



**Asia-Pacific
Economic Cooperation**

2018/SOM1/ACT/WKSP/006

Session 2

The Role of Government in Corruption Prevention – Chilean Experience

Submitted by: Chile



**Best Fit Practices and Experience Sharing
Workshop on Corruption Prevention
Mechanisms in APEC Economies
Port Moresby, Papua New Guinea
24 February 2018**

THE ROLE OF GOVERNMENT PREVENTING CORRUPTION

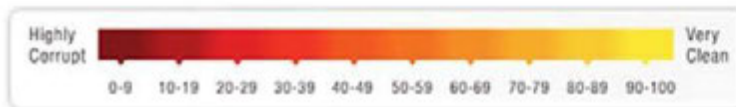
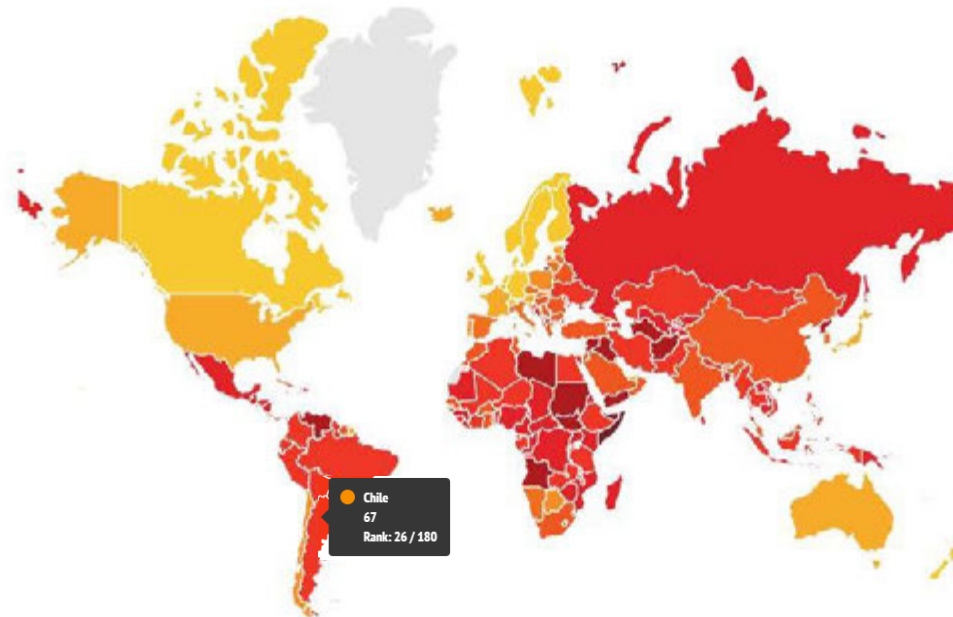
Chilean experience

CLAUDIA ORTEGA
Senior Legal Advisor
Anticorruption Specialized Unit
Public Prosecutor's Office



General overview

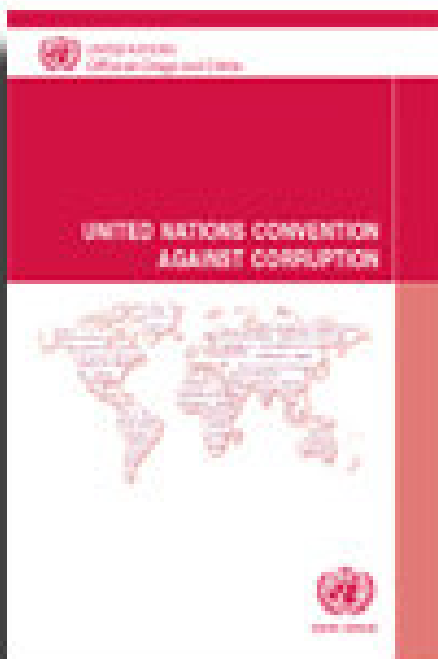
CORRUPTION PERCEPTIONS INDEX 2017



Visit www.transparency.org/cpi for more information

General overview

✓ UNCAC Chapter II Preventive measures



Article 5. Preventive anti-corruption policies and practices

Article 6. Preventive anti-corruption body or bodies

Article 7. Public sector

Article 8. Codes of conduct for public officials

Article 9. Public procurement and management of public finances

Article 10. Public reporting

Article 11. Measures relating to the judiciary and prosecution services

Article 12. Private sector

Article 13. Participation of society

Article 14. Measures to prevent money-laundering

General overview

The Government of Chile has undertaken measures to combat corruption and to enhance transparency in public administration through legislative and administrative measures.

