

OECD Public Governance Reviews

Promoting Public Integrity across Ecuadorian Society

TOWARDS A NATIONAL INTEGRITY SYSTEM



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Foreword

As in other countries in the world and the region, corruption is one of the main concerns of citizens and businesses in Ecuador. At the same time, distrust in public institutions has continued to increase, according to the results of the 2018 and 2021 Latinobarómetro surveys. Promoting public integrity is a necessary and urgent condition to reverse this decline in public trust, as well as an essential element for economic and social well-being across society. Public integrity is the consistent alignment of, and adherence to, shared ethical values, principles and norms for upholding and prioritising the public interest over private interests in the public sector. Promoting a culture of integrity requires the public sector and individuals, businesses, civil society organisations, and academia to work together.

To strengthen the sense of co-responsibility of the private sector, civil society and citizens in the promotion of public integrity, Ecuador has been taking actions addressed at the whole of society, including developing guidelines to support integrity practices in private companies and awareness-raising campaigns aimed at citizens, particularly youth. However, high levels of distrust in public sector institutions and the increasing perception of corruption show that further steps are needed, including improving co-ordination among public institutions and co-operation between the public sector and other actors, further strengthening stakeholders' participation in policymaking and better communicating to citizens about public integrity.

This report, funded by the German Technical Cooperation in Ecuador, analyses Ecuador's efforts to foster the co-responsibility of the private sector, academia, civil society organisations and citizens in promoting a culture of public integrity, in line with Principle 5 "Society" of the 2017 OECD Recommendation on Public Integrity. Based on this analysis, the report provides concrete recommendations to support the Ecuadorian public sector in promoting a culture of integrity across society.

This report supports countries in effectively implementing the OECD Recommendation on Public Integrity. It also complements the analysis in the OECD 2021 report *Public Integrity in Ecuador: Towards a National Integrity System*, which analyses institutional arrangements for integrity in Ecuador and provides recommendations for institutionalising corruption prevention.

The report was approved by the Public Governance Committee on 27 September 2023 and prepared for publication by the Secretariat.

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Abbreviations and acronyms

ASEDIM	Ecuadorian Association of Distributors and Importers of Medical Products
AFA	French Anti-Corruption Agency (France)
ICC	International Chamber of Commerce
ICC	Comprehensive Organic Criminal Code
CGU	Comptroller General of the Union (Brazil)
ENA	National Anti-Corruption Strategy
ENIP	National Public Integrity Strategy (Chile)
ENIPC	National Integrity and Corruption Prevention Strategy (Costa Rica)
IAEN	Institute for Higher National Studies
MINCTI	Ministry of Science, Technology and Innovation (Colombia)
SMES	Small and medium-sized enterprises
PNIP/LCC	National Public Integrity and Anti-Corruption Plan 2019-2023
OCDE	Organisation for Economic Co-operation and Development
CSOs	Civil Society Organisations
SENESCYT	Secretariat for Higher Education, Science, Technology and Innovation
SPPA	Anti-Corruption Public Policy Secretariat
SEGCOM	General Secretariat for Communication of the Presidency of the Republic
SERCOP	National Public Procurement Service
UAFE	Financial and Economic Analysis Unit

Executive summary

Upholding a culture of integrity is a challenge in many countries. It requires both the public and private sector to stand firm and work together. Businesses, civil society organisations, academia and individuals interact with public officials daily and can influence public decisions. They play a role in public policy and their actions and choices can affect public integrity. Actively engaging the private sector, civil society, academia and citizens in promoting public integrity and making them co-responsible for upholding a culture of integrity is key.

This report focuses on the challenge of promoting a culture of public integrity across society in Ecuador. It reviews ongoing government efforts to build a whole-of-society approach to public integrity and provides recommendations to strengthen co-ordination and achieve a greater impact.

Key findings

Ecuador is designing and implementing a range of actions to instigate a whole-of-society approach to public integrity. For example, the National Anti-Corruption Strategy (*Estrategia Nacional Anticorrupción*) includes two strategic lines to raise awareness of the responsibilities of the private sector and civil society in promoting public integrity. The 2022-25 action plan of the Strategy developed by the Secretariat of Anti-Corruption Public Policy includes the design and implementation of awareness-raising campaigns and training modules for citizens, and the implementation of an incentive programme on anti-corruption practices for companies, among others. In addition, the National Plan for Public Integrity and Fight against Corruption (*Plan Nacional de Integridad Pública y Lucha Contra la Corrupción*) 2019-23 of the Transparency and Social Control Function includes enhancing citizen participation and co-operation with the private sector in the prevention of corruption.

Efforts to promote an integrity culture across society involve several public sector institutions. These efforts are led by the Secretariat of Anti-Corruption Public Policy in the Executive Function and by the Council for Citizen Participation and Social Control in the Transparency and Social Control Function, with also the Ministry of Education, the Ombudsman's Office and the Superintendence of Control of Market Power, amongst others, playing relevant roles. Considering this, there are opportunities to strengthen inter-institutional co-ordination between public actors with responsibilities in the public integrity system. Recently, the Secretariat of Anti-Corruption Public Policy started working more closely with relevant public institutions -- for instance, with the Ministry of Education to include key public integrity concepts in the new national curriculum. To achieve a greater outreach and impact, however, this co-operation could be more consistently developed.

Furthermore, while citizens and other relevant stakeholders participate in the development of public integrity policies, there is still room to promote more meaningful dialogue and engagement. While the Government of Ecuador used inputs generated during a public consultation process for the design of the National Anti-Corruption Strategy, it did not provide feedback necessary to create a two-way relationship between government and stakeholders. Better use of alternative participation channels and mechanisms could have further encouraged stakeholder collaboration during all phases of the policy cycle.

Moreover, there are information gaps regarding integrity practices and corruption risks in society, academia and the private sector that make it difficult for the government to identify the main integrity challenges in the society and design appropriate initiatives to address them. Having up-to-date, reliable and regularly collected evidence is essential, not only to develop initiatives that respond to the real challenges and particularities of a country's context, but also to measure their progress and impact and to modify those that are not achieving the expected results.

Key recommendations

To ensure that efforts to promote public integrity in Ecuadorian society are effective, sustainable and coherent, Ecuador could further strengthen the Secretariat for Anti-Corruption Public Policy's role as the main institution responsible for public integrity in the Executive Function. In addition, the Inter-institutional Co-ordination Body for Corruption Prevention could be reinforced to facilitate its role as the main forum for dialogue and co-ordination among the five functions of the State, the different levels of government, and with civil society, academia and the private sector. These recommendations are also in line with the 2021 OECD report [*Public Integrity in Ecuador: Towards a National Integrity System*](#).

Ecuador could improve inter-institutional co-ordination among relevant public actors as well as co-operation between the public sector and the private sector, universities and civil society organisations. Such co-ordination and co-operation would involve planning and implementing initiatives aimed at promoting public integrity in the whole of society and fostering the co-responsibility of all relevant stakeholders in the fight against corruption. The Anti-Corruption Public Policy Secretariat could consider strengthening co-operation with the Transparency and Social Control Function, mainly in promoting citizen participation and encouraging the reporting of integrity breaches. Similarly, the Anti-Corruption Public Policy Secretariat and other institutional actors with integrity responsibilities could foster more partnerships with the private sector, universities and civil society organisations, particularly in the area of education on public integrity for children and youth.

The Anti-Corruption Public Policy Secretariat and other institutional actors with integrity responsibilities could further encourage citizens and other stakeholders to participate in the development and implementation of the public integrity policies. To this end, Ecuador could use a broader range of participation mechanisms and channels to incorporate the needs, perceptions and visions of a greater number of stakeholders, including Ecuadorian indigenous peoples and nationalities. In addition, closer co-operation between the Anti-Corruption Public Policy Secretariat and the Transparency and Social Control Function could improve the design and implementation of training and capacity-building activities for citizen participation. Encouraging an effective participation of citizens and other stakeholders can help closing the public trust gap.

Finally, Ecuador could improve its efforts to gather evidence and information on the main challenges in the area of public integrity and anticorruption. This includes collecting regular information on the challenges, experiences and opinions on integrity by Ecuadorian society, but also on business integrity practices and challenges and ongoing investigations in the area of public integrity and anti-corruption. This evidence would be key for informing decision making in Ecuador and promoting a more efficient use of public resources.

1 Main challenges and actions for whole-of-society integrity in Ecuador

This chapter provides general information on the levels of public and business perceptions of corruption and public trust in Ecuador. It also provides a brief summary of the main actions envisaged by the Ecuadorian public sector to foster the joint responsibility of the private sector, civil society organisations and citizens in promoting public integrity. Finally, this chapter includes a brief analysis of the institutional challenges for public integrity in Ecuador.

1.1. Understanding the main challenges and ongoing actions to cultivate a culture of public integrity across Ecuadorian society

Public integrity is not just a matter for the public sector: individuals, civil society organisations (CSOs) and businesses can harm or promote public integrity through their actions (OECD, 2020^[1]). In fact, as active members of society, individuals, CSOs and businesses have a shared responsibility to promote public integrity, especially considering that these actors interact with public servants on a daily basis, play a key role in setting the public agenda and have the power to influence public decisions.

There are many actions by individuals, CSOs and companies that can harm public integrity. For example, when citizens evade taxes, use public services without paying and/or seek access to social benefits fraudulently, they are taking public resources unfairly and undermining interpersonal trust. In turn, when companies offer bribes in exchange for contracts with public entities and/or provide illegal funds to political parties and/or certain candidates, they threaten the legitimacy of the democratic system and contribute to undermining citizens' trust in public institutions. Also, when CSOs implement strategies to misinform and/or manipulate public opinion, they help to distort public decision making in favour of a powerful few.

Aware of this, the OECD Recommendation on Public Integrity places particular emphasis on the importance of promoting a whole-of-society culture of public integrity, partnering with the private sector, CSOs and citizens, through the following actions:

"a) recognising in the public integrity system the role of the private sector, civil society and individuals in respecting public integrity values in their interactions with the public sector, in particular by encouraging the private sector, civil society and individuals to uphold those values as a shared responsibility;

b) engaging relevant stakeholders in the development, regular update and implementation of the public integrity system;

(c) raising awareness in society of the benefits of public integrity and reducing tolerance of violations of public integrity standards and carrying out, where appropriate, campaigns to promote civic education on public integrity, among individuals and particularly in schools;

d) engaging the private sector and civil society on the complementary benefits to public integrity that arise from upholding integrity in business and in non-profit activities, sharing and building on, lessons learned from good practices" (OECD, 2017^[2]).

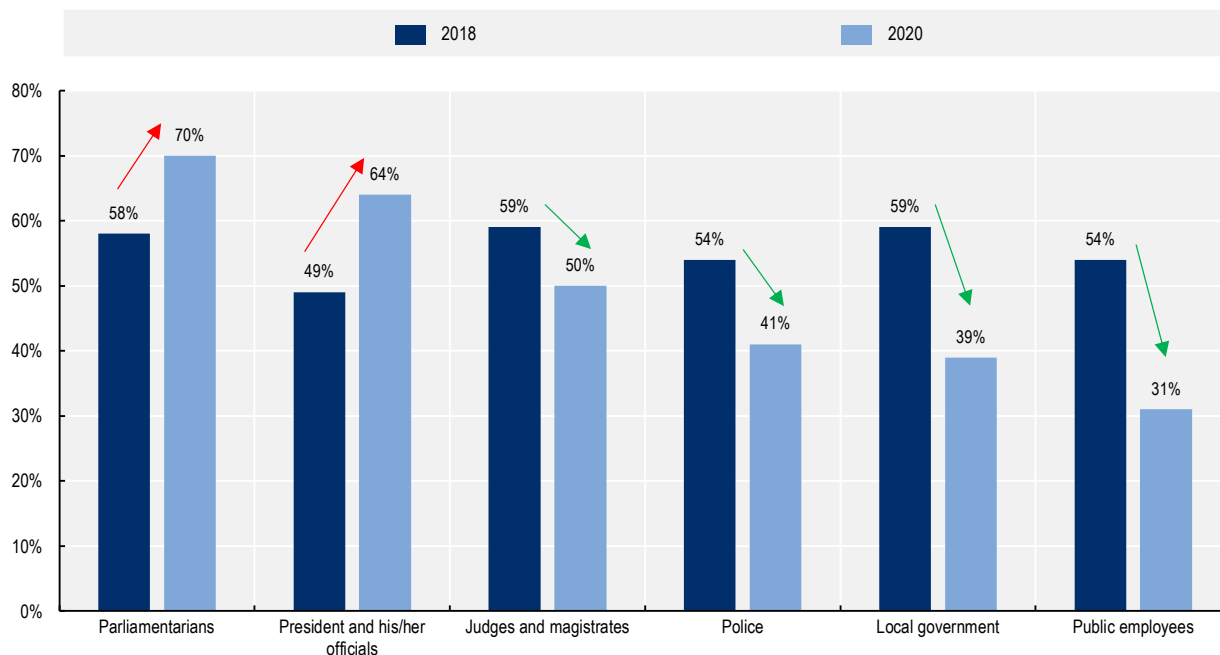
In Ecuador, corruption is one of the main concerns of citizens and businesses. In the case of citizens, 93% of Ecuadorians say that corruption is a *"big problem"* or a *"very big problem"* in the national government (Fundación Ciudadanía y Desarrollo and Transparency International, 2023^[3]). In the case of the private sector, 49.4% of the companies surveyed in 2017 through the World Bank Enterprise Surveys identified corruption as a significant constraint in Ecuador; this value is higher than the regional average¹ of 44.9% (The World Bank, 2017^[4]).

In addition, the 2021 report of the Latinobarómetro Corporation complements this view by showing that 72% of Ecuadorians believe that the level of corruption in the country has increased in relation to the year immediately prior to the survey (Corporación Latinobarómetro, 2021^[5]). This figure presents a significant increase compared to the same indicator in 2018, when 56% of Ecuadorians believed that the level of corruption in the country had increased compared to the year before the survey was conducted (Corporación Latinobarómetro, 2018^[6]).

When differentiating between the main institutions of a democracy, the 2021 report by the Latinobarómetro Corporation reveals that Ecuadorians think that the main actors involved in acts of corruption are *"parliamentarians"* (70%), followed by the *"president and his officials"* (64%) and *"judges and magistrates"* (50%) (Figure 1.1). When this data is compared with the 2018 report by the same corporation, corruption perception levels for *"parliamentarians"* and the *"president and his officials"* increased significantly from

2018 to 2021, while corruption perception levels for all other actors decreased significantly over the same period (Figure 1.1).

Figure 1.1. Perception of corruption by institution in Ecuador



Source: (Corporación Latinobarómetro, 2021^[5]; Corporación Latinobarómetro, 2018^[6]).

Beyond perceptions, Ecuadorians and businesses experience corruption in their daily lives. The following data gives an overview of experiences of corruption and lack of integrity in Ecuador:

- 15% of Ecuadorians indicate that they or a relative have known about an act of corruption, slightly lower than the regional average² of 16% (Corporación Latinobarómetro, 2018^[6]).
- 28% of Ecuadorians report having paid a bribe to access basic services - basic services refers to i) public hospitals, ii) public schools, iii) identification, iv) voter credentials or permits, v) police, and vi) utilities and courts - in the 12 months prior to when the survey was conducted; this value is equivalent to the regional average³ of 28.2% (Transparency International, 2017^[7]). Public hospitals are the basic service with the highest bribe payments in Ecuador, with a percentage corresponding to 21-30% of users (Transparency International, 2017^[7]).
- 62% of Ecuadorians who used at least one of the essential public services - essential public services refers to i) national police, ii) schools or colleges, iii) higher education centres, iv) hospitals, v) institutions providing basic services such as water, electricity and sanitation, and vi) government offices to obtain a document - used personal contacts or asked for favours to get what they needed (Fundación Ciudadanía y Desarrollo and Transparency International, 2023^[3]).
- 15% of Ecuadorians say they have received an offer of a bribe or special favour to vote a certain way in a national, regional or local election in the last 5 years (Fundación Ciudadanía y Desarrollo and Transparency International, 2023^[3]).
- 5.9% of companies report having received at least one request for bribe payment, lower than the regional average of 9.2%⁴ (The World Bank, 2017^[4]).

In light of these challenges, the Government of Ecuador has been designing and implementing different actions to strengthen the culture of public integrity in the whole of Ecuadorian society.

