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**PERSISTENCE OF CORRUPTION IN ARGENTINA: FACTORS  
CONTRIBUTING TO THE INABILITY OF THE GOVERNMENT  
TO OVERCOME CORRUPTION**

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## **ABSTRACT**

Argentina has experienced for many years high levels of corruption in the public sector, despite the efforts to curb corruption, the country has failed in producing meaningful improvements. This study aims to determine the contributing factors to the persistence of corruption in the last decades. By the examination, these factors will help to assess what causes the efforts implemented to fail, and what factors in the country requires consideration to tackle corruption more efficiently. The Corruption Perception Index illustrates the changes in corruption levels in Argentina to give an overview of the changes that occurred over the years.

Many scholars have studied this phenomenon, offering different perspectives about the topic and what can be done to reduce corruption. These contributions will be used to determine the factors that cause a country to fail and apply these theories to analyze the situation of Argentina. There is a lack of political will, an inefficient Judicial System, difficulties to strengthen transparency, and an ineffective Anticorruption Office.

Argentina appears to have structural issues undermining the efficiency of anti-corruption measures, and many organs? are prone to corruption. Despite the intentions to improve, some decisions taken by the government have shown a lack of commitment to controlling and preventing corruption.

Keywords: corruption, anticorruption, persistence, Argentina

## INTRODUCTION

Argentina has been struggling with corruption for several decades. The Corruption Perception Index elaborated by Transparency International indicates that throughout the last decades, Argentina has ranked highly in corruption that is perceived among public officials and politicians. This issue was accentuated with the created by the "Cuadernos de la Corrupción" (The notebooks of corruption). Oscar Centeno, the author, kept the records of the trips that were made while he was serving as the driver of Roberto Baratta, former undersecretary of Coordination and Management control. The notebooks revealed the trips that were made to transport suitcases filled with cash originating from the construction companies and were destined to public officials. This confirmed that corruption had been persistent for many years and that many cases had gone unnoticed. Until now the country has launched several efforts to curb corruption without much success.

The study aims to define the contributing factors affecting the efforts of Argentina to curb corruption. The main problem of why Argentina has been unable to curb corruption despite the efforts will be address based on three questions. What have been the efforts of the government to control and prevent corruption? Why have they shown little success? What factors represent constraints to anticorruption efforts?

In the first chapter, the definition of corruption will be based on what is commonly considered as a corrupted act by international organisms such as Transparency International and the World Bank. Given the various forms that corruption takes, this will put into perspective what is commonly identified as a corrupted act among politicians and public officials. The literature review in this chapter gives an overview of what different scholars say about anti-corruption measures and what are the aspects that are considered to be essential to curbing corruption. Some of the scholars (Quah 2015; Brinkerhoff 2000) argue that Political Will is vital to the success of anti-corruption policies, followed by Vogl (2016), who argues that political commitment combined with citizen participation contributes to the fight against corruption. Some of the principles of democracy and

the practice of "Good Governance" are beneficial as a solid base to prevent and fight corruption. In this chapter, Denmark and Finland serve as an example of countries that succeeded in maintaining low levels of corruption; these examples will illustrate which factors of good governance have mostly contributed to preventing and controlling corruption. Additionally, the existence of an Anticorruption Agency becomes essential as an organ of control and to support the fight against the phenomenon.

The literature review reveals that due to the complexity of the phenomenon, a particular policy that worked in one country will not necessarily be successful in another. As defined by De Graaf (2007), it will be necessary to consider the circumstances in which corrupted acts appear in order to identify the predisposing factors further. That is to say, that to generate effective anti-corruption policies, it is necessary to take into account the predisposing factors that allow corruption to happen.

The second chapter then proceeds to give an overview of the corruption in Argentina. Indicators of corruption, such as the Corruption Perception Index (CPI), Sanctions for Official Misconduct, are used to establish a baseline about the corruption that exists in the country. The CPI will illustrate the persistence of corruption throughout the years. Here it can be shown how the perception of corruption has remained among similar levels of perceived corruption from 1996 until 2018, and it can also be noted that Argentina has remained under the medium score until 2018. The book of Alconada (2018), "La Raíz de todos los males" (The root of all ills) served in this chapter as one of the major sources at the beginning of the study. The book addresses many of the issues around corruption. It also refers to many corruption cases that have been remarkable for the country, followed by the resolution of these cases showing how they were prosecuted. These examples serve to understand better what types of channels were used in different corruption cases to understand better how and in which areas corruption occurs in Argentina. Alconada considers impunity as critical motivating public officials to corrupt. Likewise, citizens acknowledge impunity as the main reasons for corruption to happen. This chapter further examines the underlying reasons what is causing impunity and will look at the Judicial system and how it operates, giving more understanding of why impunity occurs. Alconada point to a system that is built to corrupt, which suggests the institutional deficiencies, which lead to address the quality of the government based on the principles of transparency, accountability, and practices of good governance.

The third chapter analyses the efforts of the government to tackle corruption based on the principles and recommendations of the first chapter. Three significant initiatives aimed to address issues of corruption and could have meant progress in terms of corruption. However, several issues are affecting the reduction of corruption since the measures were implemented. The first measure is the Law on Ethics in the Public Administration was one of the first attempts to tackle corruption after corruption awareness was increasing internationally. The Law was used as a preventive instrument to restrict the chances of conflict of interests and maintain impartiality among public officials. The analysis considers the factors that led these efforts to produce little results in tackling corruption and can explain the little progress in fighting corruption contributing to the persistence of corruption, which underlines the importance of a political will. The Anti-corruption Office in Argentina has also encountered some setbacks in terms of its capabilities to operate. The progress of the OA will be examined based on the capabilities given by the government. The third remarkable effort was the Law on Access to Public Information Act aims to promote citizens' participation and transparency. Considering that the level of transparency can be measured based on how open a government is, the study will demonstrate these levels based on the Open government indicator, allowing to observe the progress in Argentina in recent years, although under certain limitations. This chapter then determines based on the previous data, what are the contributing factors to the persistence of corruption in Argentina; the lack of political will regarding anti-corruption policies, the inefficiency of the Anticorruption Office, issues to strengthen transparency, and slow Judicial procedures.

The findings of this study have to be seen in the light of some limitations. For instance, the analysis did not consider the possible impact of the economic instability of the country in the decision making of anti-corruption measures and reforms. It could possibly affect the outcome and how important the fight against corruption was regarded as a driver for the development of the country while making these decisions. It could possibly explain why in the past, Argentinians have re-elected corrupted presidents such as Christina Kirchner and Carlos Menem. This could also mean that corrupted presidents are chosen based on what they promise to overcome the economic struggles, and not so much as what they could guarantee in terms of corruption.

## **1. FIGHTING CORRUPTION**

Corruption is a phenomenon that has been studied for decades. This phenomenon in itself is nothing new, and the process to tackle corruption has been regarded as complicated due to the various forms it can take, making it difficult to recognize an act as corrupted.

Corruption has been witnessed since early history, and it has been recognized by then as a criminal act. Corruption affects many areas of life and results in harmful to the proper functioning of the government, undermining democracy, and economic development. The word corruption comes originally from the Latin word “*corrumpere*,” which means to corrupt, to bribe, or to debase. It takes many different forms, and it occurs in many spheres of public life. The literature reaches no consensus in a particular definition of corruption (Jain,2001; Langseth, 2006), although corruption can be defined through its various forms. For instance, during the UN convention against corruption in 2002, corruption was listed based on particular types of corruption (Langseth, 2006, 7-45). TI defines corruption as “The abuse of entrusted power for private gain. It can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs”. The organization offers perhaps one of the broader definitions for the various forms of corruption that exist in their online webpage.

The abuse of entrusted power for private gain can be more widely defined as “Public office is abused for private gain when an official accepts, solicits, or exhorts a bribe. It is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public office can also be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets, or the diversion of state revenues”. (The World Bank,1997). Jain (2001) asserts that the way corruption is defined is limited to what gets modeled and measured, but a common point of agreement is understanding corruption as the use of the power of public office for personal gain (Jain, 2001).

Corruption is commonly understood to be harmful politically, socially, and economically. It disrupts economic growth and development, generates distrust in the public administration,



legitimacy, and transparency, also obstructs the making of fair and effective laws. High levels of corruption lead to poor governance and have a negative impact on investment and growth (Ackerman, 1999). Apart from the negative impacts on economic growth level (Manzetti & Wilson, 2008; Popova & Podolyakina, 2014), corruption creates a clash of interests of private individuals, businesses, and the authority structure (Popova & Podolyakina, 2014). Patricia Moreira, the Managing Director of the TI, says that “Corruption chips away at democracy to produce a vicious cycle, where corruption undermines democratic institutions and, in turn, weak institutions are less able to control corruption” (Moreira, 2019).

Despite the negative implications of corrupted acts, there are some scholars that argue about the positive effects that corruption may have, particularly in the way it can speed up or help to dismiss bureaucratic procedures. They believe that corruption could be desirable, depending on how and for what it is used. For instance, Mo (2001), says that corruption works like piece-rate pay for bureaucrats and as a lubricant that smoothens operations, thus, raises the efficiency of the economy. Leff (1964) also supports the idea that graft can motivate to mobilize the bureaucracy for more vigorous action and press for efficiency. Surely these arguments do have logical foundations, although when thinking from a moral standpoint, any action coming from a public official that implies additional gain in a position that they been trusted to do can be regarded as immoral and unethical.

### **1.1. Measures against corruption**

Eliminating corruption to a zero level would rather be difficult if not an impossible task, no country shows zero levels of corruption. It can be controlled but not eliminated (Brock, 2017; Klitgaard, 1988). None of the countries ranking highly in transparency or those that managed to reduce their CPI successfully are exempt from at least light levels of corruption.