Key element: Electronic Government



Integrated Platform of Electronic Services

- ✓ Promote the transparency, the efficiency and the simplicity of the acts and administrative procedures, facilitating the fulfillment of the Law of Administrative Procedure on the part of the State Agencies, by means of the use of a Technological Integrated Platform of Electronic Services of the State.
- ✓ Facilitate users access to update, opportune and reliable information through the State Agencies.
- ✓ Facilitates data to be collected at once excepting in justify cases.
- ✓ Facilitates data to be updated when a modifications happens or a citizen requests it.

Integrated Platform of Electronic Services (e-g@vernment)

- ✓ Promotes private data security and protection.
- ✓ Exposes to the citizens the information that the State already has about him.
- ✓ Facilitates administrative procedures in order to not request citizens information that already has the Administration in some other State Agency.
- ✓ Standardized information exchange processes among the State Agencies. Facilitates the information exchange processes to comply with legal requirements of data privacy and exchange regulations among State Agencies.
- ✓ Establishes legal and normative terms to allow and regulate the information exchange process among State Agencies.

3 examples to prevent corruption

1



Transparency & access to information

2



Public procurement system

3



Civil service management

1

Transparency and Access to Public Information Act N° 20.285

Establishes that all information prepared using taxpayer money and all other information held by government agencies, whatever its format, date of creation, origin, classification, or processing, is in the public domain.



1

Transparency and Access to Public Information Act N° 20.285

- ✓ **Active transparency:** Every government agency must make available to potential users, through electronic means, the information mentioned in the Law.



Gobierno Transparente



Gobierno
Transparente



Gobierno
Transparente

Ministerio

Política Exterior

Relaciones Económicas

Cooperación Internacional

Asuntos Consulares

Sala de Prensa

Atención Ciudadana



Viernes 16 de febrero de 2018

Chile expresa preocupación por caso de ciudadana palestina Ahed Tamimi



Miércoles 14 de febrero de 2018

Canciller participa en



Miércoles 31 de enero de 2018

Canciller (s) Riveros recibió al Secretario de Estado del Ministerio Federal de Cooperación Económica y Desarrollo de Alemania



Miércoles 31 de enero de 2018

Comunicado por participación de Chile en diálogo entre el Gobierno y oposición de Venezuela

Países

Red Sociales



Gobierno **Transparente**

Solicitud de Información
Ley de Transparencia

Ceremonial y Protocolo

Archivo General Histórico

Compromisos de Gestión Institucional



1

Transparency and Access to Public Information Act N° 20.285

Passive transparency:

- ✓ Citizens' right of access to information, including those of maximum information dissemination, nondiscrimination, and gratuitousness of any information that is not available through active transparency.
- ✓ Formal request to the authority.
- ✓ In case of denial, appeal can be made before the Transparency Council and the judiciary.

Exceptions: based on the rights of third parties and on other specific and restricted grounds.

1

Transparency and Access to Public Information Act N° 20.285

Transparency Council:

Autonomous entity in charge of guaranteeing citizens' right of access to public information, with powers to enforce the law and impose penalties.



2

Civil Service Management

- ✓ Chile has undertaken several successful reforms to ensure an efficient and professional civil service, both through performance-based incentives and through a reduction in political appointees to public service positions.
- ✓ Mandatory use of the “Public sector employment” website of the National Civil Service Directorate and the Senior Executive Service System.