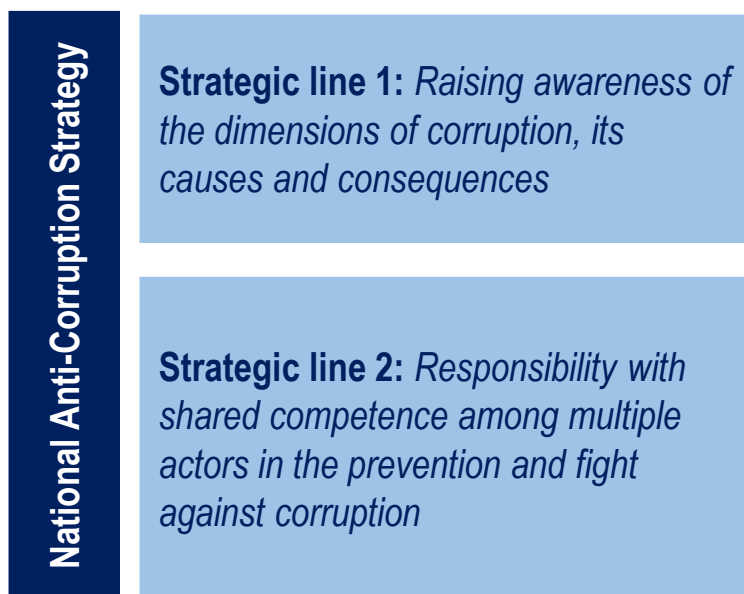
First, in the first half of 2021, the Ecuadorian government presented the National Development Plan called “Plan for the Creation of Opportunities 2021-2025” (*Plan de Creación de Oportunidades 2021-2025*), which proposes a roadmap for Ecuador in the short and medium term. One of the objectives of the National Development Plan is 15 “*To promote public ethics, transparency and the fight against corruption*” for which it proposes to carry out “*an integral and co-ordinated fight of the public sector, the private sector and civil society*” (Government of Ecuador, 2021, p. 99^[8]). Specifically, under policy 15.1 “*Promote public integrity and the fight against corruption in effective inter-institutional co-ordination between all state functions and citizen participation*” the National Development Plan also recognises the need to guarantee a comprehensive and co-ordinated fight in the public sector and to involve citizens in public action in order to generate social control that allows for the prevention, reporting and effective prosecution of corruption cases. However, this vision proves to be limited, as it presents lack of integrity as exclusive actions of public servants and centres the role of the citizenry on that of control. In that sense, it does not emphasise the principle of co-responsibility, or shared responsibility, suggested under principle 5 of the OECD Recommendation on Public Integrity, which recognises that bad practices come not only from the public sector, but also from the side of citizens, CSOs and businesses, and thus the responsibilities of these actors should go beyond control.

Second, in November 2021, the Ecuadorian government presented the *General Guidelines of the National Anti-Corruption Policy (Lineamientos Generales de la Política Nacional Anticorrupción)*, on the initiative of the Presidency of the Republic. These guidelines were developed to guide the construction of a national anti-corruption policy, with special emphasis on inter-institutional co-ordination and exchange, and the prevention of corruption through public integrity, transparency, participation and accountability. The *General Guidelines of the National Anti-Corruption Policy* highlight the relevance of involving citizens, CSOs, academia, the private sector and the media in the promotion of integrity and the fight against corruption, for example, through the active participation of these groups in the construction of a national anti-corruption strategy and as observers within the body in charge of co-ordinating its implementation (Presidency of Ecuador, 2021^[9]).

Third, in July 2022, the Ecuadorian government presented the National Anti-Corruption Strategy (*Estrategia Nacional Anticorrupción, ENA*) in an event attended by authorities from all state functions and levels of government, as well as representatives from all levels of Ecuadorian society. The ENA was drafted based on the *General Guidelines of the National Anti-Corruption Policy* and inputs received through a public consultation process that took place between January and February 2022. This public consultation process for the *General Guidelines of the National Anti-Corruption Policy* consisted of workshops, interviews and surveys involving representatives from academia, production and labour unions, the media, CSOs, political organisations and the public sector (more information on this process is presented in Chapter 2).

Furthermore, the ENA recognises the role of the private sector and civil society in the promotion of public integrity and the fight against corruption, by acknowledging that corruption-related crimes not only arise as a consequence of failures of integrity by public servants but also require “*complicity that can come from the private and social spheres*” (Presidency of Ecuador, 2022, p. 6^[10]) and therefore “*public and private co-responsibility to prevent and sanction corruption*” is essential (Presidency of Ecuador, 2022, p. 7^[10]). In this regard, two of the eight national strategic lines of the ENA focus directly on raising awareness of the role of the private sector and civil society in the promotion of public integrity and strengthening that role (Figure 1.2).

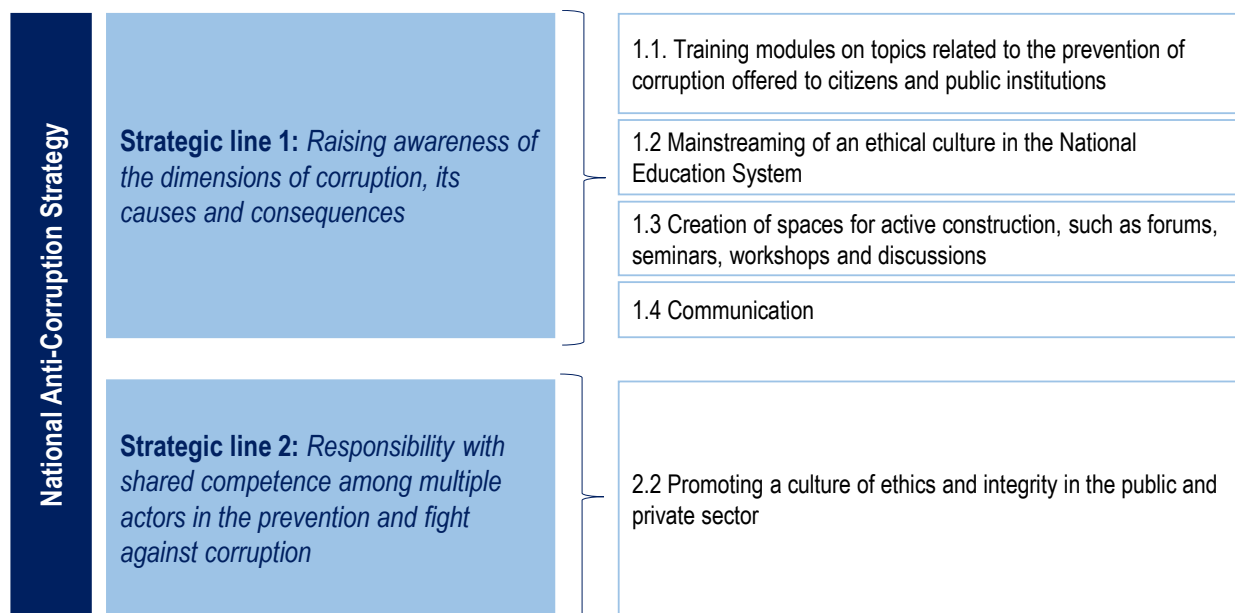
Figure 1.2. ENA strategic lines related to the whole-of-society approach to public integrity



Source: Prepared by the OECD based on the ENA, (Presidency of Ecuador, 2022_[10]).

Additionally, in October 2022, the Secretariat for Anti-Corruption Public Policy (*Secretaría de Política Pública Anticorrupción*, SPPA) published the 2022-2025 ENA Action Plan, which includes the objectives, expected results and lines of action associated with each of the eight national strategic lines of the ENA. The action plan includes, among others, actions aimed at cultivating a culture of integrity in the whole-of-society. For example, in the case of national strategic lines 1 and 2, the action plan establishes concrete actions to be implemented by the SPPA, in co-ordination with relevant public and private sector entities, in order to promote public integrity in the whole of Ecuadorian society (Figure 1.3).

Figure 1.3. ENA action plan actions related to the whole-of-society approach to public integrity



Source: Prepared by the OECD based on the ENA action plan, (Secretariat for Anti-Corruption Public Policy, 2022_[11]).

Although it was initially foreseen that this action plan would reflect the commitment of the Ecuadorian public sector to public integrity by gathering activities to be implemented jointly and co-ordinated by the different entities with responsibilities within the national integrity system, due to the political context and resource constraints, the SPPA decided to elaborate an action plan with specific actions to be co-ordinated with other relevant actors. This is in line with its functions and attributions in terms of co-ordination with the competent entities for the implementation of the ENA, as established in Executive Decree 412 of 2022. The SPPA reported that it continues to work on the participatory construction of an ENA action plan that incorporates the commitments of all sectors of Ecuadorian society.

Beyond the Executive Function, there are efforts by other functions to cultivate a culture of public integrity in Ecuadorian society. For example, the Transparency and Social Control Function (*Función de Transparencia y Control Social*) – which includes the Comptroller General’s Office (*Contraloría General del Estado*), the Ombudsman’s Office (*Defensoría del Pueblo*), the Council for Citizen Participation and Social Control (*Consejo de Participación Ciudadana y Control Social*), and the superintendencies of Banks (*Bancos*), Companies, Securities and Insurance (*Compañías, Valores y Seguros*), Control of Market Power (*Control del Poder de Mercado*), Popular Solidarity Economy (Economía Popular Solidaria), and Spatial Planning, Land Use and Land Management (*Ordenamiento Territorial, Uso y Gestión del Suelo*) – developed the National Public Integrity and Anti-Corruption Plan for 2019-2023 (*Plan Nacional de Integridad Pública y Lucha Contra la Corrupción 2019-2023*, PNIPLCC). This Plan identifies the main causes of corruption and proposes actions to mitigate these causes, within the framework of 3 strategic objectives that are directly related to the purpose of fostering a culture of public integrity in the whole-of-society, namely:

- “1. Promote integrity in public and private management of public resources
2. Strengthen citizen action in its various forms of organisation to have an impact on public affairs.
3. Strengthen public and private inter-institutional co-ordination and co-operation mechanisms that co-ordinate initiatives and actions for the prevention and fight against corruption” (*Transparency and Social Control Function, 2019, p. 66_[12]*).

However, despite its purpose of contributing to the promotion of a culture of integrity in the whole-of-society, the PNIPLCC lacks a sense of ownership by relevant actors in other branches of government, which has hindered its implementation and limited its impact (OECD, 2021_[13]). In addition, no periodic monitoring and/or evaluation reports on the implementation of the PNIPLCC were found, making it difficult for citizens and other relevant actors to know the progress made and to join efforts in favour of public integrity. In this regard, and considering that the Transparency and Social Control Function will soon begin the process of designing the National Public Integrity and Anti-Corruption Plan for the next period, it is necessary to ensure co-ordination, in the planning and implementation stages of the new Plan’s actions, with the relevant public entities of other State functions, such as the SPPA, the Ministry of Education (*Ministerio de Educación*), the National Public Procurement Service (*Servicio Nacional de Contratación Pública*), among others, as well as with other actors in Ecuadorian society.

This report assesses current Ecuadorian public sector initiatives aimed at citizens, CSOs and the private sector to cultivate a culture of integrity in the whole-of-society and to foster co-responsibility in the promotion of public integrity. Based on the analysis of the current situation, this report provides specific recommendations tailored to the Ecuadorian context to inform future actions to strengthen the public integrity approach in the whole-of-society.

1.2. Strengthening institutions for public integrity in Ecuador

1.2.1. The Ecuadorian government could strengthen the focus and organisation of the Anti-Corruption Public Policy Secretariat to reinforce its stability as the main institution with responsibilities for public integrity in the Executive Function

Since 2007, Ecuador has made several attempts to create a Secretariat within the Presidency of the Republic with responsibility for integrity and anti-corruption issues within the Executive Function. This includes the (first) National Anti-Corruption Secretariat in 2007, the National Secretariat for Management Transparency in 2008, the Secretariat General for Public Administration in 2013 – whose responsibilities were then delegated to other secretariats in 2017, the (second) Anti-Corruption Secretariat in 2019 – abolished in 2020 without any formal handover of its managerial and co-ordinating roles to any other institution, and finally the current SPPA, created in 2022.

These repeated institutional changes of the main institution with responsibilities for public integrity in the Ecuadorian Executive Function have led to a lack of continuity in the efforts to promote public integrity in Ecuador and to consolidate a national public integrity system. International good practice shows that integrity policies, especially preventive measures, require consistency and continuity over a longer period of time in order to develop and show their impact (OECD, 2017^[14]). International experiences also show that constant institutional changes resulting from short-term political fluctuations as well as arbitrary changes in the ownership of integrity bodies can undermine the continuity and coherence of policies over time, in particular those aimed at incrementally but sustainably building institutional capacities for integrity (OECD, 2017^[14]).

In addition, considering that several of the SPPA's functions and powers are aimed at effective co-ordination between institutions with responsibility for public integrity both within the Executive Function and between State Functions, it is essential to ensure its continuity with a view to strengthening good working relations and the bonds of trust with these public entities, which are necessary for the effective fulfilment of its functions and powers to promote public integrity.

Considering the above, it is essential to ensure that there is a stable institution within the Ecuadorian Executive Function that is focused on promoting a strategic and sustainable response to corruption through public integrity. In Ecuador, this objective is addressed with the creation of the SPPA in 2022, in the sense that Executive Decree 412 of 2022 grants it specific functions and attributions to strengthen public integrity and prevent corruption within the Executive Function and in co-ordination with other State Functions, levels of government and key actors of society. However, to mitigate the continuity, coherence and co-ordination risks mentioned above and to provide a stronger institutional basis to effectively promote public integrity in Ecuadorian society, the Ecuadorian government could consider strengthening the focus and organisation of the main institution with responsibilities for public integrity in the executive function: the SPPA.

To this end, international good practice has demonstrated the importance of addressing and strengthening the following elements (OECD, 2017^[14]; OECD, 2019^[15]):

- Maintain a separation between the functions of preventing corruption and detecting and sanctioning corruption cases, in order not to undermine the credibility and effectiveness of the preventive and advisory function of the main institution with responsibility for public integrity in the Executive Function, in the case of Ecuador, the SPPA. International good practices show the importance of clearly differentiating between the preventive function, focused on promoting a culture of public integrity, and the function of detecting and sanctioning cases of corruption. There are several reasons why this separation is advisable. First, this separation strengthens the credibility of the unit responsible for public integrity and facilitates the establishment of trust with a view to strengthening its advisory role. Second, experience has shown that units with this dual role devote a large part of their efforts and resources to receiving complaints, while not enough resources are devoted to

prevention and promotion of a culture of integrity (OECD, 2019_[15]). Third, attributing actions in the field of detection and sanctioning such as receiving complaints and collecting information on alleged acts of corruption to the unit responsible for integrity could generate false expectations or perceptions, as without the full investigative and sanctioning powers people may get the false impression that this unit is not efficient (OECD, 2019_[15]) or it is politicised. Regarding the third argument, paragraph 16 of Executive Decree 412 of 2022 states that the SPPA is responsible for “*gathering information on alleged irregularities or acts of corruption...*” which could create confusion regarding the scope of the SP’A’s responsibilities, in particular, its role in investigating and sanctioning alleged irregularities or acts of corruption that it detects. Moreover, while this paragraph states that the information collected by the SPPA should be brought “*to the attention of the competent judicial and/or administrative authorities*”, without proper communication, this could create false expectations regarding the role of the SPPA or raise suspicions of politicisation by collecting and/or transferring information on certain cases and not others.

- Strengthen and make more visible the preventive and integrity policy advisory work of the main institution with responsibility for public integrity in the Executive Function, in the case of Ecuador, the SPPA. This, considering that the name of the SPPA could lead to confusion between the proactive approach of promoting a culture of public integrity (prevention) in line with the OECD Recommendation on Public Integrity (2017_[2]) and a more traditional approach of detection and sanctioning individual corruption cases.
- Establish and enforce explicit legal or regulatory requirements that allow for the selection of suitable profiles to lead the main institution with responsibility for public integrity in the Executive Function, in the case of Ecuador, the SPPA. This includes profiles that include integrity criteria, as well as clear and transparent appointment, removal and evaluation procedures.
- Guarantee a certain degree of administrative, organisational and financial autonomy that allows for autonomous decision making by the main institution with responsibilities for public integrity in the Executive Function, in the case of Ecuador, the SPPA. For example, a certain degree of administrative autonomy could be guaranteed to the SPPA concerning the definition of its communication strategy, so that the General Secretariat of Communication of the Presidency of the Republic (*Secretaría General de Comunicación de la Presidencia de la República*, SEGCOM) would not have the function of reviewing and endorsing the SP’A’s actions in this area, but only of providing technical support.

The Ecuadorian government could consider strengthening the approach and organisation of the SPPA based on a short- and medium-term strategy that addresses the different elements mentioned above.