Many authors (Mo, 2001; Rose- Ackermann, 1999; Rose& Peiffer, 2018) assert that corruption often prevails in countries with institutional inefficiencies, bureaucratic red tape, weak legislative, and judicial system. "As corruption, government regulations, bureaucratic red tape, and even the strength of legislative and judicial branch tend to reinforce each other, multicollinearity prevents us from disentangling their special effects empirically. However, they may be just the manifestation of a single phenomenon so that their separation is impossible." (Mo 2001, 76-77).

In other words, the correlation between multiple factors may imply limitations to evaluate the individual effect of each factor. A weak institution entails a higher risk of the prevalence of corruption.

When seeking factors that permit the persistence of corruption, we may ask how and why it occurred. However, it is necessary to be more precise. De Graaf (2007) says, answering why corruption occurs is not straight forward, and is interpreted in many different ways. We can apply this principle to explain Argentina's persistence of corruption. Following the recommendations of not using a one-size fit- approach is necessary then to analyze under what circumstances the corrupted acts have occurred and what were the triggers conducting the acts of corruption. As De Graaf expresses," the identified causes are not the triggering causes in a particular situation, but most often the predisposing causes" (De Graaf 2007, 62-63). Therefore, it seems necessary to assess the actions that induce corruption and what triggers these actions. Hence, reduction in corruption opportunities can be supported by eliminating the predispositions.

In an attempt to reduce corruption, each case of corruption requires individual treatment. Many agree (Rose-Ackermann, 1999; Klitgaard, Vogl, 2012; Rose & Peiffer, 2018) that one size fits all approach is not enough to design policies for each corruption case. Vogl (2012) says that" No model of a national Integrity system for one country that can just be exported and succeed in another country." Nevertheless, derived middle-level generalizations regarding policies against corruption can serve more as hypotheses than findings (Klitgaard,1988). Due to the variety of the forms, it takes, an attempt to curb corruption requires the analysis of each corruption case separately. Notwithstanding, some factors can contribute to limit the chances of corrupted acts. It could be suggested that not only a government needs sufficient resources and competencies. The public officials and politicians have to be committed in creating policies that can significantly drive down corruption. However, the participation of citizens is also important apart from an Anticorruption body that can control and create preventive measures that foster the eradication of the phenomenon.

## **1.2. Aspects of governance in terms of corruption**

The government plays a primary role in tackling corruption. More often, those governments that put into practice and have respect for fundamental democratic principles and good governance tend to be less prone to corruption. Not to say that democracy directly could serve as the remedy to corruption, however principles of transparency and accountability, when practiced accordingly, serve as an essential contributor to improve the quality of governance. Modifying governance factors that decrease the potential of corrupted acts can help to prevent and decrease the opportunities. "Democracy gives citizens a role in choosing their political leaders. Thus corrupt elected officials can be voted out of office". (Ackerman 1997, 40)

An effective democratic government relies on public participation, accountability, and transparency. The absence of perceived integrity undermines the trust in democratic institutions, better integrity, or the implementation of strategies for controlling corruption is essential to ensure accountability (UNDP, 1997). Thus have a government that is capable of acting transparently and being accountable to the public gains more credibility and can promote the rejection of corrupted acts and sustains informal standards. Brinkerhoff (2000) says that the trends towards democratization have opened the doors to citizens for a more active say in terms of governance, the abuse of public trust is no longer tolerated and with increase on the flows of information and a more free press have increased the awareness and knowledge of the people to identify good governance. Citizens expect accountability and transparency. Manzetti (2014) also agrees that within a democratic setting, checks and balances are essential to/ for a limited government and make its officials accountable for their actions, and ensure a fair, honest and effective government.

Experience tells that access to information support the fight against corruption by increasing the responsiveness of governmental bodies. The Absence of the rule of law and an accountable system of governance leads to rent-seeking and corruption (Abed & Gupta, 2002). Countries such as Finland and Denmark have some features in common in terms of governance. According to the Department of Development Policy of Finland (2012), the country is characterized by its independent and efficient judicial system, among other factors that contribute to its high level of transparency. Equally, the Danish Judiciary system is independent of other branches (Mungiu-Pippidi, 2013). Highly centralized power in the executive branch, are at risk for the administration to become less accountable to institutional checks and balances, which in return culminates in higher chances for wrongdoers and the misuse of scarce governmental funds (Manzetti, 2014). As

Kauffman (2015) says that transparency has shown to be effective in terms of governance improvement and reducing corruption, a pro-transparency strategy ought to be implemented as a preventive measure. Nevertheless, democracy is not necessarily a cure for corruption." (Rose-Ackerman 1999, 40). The correlation between well-practiced democratic principles becomes evident when comparing which countries rank high in levels of democracy and transparency. According to the democracy index of the Economist Intelligence Unit (EIU), few of the principles characterizing a 'full democracy' to the Democracy index, are civil liberties, sufficient checks and balances, an independent judicial system, and enforce judicial decisions, and satisfactory citizen participation.

Persistent corruption can be decreased with an open government which makes decisions public, hence helping to monitor the actions of public officials and promote citizen participation. In high transparent countries, citizens highly trust their public officials; thus, citizens are capable of noting immoral acts when they see them. For instance, at the beginning of the 19th century in Denmark, a case of embezzlement was reported where a civil servant committed the theft of public funds that were supposed to be administered by him. The outcome reveals that this type of crime was hard to hide from the public, which leads to public awareness and publicity. Denmark adopted this principle as one of the basic principles of good governance and the rule of law (Mungiu-Pippidi,2013). Similarly, the Department for Development Policy of Finland (2012) agrees on keeping the public administration highly transparent in the country, making decisions public to citizens so they can comment whenever they believe it is necessary, thus guaranteeing that the actions of public officials can be followed and monitored and detect irregularities.

The notion of good governance explains a method to minimize wrongdoings by building up the necessary capabilities to regulate corruption. Generally, Western countries get what they want through practices of good governance (Rose & Peiffer, 2018). Rose & Peiffer (2018) try to attribute the existence of corruption to what they call bad governance. There is no universally accepted definition of what good governance means, although the UN refers to good governance as being "participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive, and follows the rule of law" (UNESCAP, 1). The aspects of good governance provide fundamental principles to curb corruption as an extension of democratic values. Good governance is explained as being "Democratic, limited, efficient, little affected by corruption, open to all members of the population, and stable. On the other hand, "Bad governance" is described as dictatorial and arbitrary, sweeping in its powers, inefficient, highly corrupt, closed

to all but a privileged few, and unstable (Klitgaard & Light, 2005, 414). Moreover, good governance implies having both formal and informal standards met, formal standards enforced by the court of law, and public opinion serving as the "judge" for informal standards (Rose & Peiffer, 2018).

According to what scholars say, it seems appropriate to observe the factors affecting other countries' success in preventing and controlling corruption and revise the differences in the approach they are having. Also, revising how Argentina is performing in terms of transparency and accountability, and overall quality of governance will help to determine if this can be a factor affecting the persistence of corruption. The country experiences high levels of impunity to which it seems necessary to analyze the enforcement of Judicial decisions as another factor. Therefore, these factors can be used as a reference for further consideration and seek weaknesses within the institutional structure.

### **1.3. Political will**

The strong sense of commitment that political will reflects is essential to carry on the battle against corruption successfully. Political will indicates the extent to which a public official is committed to carrying out, in this case, anti-corruption measures. The lack of a political will can drive anti-corruption measures to fail. According to (Quah 2015; Brinkerhoff 2000), political will is one of the contributing factors to ensure success against corruption. Brinkerhoff defines political will as the will power to start a fight and the will to persist until desired outcomes are achieved. In other words, anti-corruption actions require a full long-term commitment from actors involved in order to succeed, "the commitment of actors to undertake actions to achieve a set of objectives—in this case, anti-corruption policies and programs—and to sustain the costs of those actions over time" (Brinkerhoff 2000, 242). Quah (2015) then refers to the success in several countries who "Need substantial doses of political will and capacity to implement impartially comprehensive reforms to address the causes of corruption and to sustain the implementation of these reforms over a long period." Quah (2015, 53).

When comparing the success of combating the corruption of Singapore, Georgia, Botswana, and Hong Kong SAR China, one of the fundamental factors contributing to the positive results was the strong political will (Quah, 2015). The proof that political will is a significant contributor does not

end here, the Department for Development Policy of Finland (2012), also recognizes the benefits of political will by referring it to be one of the keys concepts of good governance. The quality of governance enables the environment for political will. Political will helps in building trust in the government, which then can serve to encourage and empower the civil society to become advocates for anti-corruption initiatives and policies; its absence is perceived as a contributor to poor governance within the political dialogue and at the operational level (Department for Development Policy of Finland, 2012).

Political will highlights the coupled intentions with actions. A Zero tolerance policy shows strong commitment in the fight against corruption; the government can gain credibility in its attempt to tackle corruption by increasing the trust of the people and showing a just government and a strict rule of law, which in turn could demotivate the willingness to corrupt. A serious attempt to reduce corruption needs an honest commitment by the leadership, and they ought to show zero tolerance. In high transparent governments such as Denmark Zero-tolerance approach is a way to prevent future corrupted acts; this means that they react promptly when abuse of Danish funds is suspected or discover. Moreover, Zero-tolerance policy needs to be enforced by severe sanctions and encouraging internal whistle-blowers with rewards of promotion or training opportunities (Quah, 2015). The punishment of the corrupted shows the commitment of the government and helps to gain credibility when it is made independently of the position of the wrongdoer; this can decrease the chances of impunity. Tolerating bribery may allow an illegitimate and inefficient system to prevail (Rose-Ackerman, 1999).