www.serviciocivil.cl

2

Civil Service Management

www.serviciocivil.cl

The screenshot shows the homepage of the Servicio Civil website. The browser address bar displays "https://www.serviciocivil.cl". The website header includes the logo of the Servicio Civil (Ministerio de Hacienda, Gobierno de Chile) and navigation links for "ACCESO SISTEMAS" and "ATENCIÓN CIUDADANA". A secondary navigation bar lists "Servicio Civil", "Áreas de trabajo", "Consejo ADP", "Documentos y normativas", and "Noticias". The main content area features a large image of hands working at a desk, with a "Misión" section stating: "Fortalecer la función pública y contribuir a la modernización del Estado, a través de la implementación de políticas de gestión y desarrollo de personas y altos directivos, para promover un mejor empleo público y un Estado al servicio de los ciudadanos." Below this is a "Visión" section: "Liderar la gestión y desarrollo de personas en el Estado y ser referente en materias de dirección y empleo público, en el marco del proceso de modernización del Estado." A "Conocer más" link is provided. A blue banner at the bottom asks "¿Quieres trabajar en el Estado?" and provides information about job offers in public institutions, with buttons for "Tipos de convocatorias" and "Ingresa y postula aquí". The footer contains the text "Sistema de Alta Dirección Pública" and "Gestión y Desarrollo de Personas", along with the logo of the "LIA" (Labor Inspectorate of Chile).

Senior Executive Service System

The screenshot shows the web interface of the Civil Service Management Senior Executive Service System. The browser address bar displays the URL: <https://adp.serviciocivil.cl/concursos-spl/openscms>. The page header includes the logo for "Alta Dirección Pública Servicio Civil" and navigation links for "Inicio", "Convocatorias", and "Centro de ayuda".

The main content area features a search bar with the text "Encuentra el cargo que estás buscando" and a placeholder "Ingresa Cargo, Región o Institución". Below the search bar, there are five status filters: "Convocatorias en:", "Postulación" (green dot), "Evaluación" (blue dot), "Nómina" (orange dot), and "Finalizado" (grey dot).

Under the "Últimas convocatorias publicadas (0)" section, a message states: "No se publicaron nuevas convocatorias esta semana. A continuación puedes revisar las convocatorias en Proceso de Evaluación".

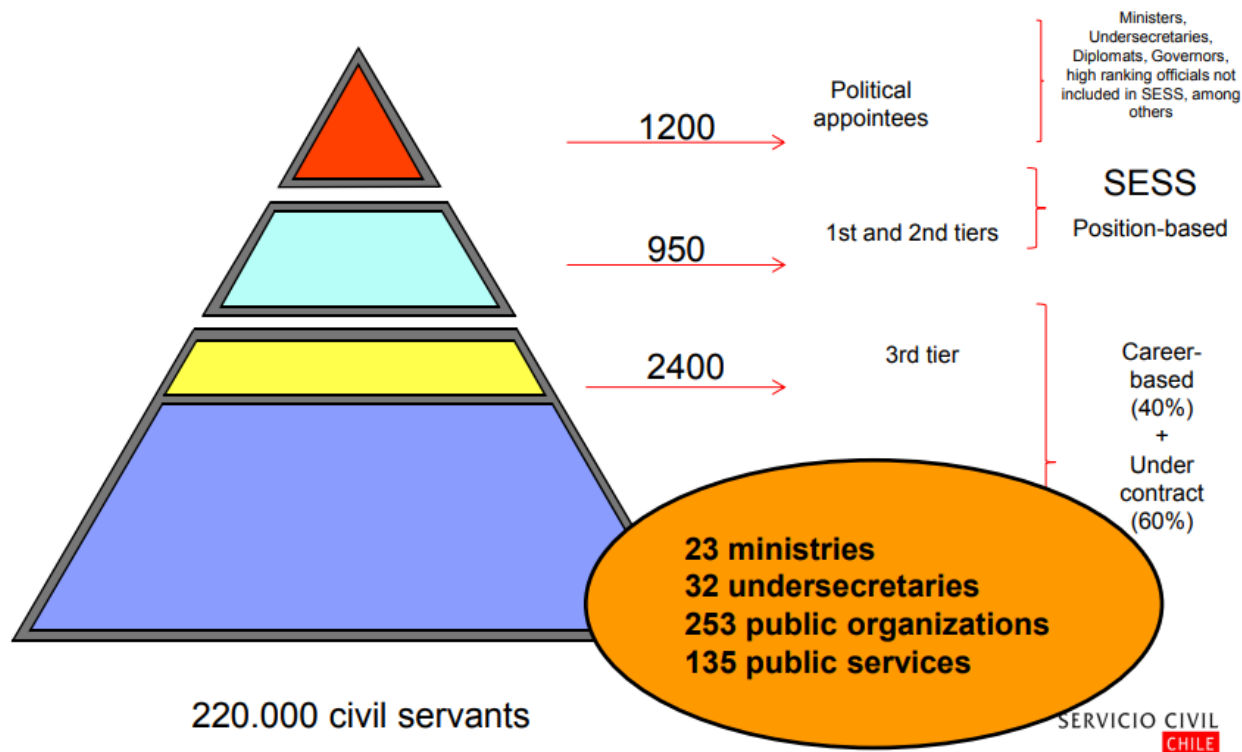
Under the "Convocatorias que cierran próximamente su postulación (0)" section, a message states: "No existen convocatorias que cierren su postulación esta semana".