1.2.2. Ecuador could strengthen the institutional co-ordination body in charge of overseeing the implementation of the ENA to ensure strategic co-operation among the five state functions and levels of government, with the contribution of civil society, academia and the private sector

In Ecuador, public integrity responsibilities are assigned to different institutions that belong to the five Functions of the State - namely the Executive, Legislative, Judicial, Electoral, and Transparency and Social Control functions. For example, within the Executive Function, the SPPA leads the fight against corruption in the Executive and co-ordinates integrity and anticorruption actions with other State Functions, while the Ministry of Labour (*Ministerio de Trabajo*), the Ministry of Education and the Financial and Economic Analysis Unit (*Unidad de Análisis Financiero y Económico*, UAFE) have complementary competencies that are key to the public integrity system. Within the Judicial Function, the Prosecutor General Office (*Fiscalía General del Estado*) has a leading role as the institution responsible for conducting preliminary investigations and criminal prosecution of corruption-related offences (OECD, 2021_[13]), and within the

Transparency and Social Control Function, the Council for Citizen Participation and Social Control is responsible for facilitating citizens' participation for transparency.

Until mid-2022, despite the existence of a multiplicity of institutions with integrity responsibilities, Ecuador lacked institutional arrangements, both formal and informal, on public integrity that could bring together the relevant bodies of all functions and different levels of government in a complete and integrated manner (OECD, 2021_[13]). Indeed, although there were some integrity co-operation mechanisms in place with regards to enforcement, for example, the Inter-institutional Co-operation Agreement to strengthen the fight against corruption and asset recovery signed in 2019 between the Judiciary Council (*Consejo de la Judicatura*), the then existing Anti-Corruption Secretariat, the Comptroller General's Office, the Attorney General's Office (*Procuraduría General del Estado*), the Prosecutor General's Office, and the UAFE, and within state's functions, for example, the Co-ordination Committee of the Transparency and Social Control Function composed of the head of each of the entities that make up this function (OECD, 2021_[13]), these mechanisms did not cover all relevant instances of the Ecuadorian integrity system.

Considering this and in order to remedy the lack of institutional arrangements on public integrity that would guarantee dialogue and co-ordination among all relevant bodies (OECD, 2021_[13]), the Ecuadorian government provided for the creation of an inter-institutional co-ordination body for the prevention of corruption within the framework of the ENA. This, in line with international good practices and the recommendations of the *OECD Report on Public Integrity in Ecuador: Towards a National Integrity System* (2021_[13]). This co-ordinating body brings together representatives of all relevant public sector institutions from all five state functions (some as members and others as observers) as well as representatives of sub-national governments. It also seeks to foster a dialogue with civil society, academia, the media and the private sector by convening them as non-governmental observers (Figure 1.4).

Figure 1.4. Inter-institutional co-ordination body for the prevention of corruption

Members	Observers	
<ul style="list-style-type: none"> • President of the Republic • President of the National Assembly • President of the Judicial Function • President of the Electoral Function • President of the Transparency and Social Control Function • State Comptroller General • State Attorney General • Ombudsman • President of the Association of Ecuadorian Municipalities • President of the Consortium of Provincial Autonomous Governments 	<ul style="list-style-type: none"> • Director of the National Public Procurement Service • Director of the Financial and Economic Analysis Unit • Director of the Internal Revenue Service • Superintendents • Civil Society • Universities • Media • Employers' and workers' associations 	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">State</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Non-state</div>

Source: Prepared by the OECD based on the ENA, (Presidency of Ecuador, 2022_[10]).

The responsibilities of the inter-institutional co-ordination body for the prevention of corruption include the articulation and co-ordination of public entities with responsibilities on public integrity belonging to the five state functions and the formulation of policies in the area of integrity and the fight against corruption. Both the composition and the responsibilities of the inter-institutional co-ordination body for the prevention of corruption are appropriate for the Ecuadorian context and are in line with international good practices.

However, since its proposed establishment in July 2022 (the body was actually set up in October 2022), the inter-institutional co-ordination body for the prevention of corruption has only met on two occasions - in October and November 2022 - convened by the Presidency of the Republic. At the first meeting, the integrity and anti-corruption initiatives of the different members were presented in order to design an inter-institutional roadmap and propose joint objectives. At the second meeting, five Public Integrity Roundtables were established, namely: (1) culture and education, (2) strengthening public service and meritocracy, (3) regulatory reforms, (4) quality of public spending, and (5) statistics and technology. It was also agreed that the SPPA will act as Technical Secretariat of the co-ordinating body, in order to follow up on the commitments generated in the five Public Integrity Roundtables.

Although the co-ordinating body has not been restored due to political reasons and no new meetings have been scheduled or held during the first five months of 2023, the dialogue held in the first two meetings has served to push forward the initiatives reported by several of its public and private members - for example, co-operation between the Executive and Judicial functions to improve the transfer of information and generate adequate anonymous reporting protocols, demonstrating the relevance of this type of dialogue and co-ordination on integrity issues. In addition, while the co-ordinating body is restored, the SPPA has played a key role as co-ordinator and articulator, holding bilateral meetings with the different institutional actors that make it up and supporting the implementation of concrete actions discussed in the framework of the first meetings - for example, capacity building to strengthen public service and the implementation of institutional corruption risk management mechanisms.

However, despite the SPPA's efforts to encourage co-ordination and dialogue in the current context, the temporary suspension of the inter-institutional co-ordination body for the prevention of corruption has raised concerns among its members and observers, particularly with regard to its continuity and true capacity to promote articulation and co-ordination amongst the different public entities with responsibilities in the area of public integrity.

In addition, interviews during the fact-finding mission evidenced that, despite recent efforts by the Ecuadorian government to strengthen the foundations of the national integrity system, there are still institutional weaknesses that could undermine the effectiveness of any measures to be implemented in the area of public integrity. Indeed, there is still a lack of clarity on the scope of many of the integrity responsibilities of Ecuador's public entities and how they should articulate and communicate with each other in order to carry out their functions efficiently. In this regard, a task that remains pending is the institutionalisation of the National Public Integrity and Anti-Corruption System, in co-ordination between the SPPA, the Ministry of Labour, the Secretariat of Public Administration and Cabinet (*Secretaría de Administración Pública y Gabinete*), and other relevant public entities, also involving civil society, the private sector and the academia, in order to generate commitments from all sectors and levels of the Ecuadorian society (OECD, 2021^[13]).

Moreover, repeated institutional changes aggravate this situation and often result in the loss of relevant information and difficulties in managing institutional knowledge. For example, the constant changes in the authority responsible for public integrity in the Executive Function resulted in a lack of continuity in the efforts to cultivate public integrity and fight corruption in previous years, and although there is now an entity with clear responsibilities for public integrity and anti-corruption - the SPPA - its focus and organisation need to be strengthened so that it does not suffer the same fate as its predecessors. Also, following recent changes in the structure of the Presidency of the Republic, it is unclear who the institutional actors responsible for several of the actions set out in Executive Decree No 4 of 2021 are - such an Executive Decree contains the standards of ethical governmental behaviour for all public officials of the Executive Function, including the function of supervising and enforcing its compliance.

For all the above, although there is currently an entity within the Executive Function with the power to co-ordinate co-operation between the institutions of the Executive Function and other state functions aimed at promoting public integrity, Ecuador could strengthen the inter-institutional co-ordination body for the

prevention of corruption to ensure strategic co-operation between the five state functions and all levels of government, with the contribution of civil society, academia and the private sector. This is in line with the recommendations of the OECD Report *Public Integrity in Ecuador: Towards a National Integrity System* (2021^[13]).

Notes

¹ The regional average for Enterprise Surveys data includes data from Argentina, Bolivia, Colombia, Ecuador, Paraguay, Peru and Uruguay.

² The regional average for information on an act of corruption includes information from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

³ The regional average on having paid a bribe to access basic services includes information from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Jamaica, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela.

⁴ The regional average for companies reporting having received at least one bribe payment request includes information from Argentina, Bolivia, Colombia, Ecuador, Paraguay, Peru and Uruguay.

2 Strengthening citizen participation in the design of integrity policies in Ecuador

This chapter analyses the actions by the Government of Ecuador to encourage citizen participation in the development, updating, implementation and evaluation of the public integrity system and its different elements. In addition, it offers recommendations for strengthening citizen participation processes as a first step towards a culture of public integrity in the whole-of-society.

2.1. Introduction

As part of promoting a whole-of-society approach to public integrity, governments should involve citizens, CSOs and the private sector in the development, updating and implementation of the public integrity system and its elements (OECD, 2020^[1]). In this sense, the OECD Recommendation on Public Integrity states that adherents should “encourage transparency and stakeholders’ engagement at all stages of the political process and policy cycle to promote accountability and the public interest” (OECD, 2017^[2]) including through actions that give all stakeholders - in particular the private sector, civil society and citizens - access to the development and implementation of public policies related to public integrity and its elements.

Involving stakeholders in the development, updating, implementation and evaluation of public integrity systems and their elements offers several benefits. First, it helps to ensure that policymakers have a clear, concise and informed understanding of the integrity challenges facing society in a rapidly evolving context. Secondly, it helps to develop up-to-date and customised solutions based on evidence and information rather than impressions. Thirdly, it helps to avoid unintended impacts and avoids practical implementation problems associated with integrity policies. Finally, it can lead to greater compliance with and acceptance of regulations and standards, particularly when stakeholders feel that their views and comments have been taken into account.

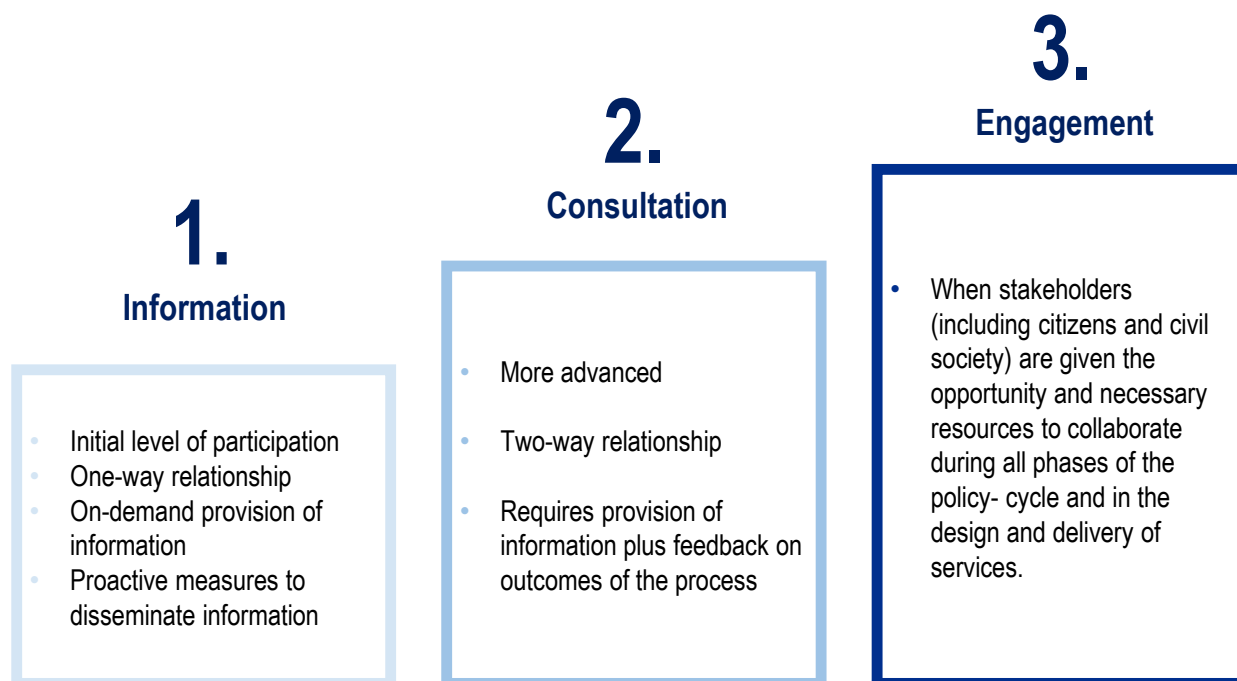
2.2. Strengthening participatory practices to develop and implement the Ecuadorian public integrity system and its elements

2.2.1. Actors with responsibilities for integrity could strengthen citizen engagement processes as a first step towards a whole-of-society culture of public integrity

The participation of all key stakeholders, including citizens, CSOs and the private sector, is a key success factor in the process of developing, updating and implementing the public integrity system and its elements as it brings to this process information about the issues and challenges rather than assumptions. It also contributes to raising awareness of public integrity, to building ownership and a sense of co-responsibility among citizens and other relevant actors, and to creating a platform for dialogue on the issue of corruption.

The OECD Recommendation on Open Government (2017) distinguishes between three levels of citizen and stakeholder engagement, which differ according to the level of involvement (Figure 2.1). First, information, an initial level of participation characterised by a one-way relationship in which government produces and delivers information to citizens and stakeholders. Second, consultation, a more advanced level of participation that entails a two-way relationship in which citizens and stakeholders provide feedback to government and vice-versa. Third, engagement, when citizens and stakeholders are given the opportunity and necessary resources (e.g. information, data, and digital tools) to collaborate during all phases of the policy cycle and in the design and delivery of services.

Figure 2.1. OECD ladder of participation



Source: (OECD, 2022^[16]).

Aware of the benefits of participatory processes, the Government of Ecuador has encouraged the involvement of citizens, CSOs and the private sector in the development and implementation of several of the new elements of the public integrity system. For example, for the design of the ENA, comments were gathered from different sectors of society, including national and local public sector bodies, political parties and civil society, comprising non-governmental organisations, academia, the media, employers' and workers' associations (Presidency of Ecuador, 2022^[10]). In this sense, the ENA was elaborated based on the *General Guidelines of the National Anti-Corruption Policy* and the inputs generated during the public consultation process carried out between January and February 2023, which included workshops, interviews and surveys in which representatives of the different levels of society participated. As part of this process, the Presidency of the Republic led workshops in different cities of the country and conducted interviews with various public entities belonging to the different State functions and government levels (Box 2.1). The inputs collected during this consultation process were used in a general way in the diagnosis and in the 9 strategic lines of the ENA.

Box 2.1. Details of the public consultation process for the development of the ENA

During the development process of the ENA, the Ecuadorian government sought the participation of different stakeholders. In this sense, the Presidency of the Republic led workshops in different cities of the country in which more than 380 people participated including 80 representatives of 31 academic institutions, 32 people from 26 workers' unions, 32 people from 28 productive and industrial unions, 8 representatives of local media, 103 people representing 78 civil society organisations and 132 officials from 72 public entities. Additionally, the government held interviews with 43 prioritised public entities belonging to different State functions and organised spaces for dialogue with political organisations and legislative benches.

Source: Interviews during the socialisation stage of the preliminary recommendations.

Moreover, once the ENA was drafted, a socialisation event was held in July 2022, in which around 300 people participated, including authorities from all State functions and levels of government, as well as representatives from society. Finally, the SPPA also held workshops and dialogue spaces in several cities of the country with multiple stakeholders to socialise the ENA and gather additional inputs for its action plan.

Additionally, to strengthen the co-ordination of entities with integrity-related responsibilities and to support the implementation of the ENA, an inter-institutional co-ordination body for the prevention of corruption was created, which brings together not only representatives of all relevant public sector institutions - including entities from all State functions and from different levels of government - but also civil society, academia, the media and the private sector as observers (Presidency of Ecuador, 2022^[10]).

Without disregarding the efforts of the Presidency of the Republic and the SPPA to promote citizen and stakeholder participation in the development of the ENA, interviews during the fact-finding mission evidenced some weaknesses that could be addressed to strengthen citizen and stakeholder participation as a first step towards a whole-of-society culture of public integrity, in line with the OECD Recommendation on Public Integrity and the OECD Recommendation on Open Government:

- First, different actors interviewed argue that the methodology used for the development of the ENA did not allow for the participatory creation of the strategy nor for an active citizen participation beyond the first level of the OECD ladder of participation (i.e. “information”). Indeed, despite providing inputs and sharing concerns about the strategy, different stakeholders interviewed argued that these were not considered, and stakeholders were informed about a strategy that had already been finalised and adopted.
- Second, stakeholders were not informed about how the inputs obtained during the public consultation were used in the final version of the ENA. Indeed, while not all inputs received during a participatory process need to be incorporated into the final document, it is necessary to report on how comments and feedback provided by citizens, CSOs and the private sector were considered in the final version of the strategy, including explanations regarding those comments that were not taken into account. This is essential to ensure the transparency of the process, to foster dialogue with citizens and to demonstrate that the participation exercise goes beyond mere formality and transcends the first level of the OECD ladder of participation.