#### **1.4. Citizen participation**

Efforts to fight corruption require political commitment along with the demands of the citizens and the activities of an independent anti-corruption body. Political commitment, in cooperation with the pressures of the public, could open up reforms in different areas and mobilize political actions.

The public pressure, combined with political commitment, could ensure progress in tackling corruption. Vogl (2016), the co-founder of TI, express that the civil society ought to drive the efforts in order to ensure the enforcement of anti-corruption measures. Vogl describes civic involvement as citizens of the society who are actively engaged in the fight against corruption and

see their efforts as a means to fight it. Vogl describes these members of society (activists, journalists, philanthropists, scholars) as the force to set the agenda and push the government to act. Understanding the discomfort of the public is fundamental to know what should be addressed in order to deal with corruption (Brock, 2017). For instance, in 1997, in Bulgaria, a vast number of citizens voiced their discontent and demanded the resignation of the venal socialist government of Prime Minister Jan Videnov. The democratization has given citizens a voice to demand a 'what and how' of governance (Brinkerhoff, 2000). It is in their hands to demand accountability and transparency to foster anti-corruption policies.

Many international bodies also encourage not only the government but the whole society to be part of the fight against corruption. The world bank asserts that successful anti-corruption efforts require a 'coalition of concerned,' which consists of politicians, the private sector, senior government officials, citizens, communities, and civil society organizations. According to the TI, the role of society in fighting corruption consist of the society holding their governments accountable and demand for anti-corruption, which requires empowering the citizens. Similarly, the UNCAC advocates the governments to promote the participation of society by maintaining effective anti-corruption policies, which would improve their trust in the government. Vogl (2012 ) and Ackerman (2001) assert that the public plays a vital role in tackling corruption. Civil society can be important to criticize the wrong use of power by the government. However, it requires the government also to be capable of receiving the complains and act to ensure the best interests of the society (Ackerman, 2001). In order to sustain low-corruption levels, society must have and believe that they are granted equally fair opportunities for better living (Brock, 2017). Nonetheless "People do not easily update their beliefs and feelings, even when quite dramatic changes have taken place to improve their situation in the direction of fairness". (Brock 2017, 14).

Given the persistence of corruption and the several cases that have gone public, one may question the reasons for why these corrupted presidents keep getting elected. There are two aspects to mention. The first one to consider is the impunity and that many corrupted officials have gone unpunished. The second one is that their election may be based on economic performance. According to the data from the World Bank about annual GDP growth. Menem's period show an improvement of the GDP of the between 1989-1991, but worsen from 1997 until the hit of the crisis of 2000. During Nestor Kirchner and Cristina Kirchner, the economic performance shows better results than for Macri's years of presidency. According he public opinion poll of 2019 Argentinians show more concerns over economic struggles instead of corruption (ESPOP,2019).

## **1.5. The role of Anti-corruption's agency in fighting corruption**

Anti-corruption agencies are founded in several countries in contribution to the fight against corruption. ACA's performance depends on the extent to which they are allowed to act independently and under what conditions. Although the level of independence they are given is fundamental to its functionality in addition to the resources. The anti-corruption agencies became popular in the 90s when awareness about corruption became predominant.

Quah (2015) says that the reason behind the success of the ACA's in Singapore and Hong Kong was the political will, indicating that by giving the ACA the necessary independence and the essential resources, the government can reflect its commitment to prevent and control corruption. However, the establishment of an ACA is not enough if not combined with other crucial factors to ensure its success. Despite the increased number of ACAs worldwide since 1990, the expansion has not brought as many success stories as it could be expected, which reflects how vital is government's support to the enhancement of the capabilities of the ACAs (Quah, 2015). According to Quah's analysis, one of the main factors that contributed to the success in the fight against corruption in Botswana was the autonomy the ACA was given in addition to the sufficient amount of qualified staff (Quah, 2015).

For instance, part of Singapore's high performance mainly ascribed to the legal powers given to the CPIB (Corrupt Practices Investigation Bureau). A government agency of Singapore under the Prime Minister's Office. The change of perceived corruption was the result of combining commitment from the top, enforcing credible laws by an autonomous agency operating under strong laws and reform of the civil service (Ackermann, 1999). Moreover, Ackermann says that the ACAs should not be the only part of the strategy against corruption, but it should operate in conjunction with other reforms that complement law enforcement programs. It becomes clear that anti-corruption effort becomes insufficient if they only rely on the anti-corruption agency. An ACA is not necessary for many countries. Good governance serves as a method of anti-corruption without the assistance of an ACA (Quah, 2015), which reinforces the importance of improving governance and the importance of the political will.

In sum, corruption tends to prevail in states with institutional inefficiencies. A weak institution is more vulnerable to the abuse of power, meaning that the Argentine government needs to focus on



this aspect and reinforce its institutions. A strong institution has higher probabilities to reduce the channels of corruption.

The complexity of tackling corruption lies in the multiple factors correlated. Hence, creating limitations to evaluate the individual effect of each factor. Finding these predisposing causes infringing the institutions helps to detect the areas that need improvement. Paying attention to the quality of democracy and carrying out actions to strengthen institutions and practicing principles of good governance creates a strong foundation to prevent falling into prevailing corruption.

## 2. CORRUPTION IN ARGENTINA

### 2.1. The Corruption Perception Index in Argentina

One of the most used measures for corruption is the Perception of Corruption Index elaborated by Transparency International. Initially, the CPI used a scale of 0 (highly corrupt) to 10 (highly clean). However, starting in 2012, the scale was changed to zero (very clean) to 100 (highly corrupt) score. The TI ranks countries based on the corruption levels perceived obtained by specialists and business people about transparency in the public sector.

The score of CPI shows a severe increase in the perceived corruption of Argentina between 1996 until 2004. A period when the country was hit by a severe economic, political, and social crisis. The CPI scores were 2.8 in 2002 and 2.5 between 2003-2004, which suggest that the instability of the country worsened the problems with corruption. After almost two decades, the country managed to improve their score to 40. Nevertheless, this score is below the median. The significant improvement happened between 2015-2017 when the country increased 8 points during the mandate of Mauricio Macri.

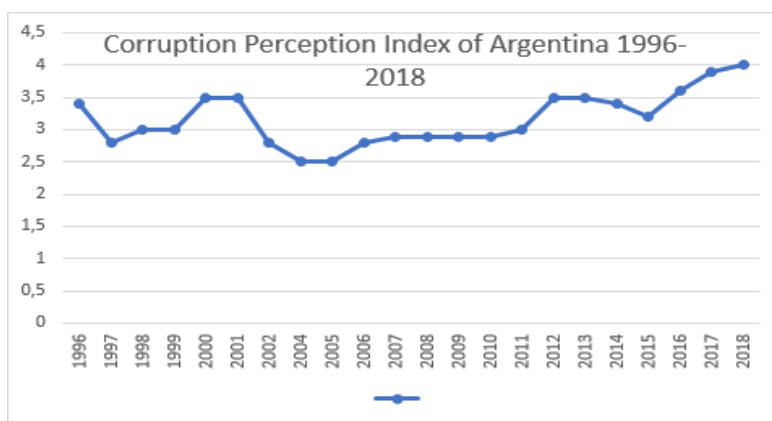


Figure 1. CPI index of Argentina since 1996 until 2018

Source: Transparency International

Despite the improved score, the country remains below the median by 2018. The scores obtained serves as an indicator to assess the changes in time, reflecting the challenges of the government to curb corruption efficiently.

## 2.2. The impunity of official misconduct

Following the revision of Argentina's CPI, it seems worthwhile to revise also some of the components of the WJP index. The WJP's (Justice Project Rule of Law Index) measures how the law is perceived and experienced by the general public. It measures the performance of the rule of law of countries through Constraints on Government Powers, Absence of Corruption, Open Government, Fundamental Rights, Order and Security, Regulatory Enforcement, Civil Justice, and Criminal Justice. The scores range from 0 to 1, 1 is defined as the highest score which indicates the strongest adherence to the rule of law. In this section, the subfactor of Constrains of Government Powers, the "Sanctions for official misconduct," offers the results obtained from 2014 until 2018. The results from Figure 2 demonstrates the weak performance of the court to implement sanctions to corrupted officials. The next paragraph will move forward to examine in more detail what is causing these results.

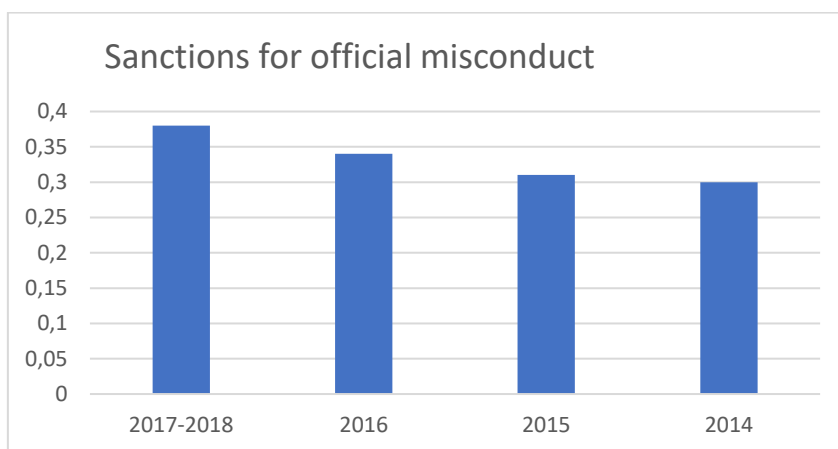


Figure 2. Sanctions for official misconduct from 2014 until 2018  
Source: World Justice Project

According to the data, and what this represents, government powers are not effectively limited by the judiciary measures. The judiciary has the independence and the ability in practice to exercise sufficient checks on the government (WJP, 2019). The subfactor of Sanctions for Official Misconduct indicates the prevalence of the impunity. It is necessary to define why this is happening.

