative, Judicially Branches and Prosecutors. However, only the Executive Branch has appointed an authority, the Anticorruption Office, that not only receive and preserve the asset disclosure like in the other branches, but also analyses them in order to prevent and detect conflicts of interest and potential illicit enrichment. This tool helps to achieve greater transparency in governance.

The Anticorruption Office is developing a new system to submit the asset disclosure and working in a draft bill to enforce other branches to comply with the law.

Who are obliged to declare?

In Argentina the law establishes that public officials should present asset disclosure statement if they are in a higher level position such as President, Vicepresident, chief of Cabinet of Ministries, Secretaries, Judges, legislators, among others or when the public official has to manage public funds, or controlling or oversee public incomes.

At executive Branch, more than 45000 public officials must submit the asset disclosure every year.

In January 2016, President Macri signed a Decree referring that all public information should be published in an open data format. In order to achieve this, the Modernization Ministry developed an Open Data National Plan. Anyone can download, process, and contrast the data, even develop applications for citizen control.

All the data available in open format can be found at www.datos.gob.ar. Among other datasets, the Anticorruption Office publishes all the asset disclosure information of the corresponding years 2012-2016.

The Anticorruption Office has used all the datasets, including those ones of the General Inspector of Justice (IGJ) referred to companies ownership, to detect red flags on potential conflicts of interest and inconsistencies.

Let me just tell you some examples of what we detected using open data information:

-As we know, the asset disclosure has a different objective to the tax declarations. In Argentina, since 2013 the asset declarations are linked to the information presented to the tax agency.

The objectives of these declarations differ from their very conception; one establishes a taxable base and the other one tries to know what kind of goods

and interest belonging to the public officials (the property of the public servants).

Using this information, the Anticorruption Office detected a very high percentage of public officials who submitted their declaration taking into account the limit imposed by the Tax Authority. The Tax limit was 305.000 pesos. And we could detect that about 20% of public officials declared their goods for lower value and also a high number of those ended its declaration at one or ten pesos less than the tax limit. In those cases, we believe that a tax criteria was used and the statement did not reflect its real picture.

-We also detected a high number of public officials with zero pesos of consume.

-we were able to measure the increase income percentage per year per public servant, massively

Nowadays we are developing some form of automatic exploitation of the different datasets, including interlinking all available databases, to achieve this, Argentina is committed to increase all the public information in an open format, this will allow not only to civil society and the media to access and exploit the information, but also will improve state agencies work.