Moreover, the Government of Ecuador could also improve the participation of relevant public sector stakeholders in the development of the elements of the integrity system. As mentioned above, the ENA 2022-2025 action plan contains actions exclusively under the control of the SPPA to be developed in co-ordination with relevant public and private sector entities. Although it was initially foreseen that this action plan would be elaborated jointly by all public entities with responsibilities within the national integrity system

and include activities to be implemented by all relevant actors, due to the political context and resource constraints the final document was elaborated by the SPPA. While this document was elaborated within the framework of the SPPA's functions and sets out activities consistent with the nine strategic lines of the ENA, the lack of participation of other relevant actors undermines the opportunity to create synergies and strengthen the commitment of the public sector and the-whole-of-society to public integrity.

Aware of this, the SPPA has stated that it seeks to strengthen the inter-institutional co-ordination body for the prevention of corruption in order to generate commitments that will lead to the definition of a more inclusive action plan. In this regard, it is important to highlight that for this process to be successful, it requires not only the design and implementation of methodologies that motivate participation, but also the commitment, interest and active engagement of the different institutional actors that are part of the Ecuadorian public integrity system.

Considering the above, actors with responsibilities for integrity, and in particular the SPPA, could consider strengthening citizen and other stakeholder engagement processes as a first step towards a whole-of-society culture of public integrity. Table 2.1 provides some elements that can be considered when designing and implementing methodologies for stakeholders' engagement in the development, updating and implementation of the public integrity system and its elements.

Table 2.1. Elements for managing stakeholder engagement

Elements to consider	Options
Set a clear objective and define the scope of participation	<ul style="list-style-type: none"> • Identify objectives and desired outcomes of participation: <ul style="list-style-type: none"> ○ Seek expert knowledge? ○ Obtain buy-in from stakeholder? • Define the roles and responsibilities of all parties and required level of participation. Consult, collaborate and empower, etc.
Actively disseminate balanced and objective information on the issue	<ul style="list-style-type: none"> • Make relevant information publicly available through websites, newsletters and brochures.
Allow information disclosure	<ul style="list-style-type: none"> • Provide access to information upon demand by stakeholders. • Promote media and civil society scrutiny. • Establish an independent oversight body to ensure appropriate disclosure.
Target groups relevant to the issue	<ul style="list-style-type: none"> • Find the right mix of participants and ensure that no group is inadvertently excluded: <ul style="list-style-type: none"> ○ Stakeholder mapping and analysis. ○ Avoid marginalisation of the “usual suspects”
Incorporate knowledge and resources beyond the public administration	<ul style="list-style-type: none"> • Consult with experts and leverage their expertise through means such as expert group workshops and deliberative surveys.
Allow appropriate time	<ul style="list-style-type: none"> • Undertake stakeholders' engagement as early in the policy process as possible to allow a wider range of solutions and raise the chances of successful implementation.
Support stakeholders	<ul style="list-style-type: none"> • Provide support to stakeholders by helping them understand their rights and responsibilities. <ul style="list-style-type: none"> ○ Raise awareness and strengthen civic skills/education. ○ Support capacity building.
Develop internal capacity in the public sector	<ul style="list-style-type: none"> • Provide adequate capacity and training, i.e.: <ul style="list-style-type: none"> ○ Sufficient financial, human and technical resources. ○ Access to appropriate skills, guidance and training for public officials.
Evaluate the process together with stakeholders	<ul style="list-style-type: none"> • Assess the effectiveness of engagement and make any necessary adjustments: <ul style="list-style-type: none"> ○ Identify new risks to the system's policy objectives. ○ Identify mitigation strategies

Source: Adapted from (OECD, 2017^[17]).

Furthermore, considering Ecuador's great diversity in cultural, ethnic and geographic terms, it is necessary to strengthen and diversify the mechanisms and channels for citizen participation in order to incorporate the needs, perceptions and visions of all relevant groups in Ecuadorian society. For example, new mechanisms and channels can be used to promote the participation of Ecuador's indigenous peoples and nationalities (*pueblos y nacionalidades indígenas ecuatorianos*), including the publication of the supporting documents and the document resulting from the consultation in the languages of the indigenous peoples and nationalities - this is the case of the Second National Open Government Plan of Ecuador (*Segundo Plan de Acción Gobierno Abierto Ecuador*) 2022-2024, which is published on the Open Government Ecuador website in Kichwa. In this sense, actors with responsibilities for integrity could consider going beyond traditional consultation processes in order to involve social groups that would normally not participate in these processes due to lack of knowledge, poor training in participation, information overload, among others. In some countries, governments are working with civil society groups to gain access to the hardest-to-reach societal groups (OECD, 2017^[17]).

Other actors with responsibilities for public integrity in other State functions could also consider strengthening the consultation and co-ordination processes with stakeholders for the development, updating, implementation and evaluation of the different elements of the public integrity system. For example, the Transparency and Social Control Function could ensure the development and use of a participatory methodology in the design and implementation of its new National Public Integrity and Anti-Corruption Plan. This is particularly relevant considering the difficulties of implementing the current PNIPLCC as a consequence of a low sense of ownership by relevant actors in other public authority functions and low public awareness (OECD, 2021^[13]). To this end, the Transparency and Social Control Function could draw inspiration from successful inclusive practices and methodologies used in other countries to formulate its integrity and anti-corruption strategies, as detailed in the OECD report *Public Integrity in Ecuador: Towards a National Integrity System* (2021^[13]) and at Box 2.2. Similarly, the Council for Citizen Participation and Social Control could play a key role considering its responsibilities in terms of citizen participation established in article 208 of the 2008 Constitution of the Republic of Ecuador, in particular that of “*promoting citizen participation, stimulating processes of public deliberation and fostering training in citizenship, values, transparency and the fight against corruption*” (Constituent Congress, 2008^[18]).

Box 2.2. Good participatory practices for developing integrity and anti-corruption plans, policies and strategies

Chile's National Public Integrity Strategy (*Estrategia Nacional de Integridad Pública, ENIP*)

The Presidential Advisory Commission for Public Integrity and Transparency (*Comisión Asesora Presidencial para la Integridad Pública y Transparencia*) promoted a public consultation process to build, together with citizens, Chile's first national anti-corruption strategy. This strategy, which sets goals for the next 10 years, aims to establish an anti-corruption culture and promote ethical values aimed at protecting the public interest and strengthening democracy. In this regard, citizens were invited to participate in the public consultation between 20 October and 10 November 2022 on the website <https://consultaintegridad.gob.cl>, where the proposed objectives and axes of the ENIP were available. In order to ensure the transparency of this process, the details and conclusions of the results of the voluntary and anonymous public consultation were presented in aggregated form and are published on the consultation website.

In addition to the public consultation, the Presidential Advisory Commission for Public Integrity and Transparency carried out a series of activities aimed at fostering the participation of relevant stakeholders in the ENIP's formulation process:

- Activity with academics and representatives of civil society organisations.
- Workshop with technical counterparts from ministries, services and other state bodies with responsibilities for public integrity.
- An event with high-level authorities, called "State Commitment for a National Strategy on Public Integrity" (*Compromiso de Estado para una Estrategia Nacional de Integridad Pública*), which concretised the conviction of these authorities to advance in a strategic, comprehensive and preventive approach, from the entire State.
- Five regional participatory workshops on public integrity, called "Let's Talk about Integrity" (*Hablemos de Integridad*).
- Meeting with chambers of commerce from different regions.
- Working day with the gender officers of all ministries to promote the gender approach in the implementation of the ENIP.

Costa Rica's National Integrity and Corruption Prevention Strategy (*Estrategia Nacional de Integridad y Prevención de la Corrupción, ENIPC*)

For the elaboration of the ENIPC, a multi-sectoral group called the "ENIPC Working Group" was formed. Such working group consisted of control bodies – including the Office of the Comptroller General of the Republic (*Contraloría General de la República*) and the Public Ethics Office of the Attorney General of the Republic (*Procuraduría de la Ética Pública de la Procuraduría General de la República*), representatives of the Executive Branch – from six ministries, representatives of the judiciary, representatives of the Ethics and Values Commission (*Comisión de Ética y Valores*), the private sector, civil society and academia. The Working Group defined a basic set of rules for decision making, meeting schedules and next steps.

Five working groups were established to develop the content of the ENIPC, comprising not only members of the ENIPC Working Group but also specialists from other ministries and civil society organisations. In addition, a wider public consultation process took place between 17 February and 2 March 2020 to receive feedback on a draft ENIPC document.

Source: <https://consultaintegridad.gob.cl> and <https://www.enipc.co.cr/>.

2.2.2. The Anti-Corruption Public Policy Secretariat could co-operate with the Transparency and Social Control Function to support capacity building for citizen participation

Promoting citizen participation in the development and implementation of public integrity systems and their elements not only requires the design of appropriate participation methodologies, but also citizens who understand their rights and responsibilities in the framework of these processes, are aware of the available participation mechanisms and have the skills required to participate in the participatory development process of public policies, strategies and plans. In this regard, countries can strengthen citizen participation by helping citizens understand their rights and responsibilities within this process and fostering capacity building for participation.

Aware of the above, the SPPA and the Transparency and Social Control Function have planned actions to strengthen citizens' knowledge and skills for effective citizen participation. For example, under the strategic line "*Responsibility with shared competence among multiple actors in the prevention and fight against corruption*", the ENA's action plan provides for the establishment of thematic working groups with civil society, academia, the media and international co-operation to build bridges of support among civil society actors and to build pillars in civil society to create capacities for the fight against corruption. Additionally, the PNIPLCC 2019-2023 foresees actions that seek to promote the effective implementation of mechanisms for citizen participation and control, such as citizen training on the use of participation mechanisms of the empty chair (*silla vacía*) and the activation of citizen oversight bodies (*veedurías*) (Transparency and Social Control Function, 2019^[12]).

Considering that the SPPA and the Transparency and Social Control Function, specifically the Council for Citizen Participation and Social Control, have the common objective of strengthening citizen participation, these institutions could consider strengthening their co-operation efforts in the design and implementation of actions for the development of capacities for citizen participation. This would ensure coherence and would allow the exploitation of synergies to achieve the expected results in less time and broaden the scope and impact of planned activities, while ensuring a more efficient use of resources.

3

Cultivating citizens' commitment to public integrity in Ecuador

This chapter looks at actions to cultivate citizens' commitment to public integrity, increase the low levels of public trust and reduce tolerance of violations of integrity standards. It also offers recommendations to mitigate possible negative effects of such actions by strengthening the evidence base and designing a communications strategy adapted to the Ecuadorian context. The chapter also offers recommendations for strengthening current efforts on education for integrity and citizenship of Ecuadorian children and youth in schools and universities.

3.1. Introduction

Individuals play a key role in promoting a culture of integrity in the whole-of-society (OECD, 2020^[1]). In their various interactions with the public sector, individuals have a shared responsibility to ensure that society's ethical norms, principles and values are respected. This responsibility is reflected in several ways: through respecting the rules governing their interactions with public officials and access to public resources, not participating in fraudulent schemes to access social benefits, paying taxes, and reporting corruption and fraud whenever they encounter them.

To cultivate society's commitment to public integrity and reduce tolerance of ethical violations, governments can take a variety of actions. For example, they can raise awareness of the costs of corruption and the benefits of public integrity, establish new social norms and standards of behaviour for individuals, raise awareness among citizens of their responsibilities for public integrity, educate children and young people about their role in protecting integrity and equip them with the skills to resist integrity failures (OECD, 2020^[1]).

3.2. Raising awareness in Ecuadorian society about the benefits of public integrity and citizens' responsibilities in promoting integrity

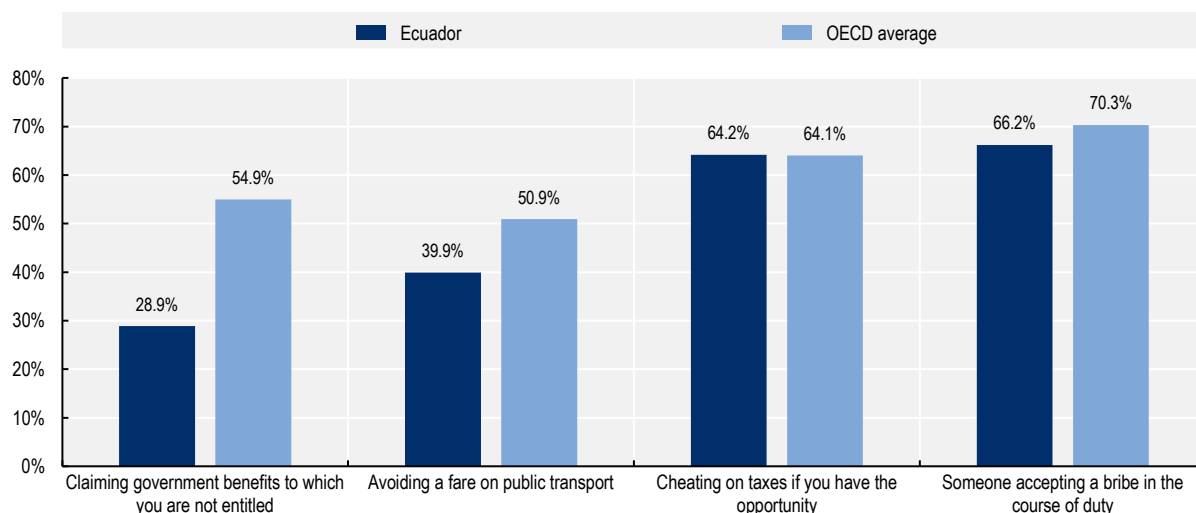
Awareness-raising activities are one of the main mechanisms by which governments can increase citizens' understanding of public integrity issues (OECD, 2020^[1]). However, raising awareness of integrity and anti-corruption efforts is not a question of educating about the existence of corruption, which citizens are well aware of, but about how to break the vicious circle that enables and encourages lack of integrity in society. To this end, the body in charge of communications in this area must have a clear understanding of what to communicate. This entails understanding what the main integrity and anti-corruption challenges are by using evidence rather than mere impressions, as well as designing an appropriate communication strategy.

3.2.1. The Anti-Corruption Public Policy Secretariat could take the lead in strengthening the evidence base on integrity and anti-corruption challenges in Ecuadorian society

In terms of context and as a first approximation to understanding Ecuador's challenges in cultivating citizens' commitment to public integrity, the evidence suggests that there is a high tolerance for "everyday" integrity violations in the country. Indeed, rejection of breaches of integrity in Ecuador is low compared to the average rejection in OECD countries. In three of the four cases of unethical behaviour analysed – namely, claiming government benefits to which one is not entitled to, avoiding payment of a public transport fare, and accepting a bribe in the course of one's duty, Ecuadorian citizens' rejection is lower than the average rejection of OECD countries (Figure 3.1). In addition, 44% of Ecuadorians said they agreed to tolerate a certain level of corruption as long as the country's problems are solved, which is higher than the regional average¹ corresponding to 40% of respondents (Corporación Latinobarómetro, 2018^[6]).

Figure 3.1. Rejection of breaches of integrity in Ecuador

Percentage of respondents who stated that it is “never justifiable” to act in the following way



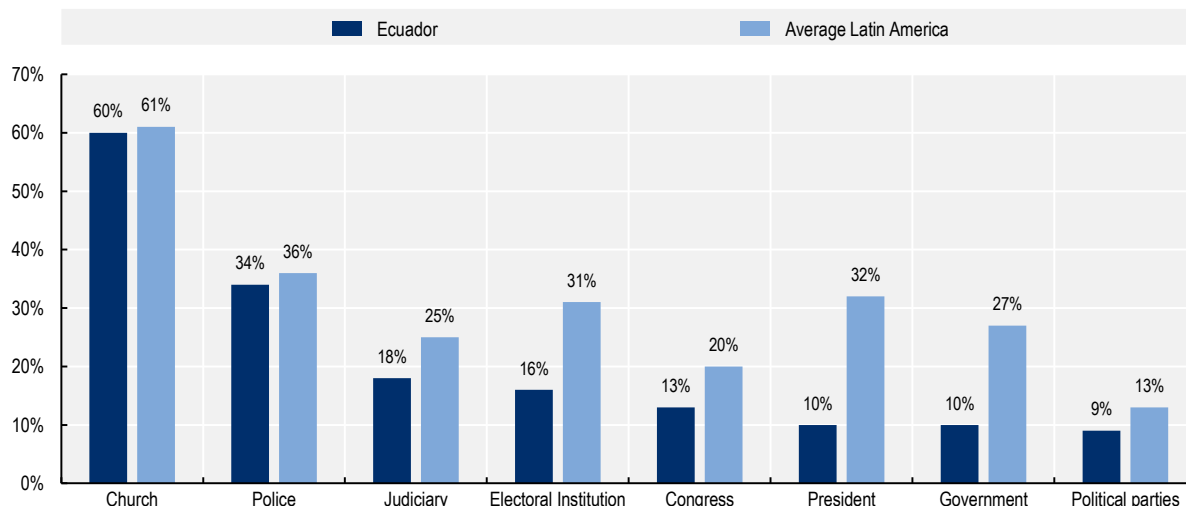
Note: The OECD average includes Australia, Canada, Chile, Colombia, Germany, Greece, Japan, Korea, Mexico, the Netherlands, New Zealand, Türkiye, and the United States.