The former Minister of Justice and Human Rights of Argentina, Germán Garavano says in an interview to Wetoker that in these cases the judge plays a vital role on how rapidly these procedures are carried out and on the will to accelerate the procedures depends on their commitment to each case (Manguel). One of the main reasons for the inefficiency of the judicial procedures is the excessive amount of time the procedures take in cases when officials are accused of corruption. The issue is said to be the consequence of the actions of the defense attorneys, for instance, opposing the effort to bring the case to trial. The study of the OCDAP, ACIJ, and the CIPCE concluded that the factors influencing the dismissal of many corruption cases are due to the violation of the reasonable time-lapse that is a scene that frequently-repeat itself. This situation exposes the abuse of defense lawyers and how they take advantage of the deficiencies and bureaucracy of the system (ACIJ, OCDAP& CIPCE, 2012). The sense of impunity affect the perceptions of the citizen and weaken the trust of Argentina's Judicial system.

The slowness of the judicial processes with cases of corruption opens up opportunities to modify or erase the evidence. The procedure then could suffer from a lack of evidence, which has a significant impact on the resolution of corruption cases. Moreover, in comparison with other types of crimes, the corruption offenses procedures have demonstrated to be longer. The time spent between the criminal act and prosecution was around 40 months (ACIJ, OCDAP& CIPCE, 2012). For instance, the prosecution of Maria Julia Alsogaray's case regarding incompatible negotiations took nearly five years since the committed crime. The long-time has not only implications in the "luck" of the investigations but also that it takes 54 months to collect evidence, increases the chances of modifying or disappearance of the evidence, among others (ACIJ, OCDAP& CIPCE, 2012). The time-lapse plays in favor of the accused and generates higher opportunity to go unpunished.

Alconada (2018) defines that the Argentine system is established to guarantee impunity and foster corruption. He accused the system of being the root of all the evil in the country since it alters the priorities of decision-makers, and the sense of impunity generates the confidence to take for granted their exemption from punishment. However, Alconada is not the only one who believes in this. The investigations made by the BDO and Taquion- research strategy about the public opinion of Argentinians in 2018 found that citizens believe that impunity and the inefficiency of the judicial system is one of the significant causes of corruption. Moreover, high levels of corruption were considered to be prevalent in the government, enterprises, and society. The investigation also showed increased pessimistic perception and a tendency to tolerate corruption (BDO & Taquion,

2018). This explains one of the reasons for the prevalence of corruption when considering that Argentina ranks below the median in punishing corrupted officials.

The continuity of impunity prevailing in these cases generates incentive to corrupt when perceiving the Judicial system to be weak and vulnerable to acts of defense attorneys or perhaps political influences. The incentive for illicit enrichment can be visible in cases where public officials themselves agree with construction companies to accept or requesting bribes in exchange for giving up a contract.

A case that is worth mentioning is the Swift case. In 1987, Swift-Armour initiated the procedures to import equipment worth 4,4 million dollars, for the enlargement of the plant. After the completion of the required bureaucratic procedures, the document had to be processed one more time after the change of presidency of Raúl Alfonsín to Carlos Menem. Olivia Funes, the company's president, had many times requested an answer about the process to continue with the plans of the company. Yoma, who was the presidential adviser, failed several times to give a concrete answer about the process and later required Funes to pay a share from the investment the company was aiming to make in Argentina. The reason behind the request was to ensure the continuity of the process (Vertbisky, 1991). Swift company made later accusations against the administration which was supported by the US government and Terence Todman who reported about the situation. Consequentially, Yoma had to abandon his position as the president's advisor. Also, the finance minister (Roberto Dromi, minister of Public Works and Services during 1989 and 1991) resigned to his position. None of the public officials faced any charges, and the case was closed. Despite the evidence of fraudulent activity and the abuse of power, this case went unpunished, which highlights the predisposing factor as a result of judicial procedures delay.

Another example of bribes was the process of Argentine Airlines which happened under little supervision from an independent body to control and show how the process was mismanaged. The AA offered monopolistic conditions for making a profit (Manzetti, 1999). Despite the interest from many airline companies, many of them withdrew after they were asked to give compensation to some public authorities in order to ensure equal treatment (Gary, 1990). In the end, most of the ownership was sold to Iberia, who got 85% of the total ownership which was against the percent permitted (49%) by the law 19.030, which imposes that to retain the flagship status, the highest share of the Argentinian Airlines must remain in Argentinian hands and the company had to be administrated by nationals. In the end, Iberia paid less than the price accorded at the beginning

(Manzetti, 1999). Also, requiring bribes is likely to scare off potential bidders who could have paid the fair price for the company, thus diminishing the potential of the country for FDI with a negative impact on the state's economy due to corruption.

Argentines have witnessed for years how the wicked ones have been unfairly released and left unpunished, this sense of impunity can encourage many corrupted to continue or be part of a lucrative business that would most likely generate no negative consequences for them. The inefficiencies within the judicial system expose how it operates and how susceptible it can be to corruption; it is clearly a factor of corruption that needs more attention. There is a need to improve the way the corruption cases are conducted. Public opinion exposes the citizen's distrust in the judicial system. Less than half of Argentinian demonstrated trust in the Officials and institutions of the criminal justice system in 2017 (Seguridad ciudadana), which suggests that the way the result of these cases creates a great sense of impunity.

### **2.3. The quality of governance in Argentina**

A need to improve the quality of governance implies making significant changes to foster transparency and accountability. The purpose of transparency is to open and disseminate information about the public management of different governmental bodies to prevent, identify, or sanction cases involving irregularities. However, only transparency is not enough to eradicate corruption, enforcing the law, and its implementation is necessary if the attempt is to end with impunity and the willingness to corrupt. Promoting Argentina's accountability requires more attention, between the governmental institutions and to be more accountable to the public.

A study conducted by the CIPPEC workers in 2016 found that Argentina has a deficit in horizontal accountability; this means the ability of the powers of the state to hold each other accountable. The study found that the mechanisms are functioning inadequately and intermittently, which relates directly to the official's inconsistency to be accountable to other governmental institutions. The head of the cabinet does not fulfill its constitutional mandate that requires him to visit the congress once a month; not only that, but the study also found that the presidents do not offer quality information in their discourse.

The lack of accountability has open opportunities for those who are willing to corrupt. Between January and November 2015, the UDJ (The Sworn Statements) Unit referred to 300 cases of assets declarations detecting irregularities and the possible occurrence of illicit enrichment in the public functions (Oficina Anticorrupción, 2015). The OA annual report from 2016 until 2018 showed that, in 2018 the number was higher, and the OA registered 450 cases of non-compliance to the asset declaration/ or due to the detection of the possible occurrence of conflict of interests. However, there was an improvement in the rate of compliance in 2018 (89,66%) compared to 2017 (81,16%), and (87,78%) in 2016.

Apart from the issues regarding the accountability of public institutions, Argentina experienced innumerable cases of nepotism, as stated by Carlos José Aga (2012). For instance, Nestor Kirchner as the governor of the Santa Cruz province of Argentina, assigned his wife Cristina Fernández as the legislator, later as a National deputy and as a senator to the same province. In 2005 Cristina became later the senator of Buenos Aires; although she had not been there since the 70s. Here she was in charge of the commission of constitutional affairs that, among other issues, is responsible for impeachment. Moreover, Nestor's sister Alicia was appointed as the minister (Aga, 2012). This was not the only one, but Aga (2012) explains that other relatives from the Kirchner family were appointed in different governmental positions. Nepotism was not limited to the Kirchners, but also Carlos Menem's relatives and other families have occupied high-rank positions in the government.

In order to stop the nepotism in the governmental positions, former Argentinian president Mauricio Macri (2015-2019) decided to prohibit the appointment of direct relatives of ministers of the state by the decree 93/2018. As a result, two sisters of the Labor Minister resigned, also the brother of Marcos Peña, the chief of the cabinet of ministers of Argentina and the son of the Minister of Security Patricia Bullrich. Minister of Modernization also informed there had been no more than 40 cases of relatives that are required to step back after the publication of decree 93/2018 (La Nación, 2018). Here Macri showed the political will to reduce nepotism in the government, which in turn closes the possibilities to conflict of interests; in other words, Macri stressed the fight against corruption by diminishing channels of corruption. As a preventive anti-corruption measure, this is one of the steps that could help Argentina to curb the risks of conflict of interests within the government and enhance transparency. This measure manifests the commitment to progress in tackling corruption. Nonetheless, the current government, led by Alberto Fernandez, announce the intentions to annul this decree (Pereira, 2019). This signals a backslide for the progress that this measure could have had in the long run. If the government decides to repeal the decree, then this

will open the doors for the chances of conflicts of interest in the government. This decision undermines the political will to fight against corruption and foster the problems of conflict of interests.

## **2.4. Crimes against public administration**

There have been many short-lived presidencies of Argentina between 2001 until 2003 while the crisis hit the country. These crises also accentuated the problems of corruption, although Argentinian's main worry was around their economic instability. Carlos Menem served as president between 1989 and 1999. At the end of 1999, Menem's successor, Fernando de la Rúa, remained only for two years as head of state before he resigned in 2001 during the outbreak of the crisis at the end of the year. De la Rúa was the one who envisaged the creation of the Anticorruption Office when he was still a candidate for the presidency. After his resignation, Eduardo Duhalde took office, yet Duhalde remained in office only for one year from 2002 until 2003. Nestor Kirchner was named president in 2003 until 2007, followed by his wife Christina de Kirchner (2007-2015). Mauricio Macri served as president from 2015 until the end of 2019.