The Windows taskbar at the bottom shows various application icons, including Internet Explorer, Google Chrome, and Microsoft Office applications.

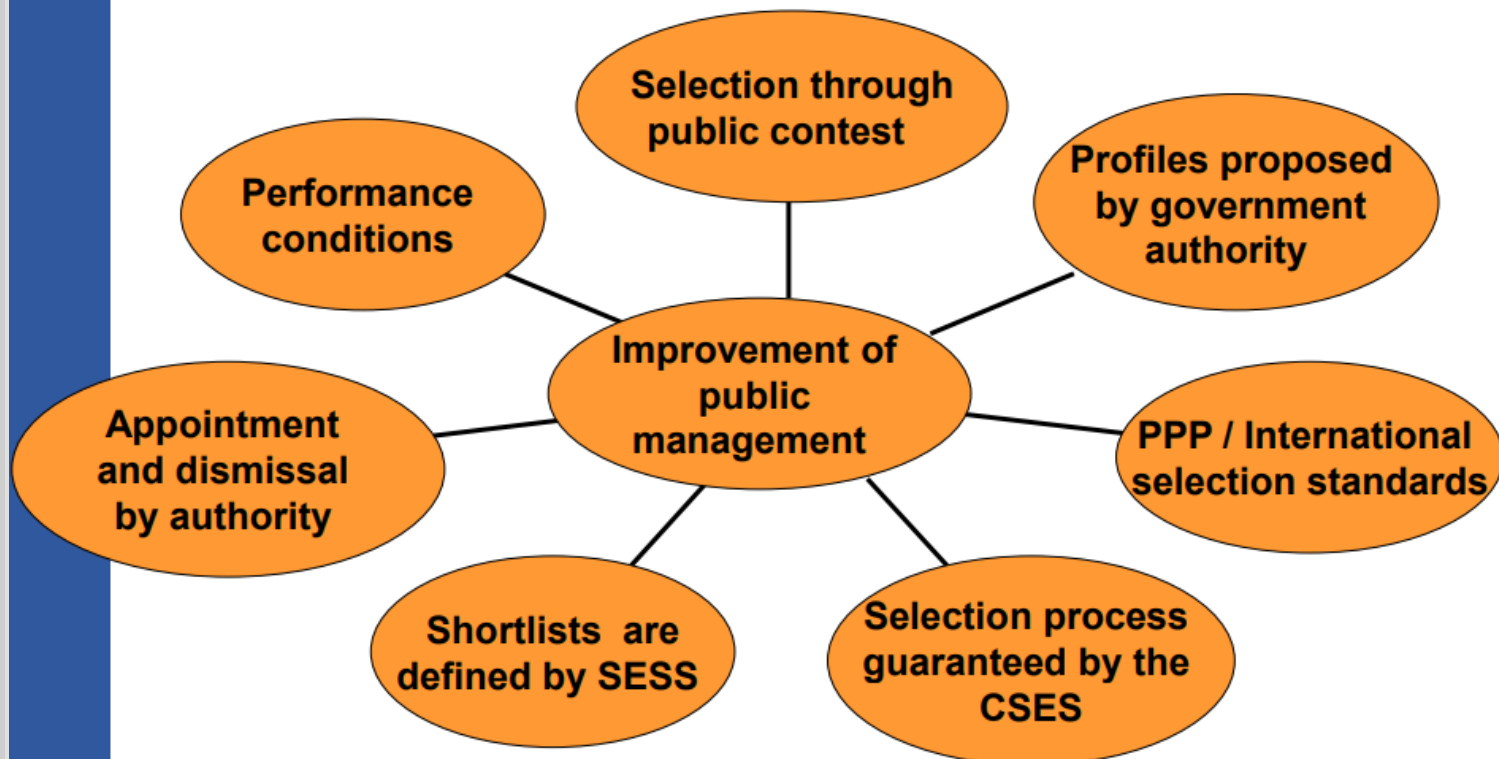
2

Senior Executive Service System

**Chile's Public Employment structure:
220.000 civil servants and 4.500 managers are
part of the Central Government**



SESS: constitutive elements



3

Public Procurement System

- ✓ Under the government procurement **e-system**, companies that wish to do business with the public sector do not need to search through newspapers or the Web for information about bidding opportunities.
- ✓ Instead, they need **only to register** a single time in the areas in which they do business (e.g., office furniture, construction services, IT consulting, etc.).



3

Public Procurement System

The screenshot shows the 'Registro de Proveedores' (Supplier Registration) form on the Chile Proveedores website. The page features a blue header with the logo and title. Below the title is a progress indicator with four steps, the first of which is active. The main content area is titled 'Ingresa datos de tu empresa' and contains a form with the following fields:

- Identificación:** Radio buttons for 'Chileno' (selected) and 'Extranjeros / Foreigners'.
- Rut de Persona natural / Persona jurídica:** Text input field with the example value 'Ejemplo: 96345678-9'.
- Razón Social:** Text input field.
- Giro:** Text input field.
- Tamaño:** Dropdown menu with the option 'Seleccionar Tamaño'.
- Número de trabajadores:** Dropdown menu with the option 'Seleccionar Número'.

At the bottom of the form are two buttons: 'Cancelar' (Cancel) and 'SIGUIENTE' (NEXT).

3

Public Procurement System

- ✓ Whenever a public agency needs to purchase goods or contract a service, it will fill out a request in the electronic system, specifying the kind of operation and including all the documentation and information associated with the request.
- ✓ Automatically, the system sends an e-mail to all the private companies registered in that selected area, minimizing response time and providing an equal opportunity for all firms.

3

Public Procurement System

- ✓ The system also **provides, on-line, all the information related to procurement operations**, including the public organization's name, address, phone, e-mail, fax and position of the public officer in charge of the operation.