Source: *World Values Survey*, 7th wave (2017-2022), (The World Bank, 2017^[4]).

This reality is complemented by a low intention to report misconduct. Indeed, 47% of Ecuadorians said they agreed that “when you know about something corrupt, it is better to keep quiet” (Corporación Latinobarómetro, 2018^[6]). Furthermore, Ecuador has the lowest percentage of people in the Latin American region who agree with the statement “if I don’t report an act of corruption that I know about, I become an accomplice”: only 58% of Ecuadorians think that not reporting an act of corruption that they know about makes a person an accomplice, compared to the regional average² of 74% (Corporación Latinobarómetro, 2018^[6]).

In addition, there is a significant trust gap between Ecuadorian citizens and public institutions. As Figure 3.2 shows, there is a high level of distrust among citizens towards the main public institutions - namely political parties, the government, the president, congress, the electoral institution, the judiciary, and the police. In all cases, trust levels in Ecuador are lower than the average for the Latin American region. Low levels of trust in public institutions can be a risk factor for clientelism and other forms of corruption, especially if combined with poor levels - perceived or actual - of public service access and delivery.

Figure 3.2. Percentage of Ecuadorians who expressed “a lot of trust” or “some trust” in major public institutions



Note: The Latin American average includes information from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

Source: (Corporación Latinobarómetro, 2021^[5]).

High levels of distrust are also present among Ecuadorian citizens themselves. Indeed, interpersonal trust in 2020 in Ecuador stands at 9%, which is below the regional average of 12%³ (Corporación Latinobarómetro, 2021^[5]) and serves as a major barrier to collective action. Considering that Latin America is the region in the world with the highest levels of interpersonal distrust (Corporación Latinobarómetro, 2021^[5]), the low levels of trust in Ecuador, which are even below the regional average, demonstrate the great challenges that exist in this area.

Finally, public opinion on the effectiveness of the government's anti-corruption reforms is low. Indeed, the most recent Latinobarómetro survey shows that only 28% of Ecuadorians indicated that “a lot” or “some” progress has been made in reducing corruption in State institutions during the two years prior to the survey (Corporación Latinobarómetro, 2021^[5]). Along the same lines, the Corruption Barometer Ecuador 2022 report revealed that only one in four people, 23% of those surveyed, believe that the current government is fulfilling its promises on anti-corruption (Fundación Ciudadanía y Desarrollo and Transparency International, 2023^[3]).

All of the above suggests that to implement a public integrity approach in the whole of Ecuadorian society, it is necessary to challenge the widespread beliefs that justify integrity violations and discourage citizens from reporting acts of corruption, to increase the low levels of public trust in public institutions, and to counteract the low perception of the effectiveness of government actions in the fight against corruption. However, while the above may be interesting starting points for the design of a communication strategy, additional information is required to allow for a more detailed and comprehensive assessment of integrity challenges in a country context. This is especially relevant in a country like Ecuador, where there is great diversity in cultural, ethnic and geographic terms, which can generate a high degree of heterogeneity in terms of perceptions of corruption, levels of trust in public institutions, tolerance of integrity violations, among others, and a need to communicate differentially.

In this sense, the SPPA could take the lead in strengthening the evidence base on the main challenges related to integrity and the fight against corruption, distinguishing, whenever possible and relevant, the particularities of the different “communities” that make up Ecuadorian society. To this end, the SPPA could consider strengthening co-operation with universities, research centres and academic researchers, who

could conduct research in relevant areas to inform the formulation of awareness-raising campaigns and integrity policies. Furthermore, considering the generally low levels of trust in public institutions, having an academic partner can serve as a safeguard for the independence and methodological soundness of the research (see also Section 3.3).

Similarly, citizens' experiences and views can also serve as a guide to identify challenges - for example, on access to and use of certain public services - and move towards integrity. There are different ways of collecting relevant information that can be used to strengthen integrity, such as inviting users of public services to answer a short anonymous satisfaction survey in which they answer questions not only on the quality of the public service they received, but also on perception of integrity of the institution or the public official they interacted with. In Ecuador, such an initiative is currently being implemented with the aim of reducing micro-corruption practices and promote transparency and integrity within a pilot public institution by means of a public intervention with a behavioural approach. Different institutions including the Secretariat of Higher Education, Science, Technology and Innovation (*Secretaría de Educación Superior, Ciencia, Tecnología e Innovación*, SENESCYT), the Ombudsman's Office, the SPPA, the Institute of Higher National Studies (*Instituto de Altos Estudios Nacionales*, IAEN), the Datalat and OpenlabEc Foundation, FLACSO Ecuador and ÉPICO, are working together with Thinkia, a Citizen Laboratory, in the development of this project. The initiative consists of anonymous satisfaction surveys of public services provided by SENESCYT in an intervention group and a control group, which will be subjected to different treatments in order to assess their impact, define opportunities for improvement in the provision of public services, and identify corruption risks to be mitigated.

Additionally, the increase in digitisation of interactions between citizens and the public sector creates a variety of opportunities to incorporate short questions into administrative procedures that later can be used for assessing the impact of integrity policies. Similarly, physical elements, such as a poster or a screen located directly in the public office, can be used for citizens to leave their comments. These mechanisms of collecting relevant information not only provide data on the quality and risks of corruption in particular public services but could also help build trust in public institutions by demonstrating that they are open to dialogue and continuous improvement.

3.2.2. The Anti-Corruption Public Policy Secretariat could design a communication strategy that encompasses, gives coherence to and guarantees the continuity and desired impact of public awareness-raising activities

While strengthening the evidence base for understanding key public integrity challenges, it is also necessary to design awareness-raising campaigns informed by this evidence and aimed not only at challenging existing social norms, but also at communicating and demonstrating expected new social norms (Bicchieri, 2016^[19]). Along these lines and aware of the importance of promoting a culture of public integrity in the whole of Ecuadorian society, the SPPA included actions aimed at communicating the role and responsibilities of citizens in upholding public integrity in the ENA action plan. Examples of these initiatives are: promoting awareness-raising campaigns on the prevention and fight against corruption, promoting channels for reporting possible acts of corruption, disseminating information related to corruption and implementing training modules for citizens on issues related to the prevention of corruption (Secretariat for Anti-Corruption Public Policy, 2022^[11]).

However, to ensure that these actions effectively challenge corruption and generate new rules of integrity in society in the long term, it is important to have a communication strategy that encompasses, provides coherence to and guarantees the continuity and expected impact of the different activities over a longer period. In addition, it is also important to consider that talking about corruption and the costs related to this phenomenon can have unintended consequences, which could be mitigated by designing a communication strategy. Indeed, in contexts where corruption is very present in public debate and the media, as is the case in Ecuador, campaigns that seek to raise awareness of corruption could have a

counter-productive effect by increasing the already high perception of corruption and confirming the impression that this is a widespread situation. Moreover, research has shown that unethical behaviour is contagious and that corruption-centred communication can result in a “self-fulfilling prophecy” effect, in which the perception that corruption is a common practice in society can lead to the rationalisation and justification of one’s own unethical behaviour (Ajzenman, 2021^[20]; Bicchieri and Xiao, 2009^[21]; Corbacho et al., 2016^[22]; Gino, Ayal and Ariely, 2009^[23]; Robert and Arnab, 2013^[24]). Such risks related to communication failures can be mitigated by carefully designing a communication strategy.

In Ecuador, the SPPA elaborated the Strategic Communication Plan (*Plan Estratégico de Comunicación*) 2023, requested and approved by SEGCOM. The general objective of this plan is to “*contribute to generating a culture of public integrity through the promotion of corruption prevention mechanisms, citizen co-responsibility and compliance with the National Anti-Corruption Strategy*”. Some of its specific objectives are to publicise the nine main lines of action of the ENA to be implemented by the SPPA, to raise awareness and strengthen the capacities of citizens and public officials in the areas of ethics, transparency and integrity, and to inform about the tools and mechanisms for the prevention of corruption generated by the SPPA.

Although the Strategic Communication Plan 2023 contains communication actions that include some of the key elements of communication campaigns – such as the problem to be addressed, indicators, target audience, dissemination channel, among others, it could be strengthened with a medium-term strategic vision and broader specific objectives. For example, the time frame of the plan is one year (2023) when it could cover a similar time frame to that of the ENA action plan. Regarding the specific objectives, these focus on communicating about the actions, mechanisms and tools of the SPPA rather than informing about the actions, mechanisms and tools of the integrity system as a whole.

To this end, the SPPA could consider developing a medium-term communication strategy that identifies a series of awareness-raising campaigns and the appropriate time frame for each of them, with the aim of raising awareness on public integrity and anti-corruption. In order to ensure that this strategy responds to technical criteria and recognising that integrity and anti-corruption policies are sensitive and of high political relevance, it is relevant to strengthen the administrative and organisational autonomy of the SPPA as discussed in Section 1.2.1, in particular with regard to the definition of its communication strategy. However, this independence does not prevent collaboration and co-ordination with other relevant entities. For example, to develop the communications strategy, the SPPA could work in co-ordination with other public sector institutions with experience in communications and citizens engagement - for example, SEGCOM and the entities of the Transparency and Social Control Function, ensuring the SPPA’s autonomy to design awareness-raising campaigns based on technical criteria and relevant information.

The communication strategy could incorporate the actions foreseen in the ENA, as well as other relevant actions derived from the analysis of the Ecuadorian context and integrity challenges. For each of the actions included in the communications strategy, the following elements should be identified:

- Expected outcomes (e.g. attitudes or behaviours to be changed, skills to be developed, etc.)
- Target audience
- Key messages (recalling the possible unintended effects highlighted above)
- Communication channels (e.g. television, websites, social media, print media)
- Evaluation mechanisms (e.g. public opinion surveys, web analytics, participation in events, number of complaints submitted, etc.)

Similarly, the SPPA could build on existing awareness-raising initiatives developed by other relevant actors in Ecuador, establishing alliances with different actors from the private sector and civil society (Box 3.1).

Box 3.1. Examples of communication and awareness-raising campaigns implemented by the private sector and civil society organisations in Ecuador

In Ecuador, the private sector and CSOs have played an important role in promoting public integrity in the whole-of-society. Some examples of communication and awareness-raising campaigns implemented by the private sector and CSOs are presented below:

“Creole Honesty” (Honestidad Criolla) campaign

On 9 December 2019, the International Chamber of Commerce (*Cámara de Comercio Internacional*, ICC), through the Integrity and Anti-Corruption Commission, launched the “Honestidad Criolla” campaign, with the aim of promoting a cultural change in Ecuadorian society and preventing acts of corruption. The campaign, which includes a YouTube video, seeks to reach Ecuadorians with a positive message, to promote a change in citizens' behaviour and to stop normalising acts that are wrong, such as petty corruption and bad actions. The video presents citizens who, given the choice to act contrary to integrity - for example, by buying pirated films, plagiarising publications or accepting bribes - decide to act honestly and contribute to change.

In addition, during the first months of the COVID-19 pandemic, the ICC, with support from SEGCOM, produced a new video in the framework of this campaign to show what “Honestidad Criolla” means in the framework of COVID-19 vaccination, an area of high risk for corruption.

“I Am a Victim of Corruption!” (¡Yo si soy víctima de la corrupción!) campaign

In 2022, the Fundación Lucha contra la Corrupción started the implementation of the campaign “I Am a Victim of Corruption!” with the support of private companies, international co-operation organisations, student organisations and young people. This campaign aimed to develop collective awareness on several issues: to boost citizens' commitment to the anti-corruption struggle; to enhance the involvement of youth - particularly students - in the anti-corruption struggle; and to develop - in constructive terms - the role of social networks as a mechanism for transmitting social demands to political bodies.

Through different media - social networks, strategic alliance with the Fundación Unión Estudiantil and traditional media - young Ecuadorians between 16 and 18 years old were invited to express in videos, to be published on TikTok or Twitter, their reflections on one or more of the following topics:

- Why citizens are victims of corruption, not just the State.
- Why the National Assembly (*Asamblea Nacional*) should declare that citizens are indeed victims of corruption.
- What is the role of citizens in the fight against corruption.
- Encourage the National Assembly to process the Draft Organic Law Reforming the Comprehensive Organic Criminal Code to Clarify the Role of the Citizen as Private Prosecutor in Corruption-Related Crimes.

On 15 August 2022, an award ceremony for the winners of the competition was held at the National Assembly's Commission for Political Oversight and Control (*Comisión de Fiscalización y Control Político de la Asamblea Nacional*).

Source: Interviews during the fact-finding mission, (Chamber of Commerce of Quito, 2019^[25]) and <https://www.youtube.com/watch?v=vdhyXNH0dxA&t=98s>.

With regards to the content (messages) of awareness-raising campaigns, these could start by positioning the concept of “public integrity”. Public integrity is more than a rational choice against corruption. Public integrity is about encouraging behaviour in the public interest over the self-serving behaviour such as

corrupt and unethical practices, moving from an approach that focuses on deterrence and enforcement to one that promotes values-based decisions in the public sector and in the whole-of-society (OECD, 2018^[26]). Then, considering the high level of tolerance of integrity violations and the low intention to report misconduct in Ecuador, awareness-raising campaigns could be built on two complementary pillars. First, with the aim of promoting citizens' co-responsibility for upholding public integrity, campaigns could highlight the costs that a lack of integrity generates for the economy and the whole of society (success factor “generate community responsibility” on Table 3.1). In this sense, awareness-raising campaigns could challenge any justification for unethical behaviour and create a link between individual integrity and wider public benefit. Second, with the aim of increasing citizens' sense of agency towards public integrity, awareness-raising campaigns could incentivise action by offering tangible alternatives for citizens to stand up for public integrity, including the reporting of corrupt behaviour (success factor “increasing a sense of agency” from Table 3.1).

Table 3.1. Success factors for behaviour changing campaigns

Success factor	Specific actions
Tailor the campaign to the audience	<ul style="list-style-type: none"> • Use existing attitudes • Make the issue accessible to the public • Make the issue culturally specific • Look at the issues from the target audiences' point of view
Generate community responsibility	<ul style="list-style-type: none"> • Make the issue socially unacceptable by framing it in moral terms • Highlight the wider impact of the issue on society and demonstrate its impact on human life
Increase a sense of agency	<ul style="list-style-type: none"> • Develop a sense of self-control, motivation, knowledge and skills • Offering alternative behaviours
Encourage action	<ul style="list-style-type: none"> • Highlight the action that needs to be taken, such as the proper procedures to report corrupt activities

Source: Adapted from (Mann, 2011^[27]).

Finally, considering the low level of public trust in public institutions, awareness-raising campaigns could also include a transversal component used to rebuild citizens' trust and strengthen their participation and support for ongoing public integrity initiatives. This could be achieved by going beyond communicating about the government's efforts to prevent corruption and instead focusing on demonstrating that change is possible through success stories of effective behavioural change in the public administration and society. These actions aimed at regaining citizen's trust should also be included in the communication strategy and should contain all elements previously identified to increase the chances of impact.

3.3. Strengthening education on public integrity and citizenship in Ecuador's schools and universities

Building a culture of integrity in society necessarily begins with the education of the very young (OECD, 2018^[28]). Public integrity education helps children and young people develop the knowledge and skills necessary to resist corruption and help challenge the social norms that enable corruption to flourish. In addition, public integrity education can generate new social norms and common knowledge about expected behaviours to prevent corruption, which contributes to raising citizens who are aware of their role and responsibility in promoting integrity from an early age. For example, evidence has shown that civic education programmes can increase the likelihood of young people rejecting authoritarian governments, corrupt practices and excuses for breaking the law (Ainley et al., 2011^[29]).