A few of the most well-known cases of corruption associated with high-level officials occurred during the period of Carlos Menem and Nestor Kirchner and Christina de Kirchner. Notwithstanding, corruption scandals surrounding former administrations showed how corruption was not limited to only corrupted officials being out of office but reflected structural issues. For instance, Menem, along with former Minister of Economy Cavallo were accused of overpaying salaries during the 90s (Centro de información Judicial, 2018). When Menem took office, the country was facing hyperinflation and economic struggles that the country seemed incapable of overcoming despite several undertaken reforms to tackle the economic difficulties. The radical privatization effort was an essential part of Menem's market approach in order to solve the problems of the country (Manzetti, 1999). However, the privatizations the decrees enacted by Menem opened the door for making agreements without the surveillance of other institutions. This decision was unethical and undermined transparency.

These initiatives were taken under the pressure of international institutions as a form of freeing the market from government intervention. There was a common assumption that privatizations and market deregulation would reduce if not eliminate the opportunity to engage in corrupted activities.



Many scholars supported the idea that these measures could be used as weapons to combat corruption (Manzetti & Blake, 1996). Manzetti and Blake(1996) argue that market reforms have changed the way that corruption operates rather than eliminating the phenomenon. These measures do not remove the opportunities that tempt the public officials if some preliminary steps are not taken. The case of Argentina demonstrates how the privatization processes were used as an instrument for corruption. Unless the market reforms are pursued in a context of transparency, they can be used as new means to pursue old corrupt ends. Interestingly, Menem acquired several discretionary powers distinctive of a dictatorship between the end of the '80s and beginning of the '90s. Changes were justified by the crisis and were considered by many as necessary (Manzetti & Blake, 1996). Discretionary powers were supposed to speed up the process under less surveillance.

In order to accelerate the process of privatization, Menem assigned trustees through a new law that would allow them to have full authority to privatize wiping out any legal obstacles and without any independent supervision system. This measure faced much criticism, and in consequence, Menem decided to form a bicameral commission for monitoring the privatization process (Manzetti, 1999). Decrees are only to be used in urgency occasions, which generated concerns around their importance and urgency (Bour 1993: 263–4). The lack of transparency was evident and how susceptible the system was to acts of corruption in this kind of scenario. Menem did not do much in terms of enforcing the rule of law or institutional legitimacy and efficiency. The acceleration of the process of privatization gave more independent power, which opened the door for corruption. One of the dubious acts that occurred in Menem's administration was the extensive discretionary power that was granted to Roberto Dromi, one of the trustees appointed to carry out the privatizations. The aim was to accelerate the process, thus giving Dromi the right to make decisions based on his own judgment with impunity from outside meddling. The government did not rely on the expertise of an independent agency to manage the privatizations and acted drive by the pressure to gain credibility and attract FDI and cover fiscal deficit (Manzetti,1999). Bell Atlantic, one of the bidders, accused Dromi of selecting the competitors himself (Manzetti,1999). Robert Dromi, the Ministry of Federal Planification, was in charge of the supervision of privatization. He wanted to privatize everything at any cost and accelerate the process (Dromi was charged in 1991 and 1992 with abuse of authority and fraud, which resulted in a forced resignation (Manzetti, 1999). The privatization of several state enterprises was utilized as means to corrupt, in order to observe the way that corruption operated within the processes of privatization, it is perhaps necessary to look at the most prominent ones such as Argentine Airlines, Entel and the swift case.

Demonstrating the little importance the administration gave to transparency and accountability. The privatizations of Entel also was mismanaged and was a subject for unfair business practices, bringing out a conflict of interests within the administration under little supervision. Alsogaray, who was the controller of the privatization of Entel and in order to make the company more attractive for investors, increased the telephone charges by 23,000%. However, the increase was carried out without a valid justification since the service was not improved, on the contrary. The official also had undervalued the price to be paid for the company to 1,9 billion, instead of the prior estimate of 3,6 billion (Manzetti,1999). Maria Julia Alsogaray was condemned in 2015 to 4 years of prison for the fraudulent administration at the cost of the public administration in 2015 during the privatization of the telecommunications company (CIJ, 2015). There is a notable time gap between the time this irregularity was committed (1990) and the time that Alzogaray was convicted (2015).

The recently published Notebooks of bribery revealed the corruption of many in the government during the Kirchner presidency, many company owners were seen involved in the corruption scandals, and also some of the ministers including the former president, Cristina Kircher. After the scandals, an investigation was carried out for unlawful association and bribery. The notebooks were written by Oscar Centeno, the driver of Roberto Baratta, who was the right hand of Julio De Vido, the former Minister of Planning during Christina Kirchner's presidency, De Vido was later found guilty of fraud against the government. These notes resulted in the arrest and indictments of various officials for bribery during Kircher's period. They revealed the existence of a criminal organization of public officials, who were engaged with significant amounts of illegitimate funds that are linked to many business owners or contractors of the public works of the state of Argentina. By the end of August of 2018, 26 people were arrested, 11 of them were released (CIJ, 2018). The legal framework for public procurement in Argentina consists mainly of the main legislation that regulates public works at the national level in Argentina is the Public Works Law (law 13.064) promulgated in 1947. The Delegated Decree 1023/2001 that regulates operational aspects of public work procurement procedures and the recently issued decree 1169/2018 (Decree on the Regulation of Public Works) (OECD,2018). Although the Public work law has been adopted since in 1947, the repeated occurrence of corruption in public procurements indicates a structural problem.

As the economic consequences that corruption has in Argentina, the notebooks that Oscar Centeno wrote can help to comprehend the losses it causes in Argentina's economy, yet it is only one of the several cases that serve as a more precise example of how the losses of funds occur. The costs

of bribery in numerous cases, the funds used for bribe payments were taken from public funds, which are later directed to the private pockets of public officials through the advancement of the works via the owners of the company. In this case, the cost of corruption, where bribes come from public funds, and there is a fiscal deficit, the state faces the cost of obtaining funds in the market. Not only that, but when the bribes are not incorporated in the formal circuit of the economy, it evades taxes, the state loses in tax revenue. In consequence, it needs to replace these funds acquiring new debt (Monteverde, 2018). Observing several cases of bribery that are seen mostly in Kirchner's period, it can be said that the period was one of the most disadvantageous for the fiscal deficit and little support for paying the debt. This rent-seeking behavior damages the image and trust of the government.

Argentina has severe problems in complying with the principles of democracy and practice good governance. The mismanagement by public officials has damaged for many years the trust in the government. The notebooks of corruption could mark a "before and after". A scandal that accentuates the problems with corruption will enhance the motivation of citizens to participate and force the government to be accountable and address the problem.

### **3. ANTI-CORRUPTION EFFORTS AND CONTRIBUTING FACTORS TO THE PERSISTENCE OF CORRUPTION'**

The increased awareness from abroad about the negative impact of corruption in development in 1990 put pressure on governments of many countries, including Argentina. International organisms and many countries recognized the issues regarding corruption and poverty in 1990, which increased the awareness worldwide about the relevance of making Public ethics and transparency part of the public agenda. Argentina then applied a reform in 1994 that stated public ethics as a right of citizens (Oficina Anticorrupción & Ministerio de Justicia y Derechos Humanos). It can be argued that the introduction of anti-corruption policies was initiated when the Convention Interamericana Contra la Corrupción (Inter-American convention against corruption) and its corpus juris was ratified in 1997 and was incorporated into the legislation of Argentina with the law 24.759 (UNODC, 2013). In the same year, the National office of Public Ethics (ONEP) was created, it functions regarding the elaboration of the regulations for the domestic public ethics, the development of ethical education, and the control of irregularities and monitoring policies around the property status of the public officers, but this was perceived to obtain little results. (UNODC, 2013)

#### **3.1. Public Ethic Law**

The administration incorporated in article 36 of the Carta Magna, a mandate of the congress to enact legislation regarding public ethics for those performing public functions, the law on 25.188 on Ethics in the Public Administration was adopted in 1999. Public ethics is described as the science of the behavior of public officers who are in charge of providing a service to citizens and the general wellbeing. It is a preventive instrument that, among others, aims to restrict the chances of conflict of interests to maintain the impartiality of those who. Public officials are required to follow this set of principles and criteria that aim to ensure ethical behavior or what is expected and assume to be good behavior. The Law 25.188 on Ethics in the Public Administration also regulates the asset declarations and irregularities, and it is applied to all those in civil service. Asset declaration is required in the start of the assumption of the role, after this action is required each year and the Anticorruption office (OA) is in charge of controlling that theses declarations are

received. In case of non-compliance with the Law, the official's wage may be suspended. Although, the OA can file a criminal complaint if a case of non-compliance persist (Oficina Anticorrupcion & Ministerio de Justicia y Derechos Humanos). In recent years there was an increase between 2017 (81,16%) and 2019 (87,73%) of officials who complied with the Law. There was a significant improvement from the results in 2003 when the OA reported 81% of non-compliance and 97% in 2015 (Argentina.gob.ar).

In 2013 The Public Ethics Law (25.188) was reformed by Law 26.857. In Law 25.188, apart from the requirements of assets declaration on details, it also required the creation of a Commission of Public Ethics. The Commission was designed as the independent control body made up of members of all the powers with the function of receiving complaints, drafting the regulations of Public Ethics of the National Congress, receiving the assets declarations from the officials, and ensuring compliance with the Law. This Commission was not only never created but was eliminated with the new regulation (Poder Ciudadano, 2014). The reform also permitted any interested person to get access to these declarations online while previously, they were required to request a written order to the organism. Nevertheless, the most significant change was made on the content requirements of assets declarations. While the previous Law required in detail all the assets separately, this new Law only required the number of total assets. (Poder Ciudadano, 2014).