3

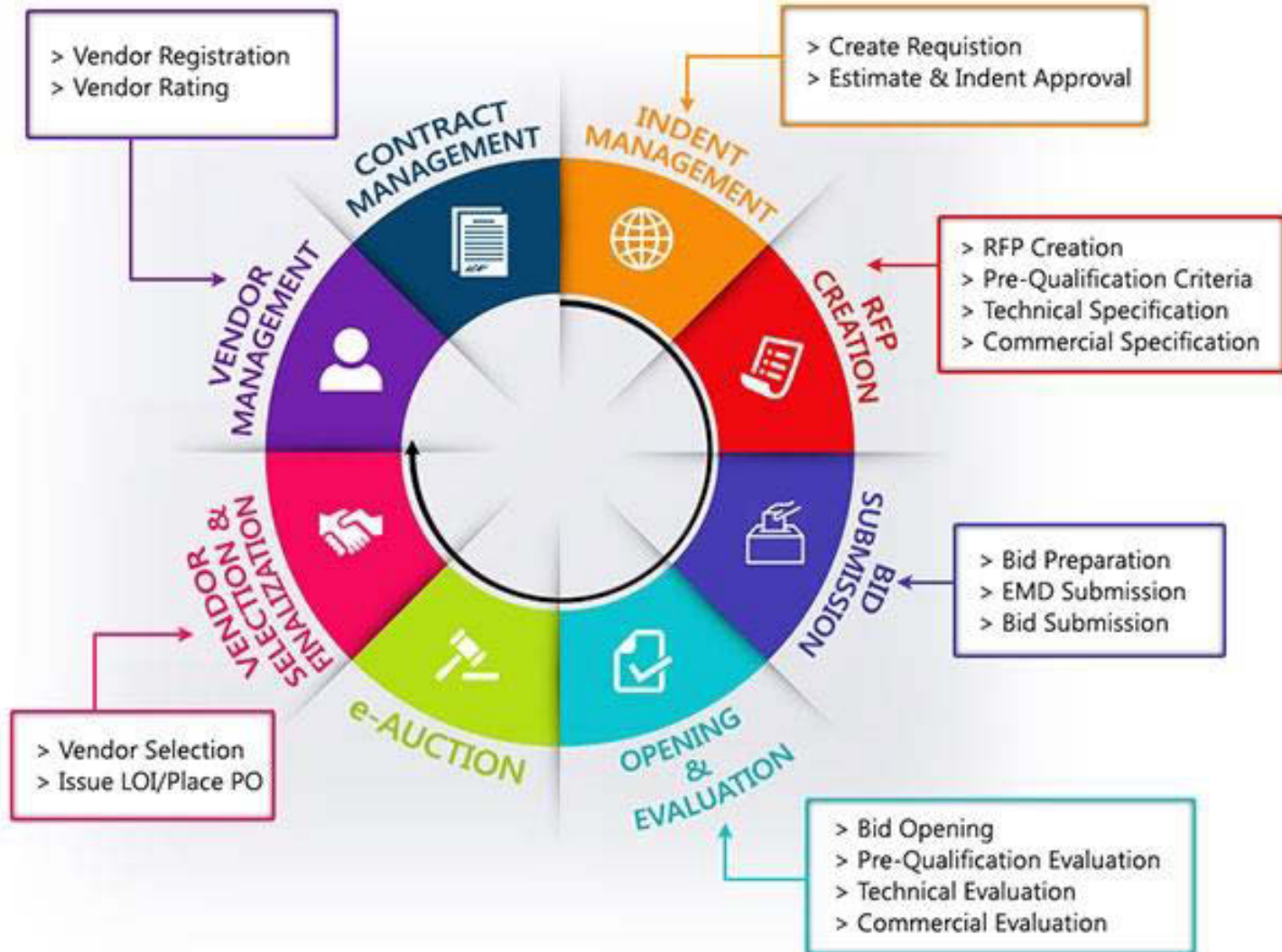
Public Procurement System

- ✓ Finally, at the conclusion of the bidding process, the **e-system provides the results**: who participated, the proposals, the economic and technical scores, and, lastly, who won the bid or obtained the contract.
- ✓ **Historical information** about the public organization's purchases and contracts is also made **available**.
- ✓ **Peperless system**
- ✓ **NO bureaucracy**



© Can Stock Photo - csp23111457

Public Procurement System



About ChileCompra



ChileCompra is a Centralized Purchasing Body which manages the biggest national electronic market, www.mercadopublico.cl. ChileCompra allows free, open, and non-discriminatory access for more than 123,000 suppliers that sell their products and services to 850 government agencies in Chile. USD 10 billion were traded in 2016 generating savings for USD 5.5 billion in the past 14 years.

STRATEGIC GOALS

ChileCompra seeks to incorporate Value for Money in public procurement, a key concept associated with good use of resources that ensure the right balance between economy, efficiency and effectiveness.

We promote:

- Efficiency and competition through the procurement process, as to optimize the use of public resources
- Probity and transparency as to strengthen best practices
- Sustainability, inclusion and participation of micro, small and medium companies as to improve business opportunities in the electronic market

3

Public Procurement System



SOME CHARACTERISTICS

- One of the most open and accessible public procurement market in the world, focusing on the participation of SMEs in public business opportunities.
- 90% of the suppliers are micro and small companies, 60% of total amount are awarded to SMEs
 - 19,5% of savings through the e-catalogue for framework agreements.
 - 16 regional centers, located in the 13 Chilean regions, focused on training buyers and suppliers
 - An Observatory which monitors and warns about potential irregularities.
 - Promotion of payment within adequate delays to suppliers

Final remarks

- ✓ Transparency and access to information must be granted to every citizen.
- ✓ Transparency should be transversal through all administrative procedures.
- ✓ Allows citizen's accountability
- ✓ Electronic government reduces bureaucracy and risks of corruption.
- ✓ Strong integrated platform and information technology departments are needed.
- ✓ All of these measures prevent corruption.

THANKS!

Claudia Ortega
Anticorruption Specialized Unit
Public Prosecutpr's Office

cortega@minpublico.cl