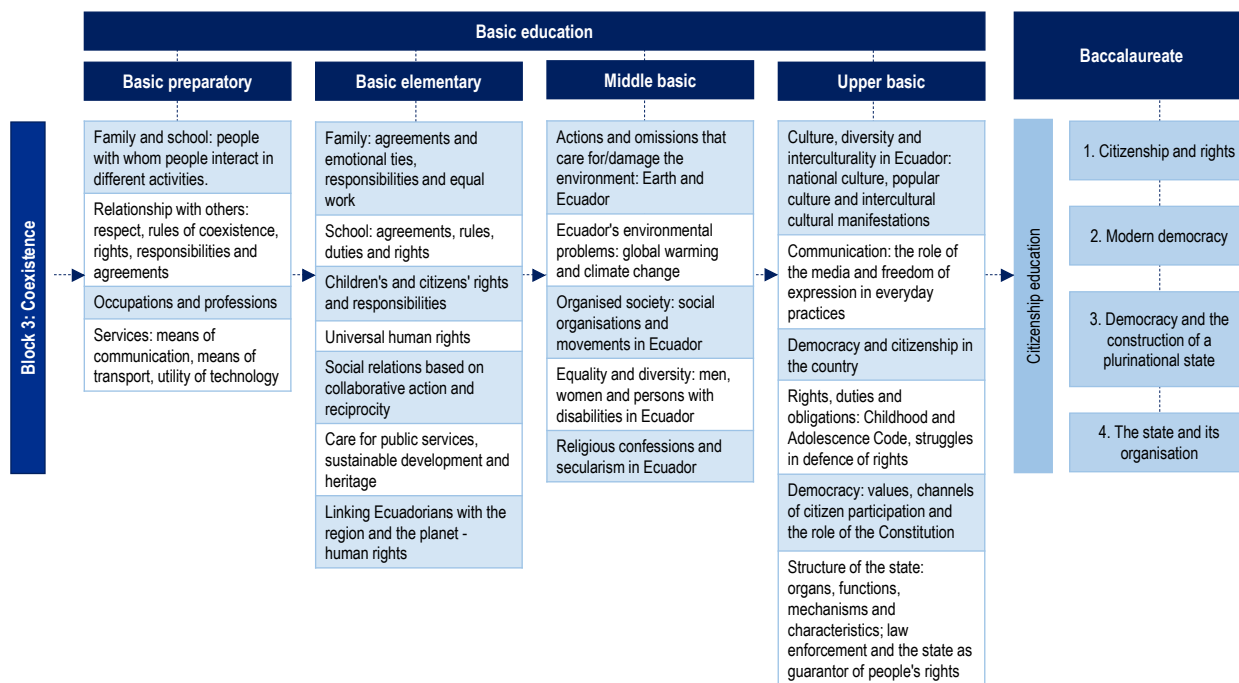
3.3.1. The Ministry of Education could establish a multi-stakeholder working group with responsibilities for strengthening current efforts on education for integrity within the framework of the existing national curriculum reform process

In Ecuador, the current national curriculum addresses elements of education for public integrity at all levels of the General Basic Education (*Educación General Básica*) and the Unified General Baccalaureate (*Bachillerato General Unificado*), specifically in the area of Social Sciences, under the curricular block “coexistence” (*convivencia*). The “coexistence” block is defined as the

“...appreciation of social coexistence (family, school, neighbourhood, community, etc.) as an indispensable condition (...); introduction to the process of “political literacy” of students, through learning about rights and responsibilities, social inequalities, forms of social organisation and harmonious coexistence with human beings and nature; development of the process of “political literacy” of students, through understanding and appreciation of citizenship, rights and responsibilities, democracy, the social role of the State, cultural diversity, communication and interculturality. In the baccalaureate, this block deepens students’ civic education through a critical analysis of democracy, its origins, foundations and limitations (...)” (Ministry of Education, 2016, p. 157^[30]).

This block includes conceptual contents related to public integrity, depending on the student’s age, such as common values of society, rights and duties of citizenship, democracy and the State, among others (Figure 3.3). Particularly, in the Baccalaureate “this block deepens the civic education of students, through the critical analysis of democracy, its origins, foundations and limitations, as well as the creative options of social and political organisation that arise in the face of it, based on a philosophical conception of social and political organisation” (Ministry of Education, 2016^[30]). In addition, in accordance with the compulsory curriculum, a specific work schedule has been established for this subject, to ensure it is feasible to address the established conceptual contents.

Figure 3.3. Map of conceptual contents of the curricular block “coexistence”



Note: The Ecuadorian education system is composed of 1) Initial education (*Educación inicial*): children between 3 and 5 years old; 2) General Basic Education: children between 5 and 15 years old and includes four sub-levels: Basic preparatory (*Básica preparatoria*): first grade of primary school, Basic elementary (*Básica elemental*): second to fourth grade of primary school, Middle basic (*Básica media*): fifth to eighth grade, and Upper basic (*Básica superior*): eighth to tenth grade; 3) Unified General Baccalaureate: young people between 16 and 19 years old, last three years of compulsory education.

Source: (Ministry of Education, 2016^[30]).

However, there is currently a high degree of heterogeneity in the way in which this block is taught in the different schools in the country, in terms of form - time intensity, sometimes as a subject, sometimes as a cross-cutting theme in the curriculum - and in terms of content. Additionally, discussions with relevant stakeholders in Ecuador during the fact-finding mission revealed that there are weaknesses in terms of civic education in Ecuadorian society - e.g. knowledge about the rights and duties of citizens - and that there is a lack of general knowledge about the structure of the Ecuadorian State and the functions of the different public institutions with responsibilities associated with public integrity and anti-corruption - for example, which public institution(s) is/are responsible for investigating and sanctioning corruption offences and other breaches of integrity.

As a consequence of these and other weaknesses of the current education system, the Ministry of Education (*Ministerio de Educación*) decided to reform the current national curriculum during the year 2023, through a participatory process that seeks to identify and include visions from the different sectors and territories of Ecuador. In this sense, to contribute to this process, the Ministry of Education has held meetings with the community, which has provided important inputs to strengthen the design of public policy in education and to share visions on educational transformation, curricular transformation and competency-based learning. The contributions and reflections from these meetings will be systematised in a public document during the second half of 2023.

Considering the above, this reform is the perfect opportunity to incorporate education for public integrity in the Ecuadorian curriculum by introducing, for example, a civic education course that explicitly incorporates age-appropriate modules on public integrity for all students in the General Basic Education and the General Unified Baccalaureate, and to develop guidelines and training activities for teachers to support the education of children and young people for public integrity. In this regard, the Ministry of Education and the SPPA have already held meetings to ensure SPPA's participation in the curriculum reform process and to include key elements for public integrity and civic education in the new curriculum.

There are many benefits of mainstreaming public integrity education through the curriculum. For example, it provides a solid approach to education for public integrity and ensures comprehensive coverage for all students throughout the country (OECD, 2018^[28]). It also allows the search for complementarities between different subjects, thus reducing the risk of curriculum overload and repetition (OECD, 2018^[28]). While this may be a time-consuming process, it is essential to take advantage of the existing national curriculum reform to address the identified deficiencies in terms of civic and public integrity education, thereby strengthening education on civic and public integrity from an early stage.

Given the interdisciplinary nature that this work requires and considering that acceptance by key stakeholders is necessary for public integrity education to be effective, the Ministry of Education could consider establishing a multi-stakeholder working group to ensure that the new curriculum reflects good practices and relevant knowledge on integrity. The working group could include representatives from the Ministry of Education, the SPPA and the Council for Citizen Participation and Social Control, as well as educators, universities, parents' associations and/or student groups and civil society organisations. The Ministry of Education could even invite people/organisations who have experience in curriculum design and who can provide pedagogical feedback on the materials produced. Countries such as the Slovak Republic could serve as an inspiration for Ecuador when designing multi-stakeholder co-operation mechanisms to ensure the inclusion of integrity in the curriculum (Box 3.2).

Box 3.2. Multi-stakeholder co-operation to integrate integrity into the curriculum

Slovak Republic

In February 2023, the Ministry of Education, Science, Research and Sport of the Slovak Republic, in co-operation with the National Institute of Education and Youth, launched a public consultation on the educational standards of the new state educational programme - the educational standards are a supplement to the state educational programme, which defines the specific objectives of education and training, the profile of those who complete it, the framework curriculum, etc., which will be integrated in all educational areas. The consultation was open to teachers, education experts, parents and other interested members of the general public. A report of the public consultation with statistics and type of comments received is published at: <https://vzdelavanie21.sk/sprav-konzultacia-standardy/>.

In addition, as part of the process of preparing and implementing the changes, the National Institute of Education and Youth set up central subject committees for primary and secondary education, which were managed and co-ordinated by the Core Co-ordination Group. A Student Advisory Committee was also established to enable students to react to changes.

Once the new state education programme and updated standards are approved, a pilot will be conducted in schools that express interest in participating in the implementation phase of the new state education programme in 2023/2024. In this regard, as of September 2023, the first 30 primary schools will teach their first-grade students according to the new curriculum. Nationwide implementation will be mandatory for primary schools in the 2026/2027 school year.

Source: <https://eurydice.eacea.ec.europa.eu/national-education-systems/slovakia/ongoing-reforms-and-policy-developments>.

Once the working group is formed, it could be tasked with the responsibility of strengthening integrity education efforts within the reform process framework of the current national curriculum. To this end, the working group could provide feedback on the materials proposed by the Ministry of Education and/or take an active part in the design of the new learning outcomes, lesson plans and other guidance material for schools. The learning outcomes of the civic and public integrity education course, in particular the modules on public integrity, could draw on international good practice and be inspired on the OECD learning outcomes for education about public integrity (Table 3.2).

Table 3.2. OECD suggested learning outcomes for education about public integrity

Core learning outcome 1: Students can form and defend public integrity value positions and act coherently upon these, regardless of the messages and attractions of other options.	
Sub-learning outcomes	Performance indicator
Students can explain their own public integrity values, those of others, and of society and what they look like when they are applied	<ul style="list-style-type: none"> • Identify and use vocabulary that describes values and the situations in which they apply • Explain the mechanisms that may lead to a lack of trust in the values of others or in their application • Explain the benefits that arise from having a consistent application of proper processes • Describe and define behaviours that are in opposition to public integrity
Students can identify the public integrity values that promote public good over private gain. Students can describe the institutions and processes designed to protect the public good	<ul style="list-style-type: none"> • Cite examples of public good and contrast them with private gain and the values that drive processes that keep these interests separate • Describe and compare the role of integrity institutions and the need for - and characteristics of - those processes that protect and build integrity • Clearly separate between individuals and their actions and the role and importance of integrity institutions, and understand that while individuals may fail in their duties, the underlying rationale for the institutions themselves remains sound

Students can construct and implement processes that comply with their own public integrity value positions and those of society	<ul style="list-style-type: none"> • Create and follow rules/procedures • Encourage others to follow “rule of law” principles
Students can apply intellectual skills in regards to upholding the values of public integrity	<ul style="list-style-type: none"> • Devise questions that demand high order thinking and respond to questions of others • Critically examine their own behaviour as citizens and explain why others take part in actions that damage public integrity • Explain the causes of behaviour that are in opposition to public integrity
Core Learning Outcome 2: Students can apply their value positions to evaluate for possible corruption and take appropriate action to fight it.	
Sub-learning outcomes	Performance indicator
Students can define corruption and compare it to immoral or illegal behaviour	<ul style="list-style-type: none"> • Form value positions about corruption and express opinions about corrupt acts • Readily counter the argument that “it’s OK to take part in corruption because everyone else does” • Explain why corruption is worse than simple theft • Give examples that show why theft of public funds or goods is as bad as theft of private funds or goods • Identify public norms/values and/or religious views that against the actions of corrupt leaders
Students can compare and determine the major different mechanisms in corruption	<ul style="list-style-type: none"> • Explain the meaning of bribery and give examples; compare the role and morality of the bribe giver and the bribe taker • Define and give examples of nepotism: explain why it is bad for the development of a country or organisation; explain the consequences of nepotism; and explain how merit selection works and why it is better than nepotism • Explain the meaning and give examples of conflicts of interest: explain how they can be avoided; design a process to deal with conflicts of interest; and explain the consequences • Define and give examples of theft or misuse of public goods: explain the consequences of theft of public goods; and compare and contrast grand from petty corruption
Students can describe and evaluate the consequences of corruption on a whole country	<ul style="list-style-type: none"> • Explain and give examples of how corrupt acts affect everyone; how inequality of income and opportunity get worse with corruption; and why legal businesses do not like corruption
Students can identify the likely signs of corruption	<ul style="list-style-type: none"> • Identify likely signs of corruption and give examples such as nepotism instead of merit-based selection, and lack of accountability and transparency
Students can describe ways to, and suggest strategies for, fighting corruption	<ul style="list-style-type: none"> • Explain why it is that if we do not fight corruption, we are part of the problem • Define and give examples of transparent processes: explain how transparent procedures stop corruption; evaluate a procedure as transparent; and explain, using examples, why over-regulation can cause more corruption • Define accountability, explain why and give examples of how accountability stops corruption • Define and give examples of honesty • Demonstrate transparency, accountability and honesty in their actions
Students can identify who and/or to whom organisations corruption should be reported	<ul style="list-style-type: none"> • Describe a variety of ways of reporting corruption • Identify organisations that fight corruption (integrity institutions) • Explain the role of the media and civil society organisations in fighting corruption
Students can explain the purpose and function of integrity policies	<ul style="list-style-type: none"> • Understand the role of a freedom of information law • Design a Code of Ethics/Conduct, explain how it works compared to laws, and abide by t and determine if their actions are compliant • Understand the concept of whistleblower protection and explain why whistleblowers need protection

Source: (OECD, 2018_[28]).

Guidance material for schools could build on the learning outcomes and incorporate active and participatory methods such as problem-solving games and simulations in class, role-play scenarios and small group discussions to engage students in a practical way. Indeed, experiential evidence has shown that students who participate in practical integrity-related activities not only develop the knowledge and skills to hold public servants accountable, but also show a greater willingness to contribute to integrity efforts in their communities (OECD, 2018_[28]). In addition, international good practices also suggest adapting guidance materials to the local situation and undertaking community projects, e.g. a visit to a local government office to oversee reporting registers or preparing an access to information request as a way to encourage students to apply their knowledge and skills in a tangible way (OECD, 2018_[28]).

3.3.2. The multi-stakeholder working group could be tasked with developing guidance material and trainings for educators on education for public integrity

To effectively facilitate learning about public integrity in the classroom, educators require skills, knowledge and the confidence to address contemporary social problems such as corruption, ethical dilemmas and lack of integrity. Therefore, the orientation and training of educators must be a central component of any effort to educate for public integrity (OECD, 2018^[28]).

In Ecuador, the Ministry of Education has identified teacher training as one of the main challenges for successful implementation of education for public integrity. Teacher training refers to developing capacities and skills in educators that allow them to implement strategies and good educational-communication practices to help their students promote integrity and prevent corruption. In this regard, although the current national curriculum addresses elements of public integrity education, teachers do not have adequate pedagogical skills nor tools to foster the learning and implementation of these elements by children and young people.

With this in mind, within the reform process framework of the current national curriculum, the Ministry of Education has planned to develop a methodology guide for teachers and a digital training course. However, it is necessary to consider the particularities of education for public integrity and the need to strengthen not only the knowledge but also the skills associated with integrity, as well as the confidence of teachers to address contemporary social problems such as corruption. In this regard, the development of further guidance material and training for teachers specifically on integrity education is essential.

To that end, the multi-stakeholder working group could also be tasked with developing guidance material and trainings for educators on education for integrity. In doing so, it is important to consider that training for educators can take many forms, ranging from courses associated with general teacher training programmes - in the case of Ecuador, programmes within the National Lifelong Learning Plan (*Plan Nacional de Formación Permanente*) for teachers, to virtual courses, seminars and specific resource kits. In addition, training should ensure not only that educators have the appropriate knowledge to teach about public integrity and anti-corruption, but should also aim to develop skills that enable educators to foster an environment of trust and openness - so that students can open up about their views and concerns about values, as well as handle difficult and sensitive conversations about ethical and moral issues that may arise in the classroom (OECD, 2018^[28]).

Furthermore, trainings can be complemented with guides and guidance materials on how to deliver the lesson in a dynamic and engaging way for students, how to communicate key concepts effectively and how to promote respectful and open dialogues within the classroom. In developing these guidelines, the working group could draw on good practice from a range of countries as summarised by the OECD in its report on Education for Integrity (OECD, 2018^[28]).

3.3.3. The Anti-Corruption Public Policy Secretariat and the Ministry of Education could partner with civil society and public sector organisations to develop extracurricular activities to further promote public integrity education

Extracurricular teaching activities on public integrity may deepen the concepts of integrity, values, ethics and citizenship through interactive teaching techniques and by tailoring the content to specific schools, geographic regions and contexts. However, for these activities to achieve the expected results, it is important to identify and make use of synergies in the existing curriculum (OECD, 2018^[28]).