### **3.2. The Anti-corruption Office of Argentina**

The Anti-corruption office of Argentina was created on the 10 of December of 1999. It is one of the government's monitoring bodies in charge of elaborating and coordinating anti-corruption programs within the national public sector. It works in coordination with the Prosecutor's Office of Administrative Investigations, and it depends on the Ministry of Justice and Human Rights. The decree 102/99 determines that the president designates and can remove the chief of the OA. () By decree, the OA is the body responsible for ensuring the prevention and investigation of those practices regarded by the Interamerican Convention Against Corruption that was approved by the law. The OA is competent to conduct preliminary studies, report to the legal authority the cases that after investigations may be a criminal offenses, assist the government's bodies to implement anti-corruption policies and programs, elaborate preventive programs and they promote transparency within the public administration, it can appear as plaintiff in the proceedings where the state's assets are involved. The OA's competence is limited to conduct investigations within

the executive power, Judicial power neither provincial or municipal administrative bodies, yet, it can initiate the proceeding on its own.

The aim of the OA after this period was to restore the trust of the public in the government. It was necessary to give signs of progress that would meet the social demands such as achieving more justice, transparency, equality, the rule of law and to end the impunity of the politicians and public officials (Oficina Anticorrupcion, 2001). By then, the OA recognized two factors that permitted corruption to happen in the public administration. One was the administrative discretion that allowed to provide federal funds without any control or regulation. The second one was the lack of transparency and visibility, the absence of a system that would allow access to public information in different bodies would produce. Between 1999 and 2001, the OAA was engaged in investigating and reporting the leading cases of corruption committed during the administration of Menem. While these cases are old, it was not until 2015 that the government put more emphasis on the OA more seriously.

By 2015, the OA was found in a ‘‘vegetal state’’, due to the inefficiency of the office and its role. The office struggled with a lack of human resources, funding, and technology. Furthermore, the bad internet connection caused the inability to access electronic notices of the judiciary. There was also no file for records or a procedure manual and insufficient staff who was unmotivated (Casa Rosada). The former administration seemed to undermine the critical role of the OA in fighting corruption and the importance this one has for the progress of the country. The CIPCE analyzed the OA's performance between 1999 until 2012 and remarked about the difficulties of the agency to tackle corruption. In 2001 expectations and that the ideas seem to be logic and useful, but over the years, it demonstrated that it was of little use for accomplishing what it was designed to do. The design did not set clear goals. The agency did not seek sustainable accomplishments. In 2009 the OA was aiming to implement measures to regain assets of the government that were obtained by illicit acts. Their tasks were limited to making studies and publishing research projects and creating awareness. The annual reports demonstrated that this strategy lacked incisiveness. The OA lost its focus when administrative actions differ significantly from the initial approach.

Nevertheless, not only the former administrations were lacking commitment towards the agency, but the OA itself had been under public scrutiny from time to time. For instance, Manuel Garrido, the former Chief of the Anticorruption office of Argentina during 2002-2003, declared to the newspaper La Nacion, that the OA helped officials to draw assets declarations in order to refrain

from complications such as possible investigations about illicit enrichment. He also says that the Kirchnerism recruited people mostly based on political affinity, and not by merit. Garrido stated that the OA has not been fulfilling its role for the last eight years (reflected the period before 2015). Garrido declared that within the administration, there was no decision in fighting corruption, and it influences the way the OA operates and the lack of power it had between 1999-2012 (La Nacion, 2015). Likewise, the OA was accused by the court to refuse to provide information that was required by the General Audit to carry out the external monitoring of the public sector. The court concluded that the act was not justified under any law (CIJ, 2019). Here it can be noted a lack of political commitment of the officials in charge of the OA and its workers, in addition to the government's lack of support vital to improving the conditions of the office so that it is capable of operating adequately. The non-compliance with the law of access to information implies the loss of credibility of the OA.

### 3.3. The Law on Access to Public Information

The government made progress in transparency of the public office by guaranteeing access to public information. The first attempt to give access to public information was made in 2003 by decree, which lacked a proper regulation, yet it was not until 2016 that the government enacted the law.

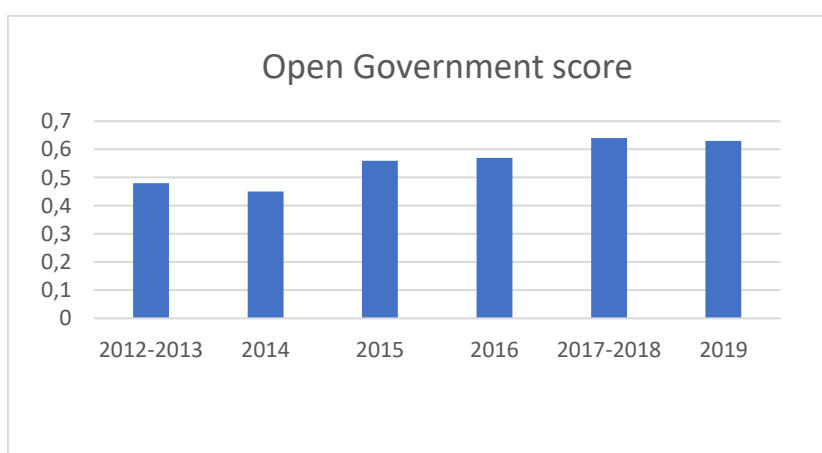


Figure 3. Open Government Index since 2012 until 2019  
Source: World Justice Project

Openness in government has improved significantly since 2015, as illustrated in the chart of Figure 3, suggesting the Law on Access to Information to be beneficial for promoting transparency and

keeping the government accountable. Nevertheless, only in continuity of this practice would reject the persistence of corruption. Only the continuity of this practice would avoid the persistence of corruption and sustain the improvement.

### **3.4. Factors contributing to the persistence of corruption**

According to the collected information, there were four factors identified that are associated with the persistence of corruption constraining the efforts of the government to curb corruption; Lack of political will, the inefficiency of the Anticorruption Office, issues to strengthen transparency and slow Judicial procedures.

#### **3.4.1. Lack of Political Will**

In terms of anti-corruption policies, the lack of political will becomes apparent when the administration takes decisions or undertake actions that reflect little political commitment to making progress, thus contributing to the persistence of corruption. It becomes more evident in the way that the government neglected the Anticorruption Office, apathy towards the progress in terms of access to public information for many years, and the decisions taken in 2013 to reform the declaration of assets meant a setback in terms of transparency.

The setback in terms of transparency occurred in 2013 when the Public Ethics Law reform signified fewer details in asset declaration, and by rejecting the creation of the commission, which could have become a critical control body, the government demonstrated no political will to improve transparency and accountability. Given the importance of the country to tackle corruption, the decisions taken are inappropriate and undermine transparency and accountability, contributing to the persistence of corruption.

Neglecting the Anticorruption office for many years impedes to control of corruption affecting the progress of the country overall. Macri's administration demonstrated greater determination in improving the conditions of the OA in order to complete their work, during his presidency, the improved levels of the CPI showed progress in terms of corruption. Nevertheless, the CPI during Cristina Kirchner's presidency showed higher levels of corruption. Following this particular changes and the evidence provided, it can be suggested that the political will of the president has a significant impact in terms of fighting corruption. However, this can become problematic when



the administration has little incentive to provide the office with the necessary resources, or the president is corrupted. This also means that the function of the OA is susceptible to the ethical values of the president.

The time it took for the government to enact a law that punishes public officials who fail to comply with the law of access to public information, demonstrates little political will. The improvement in open government levels that the country experienced since 2015 suggests that the new administration was more compromised to fight corruption. There is some progress on this, yet it seems necessary for Argentinians to support presidents that can demonstrate their engagement in reducing corruption and demand for policies that promote the transparency and accountability of the public officials more vigorously.

### **3.4.2. Deficiencies of the OA**

This factor can also explain the persistence of corruption due to the importance and the impact it can produce in the fight against corruption. The OA is vulnerable to the support of the government and requires more independence from the executive branch in order to improve its performance.

In the data provided previously, the OA performed insufficiently for many years due to the lack of political will from the government to provide it with the necessary resources, something that appears to be the case prior to 2015 when it was found in critical conditions. The analysis of the CIPCE also provides corroborating evidence that the OA was not performing adequately. That been said, the ineffectiveness of one of the controlling organisms for the fight against corruption, signify a severe problem when it is not able to fulfill its role.

The performance of the OA is not dependent only on the government but on practicing good ethical behavior itself. The claims made by Manuel Garrido, the former chief of the OA, indicates that the unethical and unmotivated behavior of the staff also causes an impact on the fight against corruption. Although, this claim was never taken to court to confirm whether these allegations hold. Despite this, the unethical behavior was proven by the court when the chief of the OA, Laura Alonso. The head of the office refused to provide the information required by the National General Audit. Refusing to provide information that it is essential for the performance of a public control body represents an impediment to collaborate between crucial organisms. The lack of transparency suggests that the actions of the staff of the OA need to be monitored. As an anti-corruption organ, it is necessary that it strictly acts in accordance with the principles of ethical behavior without

breaking the law. The actions can negatively affect its credibility as an anti-corruption body. However, this measure was a good indicator that the OA is also kept accountable when not fulfilling their obligations.

In the view of the way that the chief of the OA is designated, in addition to former Argentinian presidents being accused of corruption, this position can be subject to political influence, conflict of interests, nepotism, and cronyism, which can affect the adequate performance of the OA. There are several cases in which public officials recruit friends or relatives to be appointed as public officers.

In order to overcome the persistent corruption in Argentina, these issues can be subject to reassessment to improve the quality of the organization, thus, promoting the fight against corruption.

### **3.4.3. Obstacles to strengthening transparency**

Previously mentioned cases such as the reform of 2013, the OA's failure to comply with its obligations, also many of the cases where public officials do not comply with their responsibility to provide the corresponding declaration of assets undermine transparency — contributing to the distrust of the citizens discouraging their participation in forcing the officials to respect for the rule of law and sanctions when breaking it. As said before it is the right of the citizens to have access to public information

Not being able to access specific information about public official asset declarations signifies reversing transparency gains. Additionally, the government never created the Commission of National Ethics contemplated in the law 25.188, causing a slowdown in progress that could have been made with this initiative. The commission could have been influential in promoting transparency. Being able to access to information of public officials remains essential to prevent corruption in the long-run.

As a contributing factor to the persistence of corruption, a government that can provide access to information is perceived is prone to be held accountable when irregularities are perceived. Thus the government is capable of fulfilling the informal and informal standards of good governance.

#### **3.4.4. Slow Judicial procedures**

An effective Judicial system can punish criminals efficiently. Many of the corruption cases have gone unpunished in Argentina due to the inefficiency of the Judicial system. The results of the World Justice Project highlights the difficulties of the courts are facing to punish the corrupted ones. The reason impeding the resolution of corruption cases lies in the methods used in the procedures chosen by the judges. Nevertheless, the commitment of the judges can be susceptible to political interests or fostered by other means such as bribes. At the same time, the study of the OCDAP, ACIJ, and the CIPCE showed that the prominent factor in causing the dismissal of many corruption cases is the result of the actions of the defense attorneys. The longer time these cases take to achieve a resolution, the higher is the risk is to go unpunished.

The impunity in the Judicial procedures is prone to give more incentives to corrupt by taking advantage of the structural deficiencies. Judges need to take a stronger stance and commit to making sure that cases and the actions of the defense attorneys happen in a reasonable time, reducing the risk of these cases to go unpunished and creating the sense more sense of impunity. Here political commitment would play an essential role in improving the efficiency and curbing the predisposing factor for corruption.

## **4. POSSIBLE SOLUTIONS**

The lack of political will appear to affect many areas of the government, affecting the continuity of anti-corruption measures. In part, this could be the consequence of assuming that since corruption may go unpunished, the corrupted ones can use these weaknesses in their favor. The law on public ethics cannot alone successfully address the problems of the incentives this kind of weakness creates. Due to the relentless persistence of corruption, the government should take a zero-tolerance approach when enforcing the law and allowing corrupted officials to remain in office. This could mean restricting any public official to enter the public office if he or she has been accused of is suspected of being involved in any corruption case. Those who are in the office should be temporarily suspended, it may be a severe measure that implicates the recruiting of a new appointee, yet it can be a viable solution to discourage any attempt to corrupt, in the long-run this could be expected to contribute to reducing the chances to corrupt. The general sense of the benefits of complying with the law would outweigh the benefits of corruption, thus increasing political will.

To address the structural deficiencies faced in the judicial system is of extreme importance to ensure a reasonable time for the procedures to achieve a resolution. For this to happen, it appears to be achievable with the political will of the judge. Since the interests of judges might get influenced by political interests or preferences, it is necessary to establish an incentive that would motivate them to sanction the public officials who corrupt. In part, this incentive could be created by generating competitiveness for professional upgrades or other rewards when many cases have been resolved successfully.

The creation of an independent commission capable of receiving and controlling the assets declaration could have decentralized the power of the OA on asset declaration, thus restricting the occurrence of unethical behavior. Not to say that the OA could not perform better on this aspect, but as long as there are chances to conflict of interests or political influences, in other words as long as the public officials do not show significant improvement in respect of the Law on Ethics, is better to ensure that the OA could share its responsibilities in collaboration with other organs.

The creation of the commission can be used as a preventive measure, also and institutional reform may be needed to review and restructuring the OA.

The OA also requires the political will from the government in order to get their support and obtain the necessary resources to operate adequately. This means setting a fixed budget that covers the basic needs of the Anti-corruption office, plus the right to request access to more when the circumstances require it. This minimum budget could then be exempt from the decision of the administration. On the other hand, the unstable economy of the country might experience some difficulties to be willing to fulfill this requirement if it is considerate as unimportant.

The designation by the president of the chief of the OA can be susceptible to the presidents individual interests, and based on the experience of the country with corrupted presidents it may seem necessary to choose more high-level officials to designate the chief of the OA, which will decrease the power of the president in selecting a person under individual interests.

## CONCLUSION

The paper aims to determine the contributing factors to the persistence of corruption, affecting the efforts of Argentina to overcome corruption. The findings suggest that in Argentina, controlling and preventing corruption relies mainly on the practice of good governance. Argentina shows a tendency to experience structural issues such as OA's deficiencies due to the insufficiencies in resources for many years, a slow Judicial system, and limited transparency, which suggests a sing of lack of effort in strengthening national governance systems. The lack of these principles represents the circumstance in which corruption is present. It means that certain principles serve as a fundamental solid base for preventing corruption that shall be accompanied by the political will of those who play an essential role in the fight against corruption. The circumstances in which corruption occurs in Argentina are the result of institutional issues that allow corruption to happen. Also, changes in government demonstrate the effect of the lack of political will in the fight against corruption. This makes corruption persist, given the weak sustainability of anti-corruption measures and the neglect of them. It also affects the judicial system, which needs more incentives to operate effectively.

The importance of a country that is able to strengthen anti-corruption policies is linked to the political will of public officials. It reveals the correlation between these factors. By addressing individually, each issue could improve the quality of governance and public institutions, in addition to their interaction with each other. Only transparency is not enough to eradicate corruption, enforcing the Law, and its implementation is necessary if the attempt is to end with impunity and the willingness to corrupt.

The paper states that the factors that are affecting anti-corruption efforts are the lack of political will regarding anti-corruption policies, the inefficiency of the Anticorruption Office, issues to strengthen transparency, and slow Judicial procedures. Based on the data, it can be said that the country struggles with performing according to principles of good governance. The abuse of entrusted power and violations of ethical principles is continuously present and reaches many areas within the government. This inconsistency concerning the Rule of Law and structural issues contributes to the persistence of corruption. Given the complexity of the phenomenon, it is hard to

measure the effectiveness of each factor in the overall perception of corruption, therefore improving the factors could represent the progress of the fight against corruption.

The lack of political will impact other factors identified, such as the function of the OA and the implementation of anti-corruption measures, the Law of ethics, and transparency of the government. The lack of commitment becomes evident when the government takes decisions that signify setbacks for the fight against corruption, therefore slowing the process to improve.

The inconsistencies and deficiency of the capabilities of the OA have an impact on the agency's performance. As earlier stated, the capabilities given to an ACA have great importance when fighting corruption. Although its attribution on the impact on perceptions of corruption among public officials can not be quantified, and ACA represents an essential government body that controls that the government is operating accordingly to anti-corruption principles and practices of good governance, and foster the eradication of corruption. It needs more recognition from the government and the citizens to become stronger and be more independent from the executive branch. The OA was also taken to court, which is a good signal that their operations are also kept accountable when not fulfilling their obligations, although the results could indicate a need for institutional reform.

Transparency showed improvements in recent years. However, the lack of data from previous years in the score of Open Government represents a challenge for assessing previous years. Nevertheless, experience shows the need to improve in this aspect and revise the reform that was made in 2013 that undermines transparency, meaning a constraint for further progress. The more open the government, the more encouraged citizens will be to participate and put pressure on the government to implement more strict measures to make public officials comply with the Law. Transparency requires political will from the government, thus combined with public participation, it fosters the fight against corruption and discourages public officials from corrupt. Thus, decreasing the chances for corruption.

Argentina tends to encounter issues such as nepotism and impunity that, in consequence, influence the persistence of corruption among public officials, which entails issues such as conflict of interests and motivation for the willingness to corrupt. Based on the experience described in the previous chapter, Macri issued a decree prohibiting nepotism, which is susceptible to the decisions of a new president, in this case, Alberto Fernandez. Meaning that a decree is not enough, and

enacting a Law represents a stronger approach to tackle nepotism, which will also be less susceptible to the political will of the president. Impunity is a result of an inefficient Judicial system that fails to restrict the time for the actions of the defense attorneys, which could be addressed by offering different incentives to judges to carry out corruption cases more efficiently.

The continuity of cases where public official takes advantage of the weaknesses of institutions and the lack of political will represents a threat for the anti-corruption measures, which makes anti-corruption policies hard to sustain over time due to the differences in the political will among the administration. The decisions taken have not always respected the aim of the country to overcome corruption, which needs to be taken into account in any action taken by the public officials. The country needs to address corruption by improving the quality of its institutions and, therefore create a solid foundation to constrain the predispositions of corruption.

In sum, it can be assumed that corruption prevails in Argentina as long as the willingness to corrupt is stronger than the political will to fight against corruption.