In Ecuador, the Ministry of Education has been promoting extracurricular activities on public integrity and anti-corruption in schools nationwide. Indeed, since 2019, the Ministry of Education has joined the “Creole Honesty” campaign promoted by the ICC through the Integrity and Anti-Corruption Commission. In the framework of this campaign the Ministry of Education has also promoted the participation of schools in the

“Growing up Honest” (*Crecer Honesto*) competition and in the inter-zonal student conversations on Creole Honesty. A brief description of these two activities is provided below:

- **Growing up Honest:** This competition aims to promote the values of honesty, integrity, responsibility, respect and solidarity in children and young people through different artistic expressions that include painting, singing, dancing, poetry and/or storytelling, or video sketches.
- **Interzonal student discussions on Creole Honesty:** The purpose of these talks is to encourage debate and reflection on honesty and its importance in the development of children and young people, as well as to contribute to the deconstruction of the idea of “viveza criolla” as a characteristic of Ecuadorian society and to propose strategies that promote creole honesty. The discussions are conducted around triggering questions in the following themes: “viveza criolla”, corruption, empathy, causalities.

In addition, to offer pedagogical and recreational alternatives after the school for children and young people in vulnerable situations - for example, children and young people in situation of abandonment or at risk of being recruited by criminal organisations - the Ministry of Education is designing an extended school day plan to be implemented as a pilot project in some of the country's educational institutions.

Considering the current efforts, the SPPA and the Ministry of Education could co-operate and partner with CSOs and the public sector to design and implement extracurricular activities that promote public integrity education, including within the framework of the extended day plan being developed by the Ministry of Education. This, taking into account that in Ecuador there are already in place interesting and successful initiatives on public integrity and citizenship education implemented by the private sector and CSOs (Box 3.3).

Box 3.3. Example of an initiative on public integrity education: IntegrArte Project

IntegrArte is a project implemented by the Esquel Foundation (*Fundación Esquel*), with the support of the Ecuador SinCero programme of the German Co-operation GIZ. This project aims to promote a culture of integrity, prevention of corruption and care for the environment, based on innovative citizen actions that strengthen ethical and democratic values among young people in Quito and Galapagos. This is done through:

- Strengthening the capacities of young people for empowerment and advocacy in actions that promote integrity, corruption prevention and environmental care.
- Raising public awareness.
- Developing pedagogical tools and inputs for the promotion of the issues prioritised by the project in educational institutions.
- Strengthening youth collectives that have an impact on the issues prioritised by the project.

As part of the results of this project, 50 young university students were trained nationally on integrity, transparency and care for the environment through the Train-the-trainer (*Formador de Formadores*) programme, and 170 first- and second-year high school students were reached within the framework of the Student Participation Programme (*Programa de Participación Estudiantil*) in Quito and Galápagos.

Source: Ecuador SinCero Programme of the GIZ and <https://www.esquel.org.ec/es/home-integrarte.html>.

Similarly, the SPPA and the Ministry of Education could consider creating alliances with other public entities to strengthen extracurricular education activities, as in the case of the recently signed Inter-institutional Agreement between the Council for Citizen Participation and Social Control and the Ministry of Education

with the aim of promoting education, training and capacity building on issues related to transparency, integrity, ethics, anti-corruption, citizen participation and social control, and implementing and strengthening mechanisms to promote transparency, citizen participation, social control and anti-corruption in the National Education System (*Sistema Nacional de Educación*). Examples of extracurricular pedagogical activities designed and implemented in Brazil by the Office of the Comptroller General of the Union (CGU) - sometimes in co-operation with CSOs and other relevant public entities - can serve as inspiration for Ecuador (Box 3.4).

Box 3.4. CGU initiatives to promote public integrity literacy among Brazilian students

- **“One for all and all for one! For ethics and citizenship”** (*Um por todos e todos por um! Pela ética e cidadania*): This initiative for primary school students (6-10 years old) aim to educate future generations of citizens on issues related to ethics, citizenship, social participation, among others. It was developed in 2008 by the CGU in partnership with the Maurício de Sousa Institute and more recently with the Ministry of Education. The programme is structured around famous Brazilian cartoon characters, promotes content adapted to the age of the students and uses different media to support the learning process of the students, including magazines, stories, animation videos, cartoons, etc.
- **Citizenship Class** (*Turma da Cidadania*): This initiative aimed at encouraging the development of an ethical and civic culture among students in the first two years of lower secondary school (10-12 years old). It includes didactic-pedagogical material (comics and animated videos) presenting various situations that portray the daily reality of many children and highlights the relevance of issues such as citizenship, democracy, ethics, combating bullying in schools, social participation and the fight against corruption.
- **Game of Citizenship** (*Game da Cidadania*): A video game that exposes young people (11-17 years old) to situations in which their ethical and citizenship skills are put to the test, with the aim of developing a critical awareness of small acts of corruption that often go unnoticed. It allows users to create their own videos on the topics discussed and compete for different prizes.
- **Design and Writing Competition** (*Concurso de Desenho e Redação*): This competition invites students (6-17 years old) to hold discussions on topics such as ethics, citizenship and social control (specific topics change each year). It allows participants to compete in different categories (design and writing in the case of students and their teachers according to their level of education, and mobilisation plans in the case of schools) and to compete for prizes.

Source: <https://www.gov.br/cgu/pt-br/educacao-cidada/programas>.

3.3.4. Universities in Ecuador could consider integrating courses on public integrity and anti-corruption into undergraduate and postgraduate degree programmes

University students, researchers and higher education institutions also play a key role in generating and disseminating knowledge on public integrity. As future employees, higher-education students need knowledge and skills to comply with the expected integrity requirements and standards, as well as to be able to deal with integrity challenges they may encounter in their future workplace. Indeed, higher education provides a good opportunity to consolidate knowledge and skills in integrity, ethics and anti-corruption as the preliminary stage before entering the labour force (Munro and Kirya, 2020^[31]). Additionally, ensuring that institutions that train future leaders promote the values and behaviours necessary to combat corruption as part of their educational programmes is fundamental to building a pool of ethical public officials and private employees (Munro and Kirya, 2020^[31]).

To that end, universities in Ecuador could consider developing and integrating courses on public integrity and anti-corruption into undergraduate and graduate degree programmes in order to strengthen public integrity education before university students start their working life. Given the autonomous nature of higher education institutions in Ecuador, SENESCYT does not have jurisdiction over undergraduate and postgraduate programmes. Therefore, including public integrity and anti-corruption content into degree programmes is the responsibility of each university.

However, to strengthen the approach to public integrity and anti-corruption issues among university students and to foster a minimum degree of homogeneity in public integrity education, SENESCYT and the Higher Education Council (*Consejo de Educación Superior*) could consider issuing general guidelines and recommendations to Ecuadorian universities to guide the development and integration of such concepts in undergraduate and postgraduate programmes. This, considering that SENESCYT and the Higher Education Council have powers related to strengthening the higher education system. In particular, SENESCYT's mission is to “*exercise the steering role of public policy on higher education, science, technology, innovation and ancestral knowledge...*” (Government of Ecuador, 2020^[32]) and the Higher Education Council “*has as its main purpose to plan, regulate and co-ordinate the Higher Education System, and the relationship between its different actors with the Executive Function and the Ecuadorian society; in order to guarantee to all citizens a quality Higher Education that contributes to the growth of the country*” (Higher Education Council, n.d.^[33]), while respecting university autonomy.

Evidence has shown that integrating public integrity into university curricula exposes students to a range of ethical issues and dilemmas, helping to improve their ethical sensitivity, a critical component in triggering the ethical decision-making process (Martinov-Bennie and Mladenovic, 2015^[34]). Although the content of these courses should be adapted to the specific needs and risks of the different professions/careers, as a first step towards public integrity education for university students, universities could develop modules as part of general induction courses. This would ensure minimum coverage of education for integrity for all university students. An example of this approach is the induction course of the IAEN's School of Government and Public Administration (Box 3.5). Additionally, universities could consider the inclusion of experiential and immersive learning techniques when developing their general induction courses (Christensen et al., 2007^[35]), in order to give students the opportunity to experience and practice with different ethical considerations and dilemmas, strengthening the learning process and preparing them to deal with possible future situations that they may encounter in the workplace.

Box 3.5. IAEN's School of Government and Public Administration Induction Course

In early 2022, IAEN's School of Government and Public Administration developed and implemented an induction course on ethics and public integrity for all students enrolled in the School of Government and Public Administration. The course is offered twice a year, at the beginning of each academic semester, lasts 2 hours and is voluntary. However, the aim is to extend its coverage to all IAEN students and make it compulsory.

Other universities have already shown interest in the induction course on ethics and public integrity designed by the IAEN's School of Government and Public Administration and have initiated approaches to explore the possibility of adapting it in their own institutions.

Source: Interviews during the fact-finding mission.

Moreover, universities in Ecuador could consider developing and implementing more specialised courses, seminars and workshops in areas adjacent to public integrity to promote values, capacities and skills in their students that strengthen their responsibility to public integrity. These courses, seminars and workshops can be addressed to the whole academic community or to students of specific degree

programmes, depending on their content and purpose. To this end, Ecuadorian universities could consider establishing alliances with other educational centres and with CSOs with experience in these issues. An example of a course that could be implemented by universities as part of the themes adjacent to public integrity is the course *DesenreDatos* (Box 3.6).

Box 3.6. Promoting the culture of open data and transparency among university students

DesenreDatos is an awareness-raising and training project on journalism, transparency and open data in Ecuador implemented by the DW Akademie, which makes part of the Ecuador SinCero Programme of the German Technical Co-operation GIZ and funded by the German Federal Ministry for Economic Co-operation and Development. The purpose of this project is to contribute to Ecuadorian society's progress towards transparency and the fight against corruption.

The *DesenreDatos* project developed a 4-week virtual training process for journalists, members of CSOs and government officials working with public data, aimed at providing tools to learn, discuss and support the analysis, visualisation and publication of public data. Sixty-eight people from the journalism, CSO and State sectors participated in the training process, which consists of different modules:

- Open government and the Ecuadorian legal framework
- Data search, analysis and visualisation for journalists
- Citizen briefing for CSOs and public officials
- Gender and data

In addition, the *DesenreDatos* Festival was held, with the main objective of promoting a culture of open data and transparency among university students. As part of this festival, keynote lectures, a project fair and a hackathon (visualisation challenge) took place.

Source: <https://www.desenredatos.com/>.

3.3.5. The Ministry of Higher Education, Science, Technology and Innovation could consider collecting information related to public integrity and anti-corruption research

Interviews during the fact-finding mission evidenced that there is currently no complete and reliable information on ongoing research on public integrity and anti-corruption nor an inventory of research groups, researchers and academics with expertise in this area. This information is the starting point for any initiative that seeks to strengthen co-operation between public entities and universities, research centres and academic researchers with the aim of strengthening the evidence base for integrity and anti-corruption decision making.

Moreover, considering the low level of public trust in public institutions, independent academic research can be a way to strengthen the processes of gathering information on the challenges related to integrity and the fight against corruption in Ecuadorian society (see also Section 3.2) and to demonstrate that the State's efforts to promote a culture of integrity and fight against corruption are real. However, the academic independence of those co-operating with the State as well as their suitability to carry out this important task must be guaranteed.

To this end, SENESCYT could consider gathering information related to ongoing research, with an emphasis on public integrity and anti-corruption research - including who is investigating and on what specific issues. This as a first step to promote and strengthen independent academic research on public integrity and the fight against corruption. To carry out this inventory, SENESCYT could consider the example of the Colombian Ministry of Science, Technology and Innovation (*Ministerio de Ciencia, Tecnología e Innovación*, MINCTI) (Box 3.7).

Box 3.7. Colombia's SCIENTI Platform

In Colombia, the MINCTI has the ScienTI platform, the international network of information and knowledge sources for science, technology and innovation management. It systematically collects the knowledge, experience and scientific output of all individuals, groups and institutions involved in research, innovation and technological development activities.

The most important modules of the ScienTI Network are:

- CvLAC: an application where the curriculum vitae of the people registered in the ScienTI platform are registered. MINCTI can recognise them as researchers (if they meet the requirements) or typify their curriculum as members of a research group.
- GrupLAC: an online application for filling in and updating information on Science, Technology and Innovation research groups.
- InstituLAC: an application whose purpose is to build a complete and organised computer base, where the information of the institutions to which the groups, researchers and journals are linked can be registered.

Moreover, as part of the consultation services offered by this platform there is the tool “Science and Technology for All”, which is used to consult information filed in the databases that collect all the information on the curricula vitae of Colombian researchers (CvLAC) and resumes of research groups (GrupLAC), as well as the tool “Science in figures”.

Source: <https://minciencias.gov.co/scienti>.

Notes

¹ The regional average includes information from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

² The regional average includes information from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

³ The regional average on interpersonal trust includes information from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

4

Engaging the private sector in promoting public integrity in Ecuador

This chapter analyses the Ecuadorian government's actions to promote the adoption of a culture of integrity by the private sector and to raise awareness among companies on their co-responsibility in promoting public integrity. Additionally, it offers recommendations aimed at providing greater support to companies to enhance business integrity and at strengthening the evidence base on business integrity practices and challenges to inform decision making and the formulation of business integrity policies.

4.1. Introduction

The private sector can harm or promote public integrity through its actions and thereby damage or contribute to the development of a country's business environment. For example, when companies evade taxes, offer bribes, or engage in fraud associated with public procurement, they distort markets, reduce competitiveness and discourage investment and trade. However, the private sector can also be a force for good by becoming a driver of the change needed to promote integrity reforms, practising responsible business conduct and ensuring responsible influence in the public policymaking and implementation processes (“responsible influence” through, for example, transparent and honest lobbying and political financing). In this sense, a whole-of-society approach to public integrity requires governments to partner with the private sector to work together to uphold public integrity.

There are different ways in which governments can promote the adoption of a culture of integrity by the private sector and raise awareness of their co-responsibility in promoting public integrity. First, governments can ensure that relevant legislation is in place not only on anti-corruption, but also on responsible business conduct and public integrity. Responsible business conduct includes aspects such as the protection of human rights and the environment, the application of international labour standards, tax standards and corporate governance structures (OECD, 2020_[1]). Public integrity in business refers to ensuring that common values and standards of integrity are upheld when companies interact with government, particularly through their lobbying and political finance practices, as well as in the movement between the public and private sectors known as the “revolving door” (OECD, 2020_[1]).

Second, governments can encourage the implementation of standards through a combination of sanctions and incentive schemes (OECD, 2020_[1]). Indeed, while effective and proportionate sanctions can deter companies from acting against relevant legislation, incentives can be used to recognise companies' commitment to corruption prevention efforts and corporate integrity policies. Incentives can include preferential access to government benefits and business opportunities, mitigation of sanctions, and public recognition of a company's commitment to good practice and combating corruption (UNODC, 2013_[36]).

Finally, governments can also provide guidance to companies on the design and implementation of their public integrity compliance programmes, emphasising the importance of going beyond a formal compliance approach and also addressing informal aspects of their organisational culture that could undermine public integrity.

4.2. Strengthening the Ecuadorian government's efforts to promote public integrity in the private sector

4.2.1. Superintendencies, in partnership with the SPPA, could develop initiatives to support companies in designing and implementing their integrity systems

In Ecuador, initiatives are being implemented with the purpose of supporting integrity practices in private companies. For example, the Superintendence of Control of Market Power has been working since 2012 and has been a driving force behind many of Ecuador's initiatives to adopt international competition good practices over the past two years (OECD, 2021_[37]). As part of these initiatives, the Superintendence of Control of Market Power has developed a series of guidelines that seek to provide guidance to civil society and private sector actors (Box 4.1).

Box 4.1. Guidelines of the Superintendence of Control of Market Power

The Superintendence of Control of Market Power has developed a series of guidelines aimed at a wide audience, including law students, lawyers, businesspeople, traders and civil society in general. Guidelines include the Good Practice Guide for the Prevention of Collusive Agreements between Bidders in Public Procurement (*Guía de buenas prácticas para la prevención de acuerdos colusorios entre oferentes de contratación pública*), the Guide for the Application of Unfair Conduct contained in the Organic Law for the Regulation and Control of Market Power (*Guía de aplicación de las conductas desleales contenidas en la Ley Orgánica de Regulación y Control del Poder de Mercado*) and the Guide for the Investigation of conduct involving Abuse of Market Power (*Guía para la investigación de conductas de abuso del poder de mercado*).

In particular, the Superintendence of Control of Market Power elaborated the Competition Compliance Guide (*Guía de Compliance en Competencia*) with the support of various actors from civil society and the private sector. Indeed, for the development of this guide, dialogue and co-creation roundtables were held in which academia and the private sector participated, contributing to the participatory elaboration of this guide.