## LIST OF REFERENCES

- Abed, G. T. & Gupta, S. (2002). *Governance, corruption & economic performance*. Washington, D.C.: International Monetary Fund.
- ACIJ, OCDAP& CIPCE (2012). *Los Procesos judiciales en materia de corrupción: Los tiempos del proceso. Estado de situación*. Retrieved from: [http://www.oas.org/juridico/pdfs/mesicic4\\_arg\\_proc.pdf](http://www.oas.org/juridico/pdfs/mesicic4_arg_proc.pdf) , 29 September 2019.
- Aga, C. J. (2012). *La maldición Argentina*. Argentina.
- Alconada Mon, H. (2018). *La raíz de todos los males*. (1st ed.) Buenos Aires, Argentina : Planeta.
- BDO & Taquion. (2018). *Monitor annual de corrupción y solidaridad*. “*Cómo decimos que somos y cómo pensamos que son los demás*”. Retrieved from : <http://www.taquion.com.ar/wp-content/uploads/2018/11/Corrupcio%CC%81n-y-Solidaridad-BDO-Taquion-1.pdf>, 27 May 2019.
- Bour, E. A (1999). *Cleptocracia y Corrupción en Argentina. Los últimos años*. Retrieved from : <http://ebour.com.ar/pdfs/Cleptocracia%20y%20Corrupcion%20en%20Argentina.%20Los%20ultimos%20anos.pdf>, 27 May 2019.
- Brock, G. (2017). How Should We Combat Corruption? Lessons from Theory and Practice. *Ethics & International Affairs*, 32(1), 103-117.
- Casa Rosada (2018). Integridad, Transparencia y Lucha contra la corrupción. Retrieved from <https://cartajefatura.atavist.com/transparencia> , 01 October 2019
- Comodoro OY, La Sala II de la Cámara Federal de Casación Penal. CFP 5926/2004/TO1/CFC1, 12.10.2018. Retrieved from: <https://www.cij.gov.ar/nota-32101-La-Sala-II-de-la-C-mara-Federal-de-Casaci-n-Penal-confirm---por-mayor-a--las-condenas-de-Carlos-Sa-l-Menem-y-Domingo-Felipe-Cavallo-en-la-causa-de--sobresueldos-.html> , 28 May 2019.
- Comodoro OY, La Sala IV de la Cámara Federal de Casación Penal. 12318/2000/TO1/CFC1, 22.12.2015. Retrieved from: <https://www.cij.gov.ar/nota-18114-Casaci-n-confirm--la-condena-a-prisi-n-efectiva-de-Mar-a-Julia-Alsogaray-en-causa-por-la-privatizaci-n-de-Entel.html> , 28 May 2019.
- De Graaf, G. (2007). Causes of corruption: Towards a contextual theory of corruption. *Public Administration Quarterly*, 31(1), 39-86.
- ESPOP (2019). Encuesta de Satisfacción Política y Opinión Pública. Retrieved from: [https://www.udesa.edu.ar/sites/default/files/17.udesa\\_espob\\_octubre\\_2019.pdf](https://www.udesa.edu.ar/sites/default/files/17.udesa_espob_octubre_2019.pdf) , 03 January 2019

- Jain, A. K. (2001). Corruption: A Review. *Journal of Economic Surveys*, 15(1), 71-121.
- Klitgaard, R. (1988). *Controlling Corruption*. (1st ed.) USA: University of California Press.
- Klitgaard, R. & Light, P. (2005). *High-Performance Government: Structure, Leadership, Incentives*.  
Retrieved from: [https://www.rand.org/content/dam/rand/pubs/monographs/2005/RAND\\_MG256.pdf](https://www.rand.org/content/dam/rand/pubs/monographs/2005/RAND_MG256.pdf) , 28 May 2019
- La Nacion (2018). *Oficializan el decreto que prohíbe designar familiares en el Estado*. Perfil.  
Retrieved from: <https://www.perfil.com/noticias/politica/oficializan-el-decreto-que-prohibe-designar-familiares-en-el-estado.phtml> , 01 December 2019.
- Langseth, P. (2016). Measuring corruption. In: Sampford, C., Shaeklock, A., Connors, C., Galtung. Great Britain: Athenaeum Press, Ltd, Gateshead, Tyne & Wear.
- Leff, N. H. (1964). *Economic Development Through Bureaucratic Corruption*. Retrieved from: <http://abs.sagepub.com/content/8/3/8> , 28 May 2019
- Manzetti L. & Blake, C. H. (1996) Market reforms and corruption in Latin America: New means for old ways. *Review of International Political Economy*, 3(4), 662-697.
- Manzetti, L. (1999). *Privatization South American Style*. Oxford University Press on Demand.
- Manzetti, L. & Carole, J. W. (2007). Why Do Corrupt Governments Maintain Public Support? *Comparative Political Studies*, 40(8), 949-970.
- Manzetti, L. & Wilson, C. (2008). Corruption, Economic Satisfaction, and Confidence in Government: Evidence from Argentina. *The Latin Americanist*, 49(2), 131 – 139.
- Manzetti, L. (2014). Accountability and Corruption in Argentina During the Kirchners' Era. *Latin American Research Review*, 49(2), 173-195.
- Mo, P. H. (2001). Corruption and Economic Growth. *Journal of Comparative Economics*, 29 (1), 66-79.
- Monteverde, V. H. (2018). *El costo de la corrupción y el beneficio indebido: Dos caras ocultas del mismo espejo*. Retrieved from: [https://revistainternacionaltransparencia.org/wp-content/uploads/2018/09/vicente\\_monterverde.pdf](https://revistainternacionaltransparencia.org/wp-content/uploads/2018/09/vicente_monterverde.pdf) , 28 May 2019.
- Moreira (2019). *How corruption weakens democracy*. Retrieved from: [https://www.transparency.org/news/feature/cpi\\_2018\\_global\\_analysis](https://www.transparency.org/news/feature/cpi_2018_global_analysis) , 28 May 2019.
- OECD (2018) *Combate a la colusión en contrataciones de obras publicas en Argentina*. Retrieved from <http://www.oecd.org/daf/competition/Fighting-bid-rigging-procurement-public-works-Arentina-SP-web.pdf> , 27 May. 2019.

- Oficina Anticorrupción (2001) (2016) (2017) (2018) Informes de gestión de la Oficina Anticorrupción. Retrieved from: <https://www.argentina.gob.ar/anticorrupcion/informes-de-gestion> , 27 May. 2019.
- CIPCE (2012). *Oficina Anticorrupción: Análisis de su desempeño a 12 años de su creación*. Retrieved from: <http://www.pensamientopenal.com.ar/doctrina/38110-oficina-anticorrupcion-analisis-su-desempeno-12-anos-su-creacion> , 01 September 2019.
- Oficina Anticorrupción & Ministerio de Justicia y Derechos Humanos. *Ética Pública y conflicto de intereses: Estudio para su prevención y adecuada gestión*. Retrieved from: [https://www.argentina.gob.ar/sites/default/files/libro\\_oa\\_2.0\\_v2.pdf](https://www.argentina.gob.ar/sites/default/files/libro_oa_2.0_v2.pdf) , 01 December 2019
- Perfil (2015). Garrido denunciará a funcionarios de la Oficina Anticorrupción: Según el ex titular del organismo algunos trabajadores del órgano ayudaron a funcionarios a “dibujar” sus declaraciones juradas. *Perfil*. Retrieved from: <https://www.perfil.com/noticias/politica/garrido-denunciara-a-funcionarios-de-la-oficina-anticorrupcion-20151128-0048.phtml> 12 December 2019
- Poder ciudadano. (2014). Declaraciones Juradas Patrimoniales Integrales: modificaciones a la Ley, ¿avance o retroceso?. Retrieved from: <http://poderciudadano.org/wp-content/uploads/2014/09/Declaraciones-Juradas-2014.pdf> , 06 December 2019.
- Popova, Y. & Podolyakina, N. (2014). Pervasive Impact of Corruption on Social System and Economic Growth. *Procedia - Social and Behavioral Sciences*, 110, 727-737.
- Rose-Ackerman, S. (1997), "Corruption and Development," paper prepared for the Annual Bank Conference on Development Economics, Washington, April 30 and May 1.
- Rose-Ackerman, S. (1999). *Corruption and government: Causes, consequences, and reform*. (1st ed). Cambridge, United Kingdom: Cambridge University Press.
- Rose, R., & Peiffer, C. (2018). *Bad governance and corruption*. Cham, Switzerland: Palgrave Macmillan.
- UNESCAP. *What is Good Governance?*. Retrieved from: <https://www.unescap.org/sites/default/files/good-governance.pdf> , 02 December 2019
- UNDP, ROPAN & UNODC (2013). *Hacia una primera reflexión sobre políticas anticorrupción: Algunos insumos para implementación de la convención de las Naciones Unidas contra la corrupción desde la experiencia de América Latina*. Retrieved from: [https://www.latinamerica.undp.org/content/dam/rblac/docs/Research%20and%20Publications/Democratic%20Governance/politicasACespanol\\_0.pdf](https://www.latinamerica.undp.org/content/dam/rblac/docs/Research%20and%20Publications/Democratic%20Governance/politicasACespanol_0.pdf) , 14 September 2019
- Vogl, F. (2012). *Waging war on corruption: Inside the movement fighting the abuse of power*. London, United Kingdom: Rowman & Littlefield Publishers.

Wetoker. ‘‘Argentina tiene niveles de impunidad superiores al 99%’’ Con Germán Garavano. Manguel Romina . Voice recording. Retrieved from: <https://wetoker.com/argentina-tiene-niveles-de-impunidad-superiores-al-99-con-german-garavano/> , 01 December 2019.

WJP (2014) (2015) (2016) (2017-2018). Rule of Law Index. Retrieved from: <https://worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2019/previous-editions-wjp-rule-law-index> , 15 December 2019.

World Bank. GDP growth (annual %). Retrieved from: <https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?end=2018&locations=AR&start=1989> , 03 January 2019.

World Bank. (1997). Helping countries combat corruption: The role of the World Bank. Retrieved from: <http://www1.worldbank.org/publicsector/anticorrupt/corruptn/corrptn.pdf>, 2 December 2019.

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