Source: Interviews during the fact-finding mission and <https://www.scpm.gob.ec/sitio/guias-scpm/>.

Additionally, in 2021, the Organic Law Reforming the Comprehensive Organic Criminal Code (*Ley Orgánica Reformativa del Código Orgánico Integral Penal*, COIP) introduced important regulatory changes related to the fight against corruption in the private sector (OECD, 2022^[38]). Indeed, before 2021, acts of corruption committed by private companies were not sanctioned by the COIP. Now, thanks to the reform, a definition of acts of corruption in the private sector has been introduced, criminalising them and establishing their sanction. In this sense, the Organic Law Reforming the COIP defines acts of corruption in the private sector as intentionally accepting, receiving or requesting “*donations, gifts, presents, promises, rights, feed, contributions, income, interests, advantages, salaries, gratuities, immaterial benefits or undue economic benefits or other types of material goods*” (Government of Ecuador, 2021, p. Artículo 15^[39]), as well as omitting or committing an “*act that favours oneself or a third party in the course of economic, financial or commercial activities*” (Government of Ecuador, 2021, p. Artículo 15^[39]). Both natural and legal persons can be sanctioned for these acts of corruption with imprisonment of five to seven years and a fine of 500 to 1 000 unified basic salaries. Penalties applicable to companies include dissolution or liquidation and a fine of 500 to 1 000 unified basic salaries of the general worker (Government of Ecuador, 2021^[39]).

Moreover, the Organic Law Reforming the COIP establishes that sanctions imposed on legal persons can be reduced if there are mitigating circumstances. Such mitigating circumstances include:

- (i) spontaneously reporting or confessing to committing the offence before charges are brought;
- (ii) co-operating with the investigation by providing elements and evidence;
- (iii) providing full compensation for the damage caused by the offence, prior to the trial stage; and
- (iv) having implemented, prior to the commission of the offence, integrity systems, standards, programmes and/or policies for compliance, prevention, management and/or supervision (Government of Ecuador, 2021, p. Artículo 1^[39]).

Regarding the last mitigating circumstance, the Organic Law Reforming the COIP specifies that such integrity systems, standards, programmes and/or compliance programmes and/or policies must incorporate a series of minimum requirements to qualify as a mitigating circumstance. These requirements include identification, detection and management of activities that present a risk; internal controls with those responsible for processes that present risk; complaints channel; code of ethics; rules for disciplinary actions for breaches of the system; among others (Government of Ecuador, 2021, p. Artículo 3_[39]).

However, interviews during the fact-finding mission evidenced that there are insufficient guidelines to support the implementation of integrity systems, standards, programmes and/or policies for compliance, prevention, management and/or supervision by the private sector as well as insufficient guarantees with regard to assessment processes leading to the consideration of mitigating circumstances within a sanctioning process. In this regard, the Ecuadorian government could develop initiatives to support companies in designing and implementing the different minimum requirements that their integrity systems, standards, programmes and/or policies for compliance, prevention, management and/or control should include, in accordance with the provisions of the COIP. To this end, Ecuador could develop awareness-raising and capacity-building programmes for companies on the OECD's Responsible Business Conduct instruments and, in particular, the OECD Due Diligence Guidance for Responsible Business Conduct, a key tool for identifying, detecting and managing activities where risks arise, and for implementing due diligence processes, as required by the COIP and provided for in the National Anti-Corruption Strategy (OECD, 2022_[38]).

4.2.2. The Anti-Corruption Public Policy Secretariat could lead the development and implementation of general and sectoral programmes to promote integrity in the private sector

As previously mentioned, governments can promote the adoption of a culture of integrity by the private sector in a number of ways, including by introducing a system of appropriate sanctions and/or incentives. Aware of this, the SPPA included in the ENA action plan a target regarding the “recognition of good anti-corruption practices” of companies, both public and private by means of establishing a programme of honorary incentives for good private sector practices in the fight against corruption (Secretariat for Anti-Corruption Public Policy, 2022_[11]).

To this end, the SPPA could consider collaborating with other public entities and sectoral associations to develop and implement such an honorary incentive programme to achieve the expected behavioural changes on the part of private sector actors. To date, the SPPA has generated several proposals for business integrity programmes and measures in co-ordination with actors such as EMCO, at the level of public companies, and with the World Compliance Association, Global Compact, Alliance for Integrity and GIZ, at the level of private companies. It is important to continue these partnerships and strengthen areas of joint work. Additionally, for the development of the honorary incentive programme, the SPPA could draw inspiration from international good practices such as the ProÉtica programme of the Brazilian CGU (Box 4.2), as well as rethink the goals and indicators associated with this activity within the ENA's action plan, in order to strengthen the initiative's monitoring and evaluation system, establish appropriate actions for improvement and determine the real impact of the initiative.

Box 4.2. ProÉtica Programme of the CGU of Brazil

As part of efforts to promote ethics and integrity in the Brazilian private sector, CGU created the Pro-Ethics (*Pró-Etica*) programme, an incentive programme that promotes the adoption of integrity policies by private companies. Through this programme, companies can voluntarily apply for CGU certification in recognition of their integrity and anti-corruption efforts through a “Pro-Business Ethics” seal. This programme has been implemented since 2010, and in its 2020-2021 edition alone - the most recent edition - more than 250 private companies participated by completing the questionnaire to be evaluated by the Pro-Ethics Committee.

The Pro-Ethics Committee is the collegial body responsible for deciding which companies will make the list each year, as well as for discussing and deciding on updates to the Pro-Ethics participation requirements. The current members of the Pro-Ethics Committee are: the CGU, the Ethos Institute, the Brazilian Agency for the Promotion of Exports and Investments - ApexBrasil, the National Confederation of Industries, the Brazilian Service of Support to Micro and Small Enterprises - SEBRAE, the Brazilian Confederation of Agriculture and Livestock, the Institute of Independent Auditors of Brazil - IBRACON, the National Confederation of Trade in Goods, Services and Tourism - CNC, the Brazilian Institute of Competition Ethics, the Brazilian Federation of Banks, and the Ministry of Development, Industry, Trade and Services. The diversity in the composition of the Pro-Ethics Committee – i.e. public entities, civil society organisations, civil associations, representatives of private companies - demonstrates the whole-of-society vision of this initiative.

Source: (OECD, forthcoming^[40]) and <https://www.gov.br/cgu/pt-br/assuntos/integridade-privada/avaliacao-e-promocao-da-integridade-privada/empresa-pro-etica>.

In addition to general programmes such as the above-mentioned honorary incentive programme, the SPPA could take the lead in developing and implementing sectoral programmes to further promote integrity in the private sector. Indeed, fostering a culture of integrity in the private sector also implies taking into account the specific risks associated with the sectors most exposed to corruption. Integrity risks vary across sectors, and it is therefore essential that public sector organisations calibrate and adapt their guidance, tools and approaches according to the specific objectives, environment and context (OECD, 2020^[11]). In this sense, tailoring existing initiatives to the specific risks and challenges of high-risk sectors - e.g. health, infrastructure, education, etc. - could help to further strengthen the whole of Ecuadorian society's approach to public integrity.

The SPPA has already made approaches to some private sector organisations with the aim of promoting integrity, ethics, anti-corruption and transparency in different areas. For example, the SPPA has considered signing an agreement with the Ecuadorian Association of Distributors and Importers of Medical Products (*Asociación Ecuatoriana de Distribuidores e Importadores de Productos Médicos*, ASEDIM) to promote integrity, ethics, compliance, transparency and anti-corruption in the Ecuadorian national health system. More generally, the SPPA could consider encouraging high-risk sectors to develop sectoral initiatives to promote companies' commitment to public integrity. This could be done on the basis of broader initiatives designed, implemented and tested at the national level, and in co-ordination with other relevant public actors such as the National Public Procurement Service (*Servicio Nacional de Contratación Pública*, SERCOP), the Superintendence of Control of Market Power, the Ministry of Production, Foreign Trade, Investment and Fisheries (*Ministerio de Producción, Comercio Exterior, Inversiones y Pesca*), the Council for Citizen Participation and Social Control, among others.

4.2.3. The Anti-Corruption Public Policy Secretariat could strengthen the evidence base on business integrity practices and challenges

To develop effective laws, policies and guidance to support business integrity, governments need reliable and up-to-date information and data to understand business integrity risks, motivations for corrupt behaviour, difficulties in implementing integrity programmes, among others. In addition, information disaggregated by company category – i.e. by size and sector, as well as more detailed information on the quality of anti-corruption and compliance programmes – is also useful for developing additional policies and guidelines tailored to the context. Finally, having regularly updated information and data also makes it possible to measure progress over time and to identify where additional attention and resources need to be devoted or which measures are not generating the expected results and need to be modified.

In Ecuador, there is no general up-to-date information on business integrity practices, needs and challenges. However, some public institutions have been implementing actions to collect up-to-date information and data to inform decision making and policy formulation on business integrity. For example, SERCOP designed and implemented a survey on integrity in public procurement (Box 4.3), which data is currently under a verification process.

Box 4.3. SERCOP's National Survey on Integrity in Public Procurement

As part of its Institutional Strategic Plan, SERCOP developed and implemented the National Survey on Integrity in Public Procurement (*Encuesta Nacional de Integridad en la Contratación Pública*) between 21 October and 14 November 2022. The survey was conducted among a sample of contracting entities (310 entities) and state suppliers (1785 suppliers) in order to identify priority lines of action to establish an integrity policy in National Public Procurement that contribute to the promotion of a culture of integrity in the National Public Procurement System.

The questions of the National Survey on Integrity in Public Procurement were developed by the IAEN, with the support of SERCOP's technical team and based on the objectives and characteristics of the target population. The *Methodology for Assessing Procurement Systems* (MAPS) was also used. In addition, the survey was inspired by the procurement integrity surveys implemented by the Chambers of Commerce of Quito (Ecuador), Colombia and Peru.

Quantitative results derived from the survey are now available for analysis. The quantitative analysis will be complemented by qualitative information derived from focus groups to be conducted during the first half of 2023.

Source: Interviews during the fact-finding mission.

Considering the relevance of ensuring that the measures implemented by the Ecuadorian government respond to current challenges and needs, the SPPA could take the initiative to strengthen the evidence base on business integrity practices and challenges. The experience of the French Anti-Corruption Agency (AFA) in implementing a national survey on business integrity can serve as an example of a government-led survey to better understand the challenges related to business integrity practices (Box 4.4). However, other alternatives could also be explored, particularly given the low level of trust in public institutions in Ecuador. For example, the SPPA could strengthen co-operation with the academic community, industry associations and/or private sector organisations to measure business integrity practices and challenges. The academic partner can serve as a safeguard for the independence and methodological soundness of the research, while sectoral associations can help disseminate both the surveys and the results to their members.

Box 4.4. French Anti-Corruption Agency 's efforts to measure business integrity practices

In 2020, the AFA conducted a national survey to analyse French companies' understanding of corruption risks and the legal framework in place, as well as the maturity of their corruption prevention and detection systems. The survey was open to companies regardless of their size and consisted of an anonymous questionnaire accessible online. Professional organisations were key partners in the dissemination of the survey and actively participated in communication activities mobilising their members. As a result, more than 2 000 companies were reached, and around 400 companies, including small and medium-sized enterprises (SMEs), provided actionable responses.

The survey provided key information on the business integrity landscape in France, for example:

- While companies reported having a clear understanding of corruption offences and 70% of them have an anti-corruption compliance programme in place, these compliance programmes tended to be incomplete in areas such as risk mapping and third-party risk management.
- The position of the head of the compliance function is crucial for the effective implementation of compliance systems and needs to be strengthened.
- SMEs (who are not subject to the compliance obligations set out in Article 17 of the Sapin II Law on transparency in economic life) seemed to be lagging behind in the implementation of anti-corruption compliance programmes.

The results of the survey will serve as a benchmark for measuring progress and gaps in business integrity in the future. Additionally, they helped inform AFA's 2021 priorities and recommendations for business integrity.

Source: (AFA, 2020^[41]).

5 Proposals for action

This chapter provides a summary of the actions proposed in this report to strengthen the culture of public integrity in the whole of Ecuadorian society.

This report analyses the main lines of action to foster the co-responsibility of the private sector, academia, CSOs and citizens in promoting public integrity from a whole-of-society approach, considering principle 5 of the OECD Recommendation on Public Integrity. Based on this analysis, the report provides recommendations aimed at supporting Ecuador in fostering a culture of integrity in the whole of Ecuadorian society. This report complements the analysis carried out in the framework of the OECD report *Public Integrity in Ecuador: Towards a National Integrity System (2021^[13])*, which analysed the institutional arrangements for integrity at the national level and within the Executive Function of Ecuador, and provided recommendations aimed at supporting Ecuador in institutionalising a preventive approach against corruption by means of improving inter-institutional co-operation and a clear strategic vision.

While the issues addressed in the two reports are priority issues and crucial elements to lay the foundations for a public integrity system in Ecuador and to foster public integrity in the whole of Ecuadorian society, further efforts are needed to build a culture of integrity in the public sector and to ensure effective accountability, in line with the second and third pillars of the OECD Recommendation on Public Integrity.

The following is a summary of the main recommendations aimed at fostering a culture of integrity in the whole of Ecuadorian society:

Table 5.1. Summary of key recommendations for fostering a culture of integrity on the whole of Ecuadorian society

Section	Recommendation	Actor in charge	Execution term
Main challenges and actions for whole-of-society integrity in Ecuador	Strengthen the focus and organisation of the Anti-Corruption Public Policy Secretariat to reinforce its stability as the main institution with responsibilities for public integrity in the Executive Function.	Ecuadorian Government	Short to medium term
	Strengthen the inter-institutional co-ordination body for the prevention of corruption in charge of overseeing the implementation of the NACS to ensure strategic co-operation between the five state functions and levels of government, with the contribution of civil society, academia and the private sector.	Ecuador (the five Functions of State)	Short-term
Strengthening citizen participation in the design of public integrity policies in Ecuador	Strengthen citizen engagement processes as a first step towards a culture of public integrity in the whole-of-society.	Actors with responsibilities for integrity in all Functions of the State	Short, medium and long term
	Ensure the development and use of a participatory methodology in the design and implementation of the new National Public Integrity and Anti-Corruption Plan.	Transparency and Social Control Function	Short-term
	Co-operate to support capacity building for citizen participation.	Anti-Corruption Public Policy Secretariat Transparency and Social Control Function Council for Citizen Participation and Social Control	Medium to long-term
Cultivating citizens' commitment to public integrity in Ecuador	Take the lead in strengthening the evidence base on integrity and anti-corruption challenges in Ecuadorian society.	Anti-Corruption Public Policy Secretariat	Medium to long-term
	Design a communication strategy that encompasses, provides coherence to and guarantees the continuity and desired impact of public awareness-raising actions.	Anti-Corruption Public Policy Secretariat	Short-term
	Establish a multi-stakeholder working group with responsibility for strengthening integrity education efforts within the framework of the existing national curriculum reform process.	Ministry of Education	Short-term
	Develop guidance material for students and educators, as well as trainings for educators on integrity education.	Multi-stakeholder working group	Medium-term
	Partner with civil society and public sector organisations to develop extra-curricular activities that promote public integrity education.	Ministry of Education Anti-Corruption Public Policy Secretariat	Medium-term
	Consider integrating courses on public integrity and anti-corruption into undergraduate and graduate programmes.	Universities	Short-term
	Issue general guidelines and recommendations to Ecuadorian universities that can guide the development and integration of the above-mentioned concepts in undergraduate and postgraduate programmes by universities.	Secretariat for Higher Education, Science, Technology and Innovation Council of Higher Education	Short to medium-term
	Collect information related to public integrity and anti-corruption research.	Secretariat for Higher Education, Science, Technology and Innovation	Medium-term
Engaging the private sector in promoting public integrity in Ecuador	Develop initiatives to support companies in designing and implementing their integrity systems	Superintendencies Anti-Corruption Public Policy Secretariat	Short-term
	Lead the development and implementation of general and sectoral programmes to promote integrity in the private sector	Anti-Corruption Public Policy Secretariat	Short to medium-term
	Strengthen the evidence base on business integrity practices and challenges.	Anti-Corruption Public Policy Secretariat	Medium to long-term

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Promoting Public Integrity across Ecuadorian Society

TOWARDS A NATIONAL INTEGRITY SYSTEM

This report analyses the main actions taken by the Ecuadorian government to bring together the public and private sectors, academia, civil society organisations and citizens in promoting public integrity. Based on this analysis, the report offers recommendations to help Ecuador foster a culture of integrity across all of Ecuadorian society.



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