

Acuerdos Bilaterales

Clasificación: 319-2008

Fecha-de Ingreso: 5 de enero de 2009

Nombre de Acuerdo: Amendment Number One to the Memorandum of Understanding between the General Secretariat of the Organization of American States, through its Department of International Legal Affairs and the Attorney General's Ministry of Belize, to Execute a Project to support implementation of the Recommendations from the Committee of Experts of the follow up Mechanism for Implementation of the Inter-American Convention Against Corruption

Partes: SG/OAS & Attorney General's Ministry of Belize

Referencia: Belice

Fecha de Firma: 5 de diciembre de 2008

Fecha de Inicio:

Fecha de Terminación:

Lugar de Firma:

Unidad Encargada:

Persona Encargada:

Original:

Claves:

Cierre del proceso:



Organización de los Estados Americanos
Organização dos Estados Americanos
Organization des États Américains
Organization of American States

To: Department of International Law

From: Department of Legal Cooperation *WJP*

Re: Copy of Signed Memorandum of Understanding

Date: December 5, 2008

For your files, and in accordance with Article VII, section 7.5 of the "Procedures for the Negotiation, Preparation, Review, Signature and Registration of Agreements of the General Secretariat" (Executive Order No. 05-06. Rev1), please find an original signed copy of the following MOU:

MEMORANDUM OF UNDERSTANDING BETWEEN THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN STATES, THROUGH ITS DEPARTMENT OF INTERNATIONAL LEGAL AFFAIRS, AND ATTORNEY GENERAL'S MINISTRY OF BELIZE, TO EXECUTE A PROJECT TO SUPPORT IMPLEMENTATION OF THE RECOMMENDATIONS FROM THE COMMITTEE OF EXPERTS OF THE FOLLOW-UP MECHANISM FOR IMPLEMENTATION OF THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION

**AMENDMENT NUMBER ONE
TO THE
MEMORANDUM OF UNDERSTANDING BETWEEN THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF AMERICAN STATES,
THROUGH ITS DEPARTMENT OF INTERNATIONAL LEGAL AFFAIRS,
AND THE
ATTORNEY GENERAL'S MINISTRY OF BELIZE,
TO EXECUTE A PROJECT TO SUPPORT IMPLEMENTATION OF THE
RECOMMENDATIONS FROM THE COMMITTEE OF EXPERTS OF THE FOLLOW-
UP MECHANISM FOR IMPLEMENTATION OF THE INTER-AMERICAN
CONVENTION AGAINST CORRUPTION**

THE PARTIES:

The **General Secretariat of the Organization of American States ("GS/OAS")** through its **Department of International Legal Affairs**, and the **Attorney General's Ministry of Belize** (the "Executing Agency"),

CONSIDERING:

That on June 25, 2007, the Parties signed the above-cited Memorandum of Understanding (the "Memorandum");

That subsequent to the signing of the Memorandum, and pursuant to Executive Order 08-01 rev. 1 of the Secretary General of the Organization of American States, the Department of International Legal Affairs was renamed the Secretariat for Legal Affairs;

That the Secretariat for Legal Affairs has assumed all the obligations arising under this Memorandum, and which were previously the responsibility of the Department of International Legal Affairs;

That the purpose of the Memorandum is to establish actions to be taken and the terms and conditions that will govern GS/OAS and the Executing Agency (as defined in the Memorandum) in carrying out a technical cooperation project to support Belize in its activities to implement the recommendations made by the Committee of Experts of MESICIC regarding the provisions of the Inter-American Convention against Corruption selected for review in the first round of Review and set out in the Committee's country report;

That in addition to what is stated in Article 2.1 of the Memorandum and Article 1.1 of Annex A to the Memorandum, Belize will be reviewed in the second round of Review by the Committee in December of 2008, and a corresponding country report will be published;

That the Memorandum calls for the creation of a Draft Plan of Action to implement the Committee's recommendations;

That a national consultant will be hired by GS/OAS to support Belize in the preparation of the Draft Plan of Action, under the conditions indicated in the terms of reference attached to the Memorandum as Annex A;

That the Parties have agreed that the Draft Plan of Action shall simultaneously address the recommendations formulated during the first and the second rounds of Review;

That accordingly, the national consultant's fees need to be increased, in order to reflect the additional work that will be required to address the recommendations formulated during the second round of review;

That paragraph 6.5 of the Memorandum stipulates that amendments to the Memorandum must be made by written consent of both Parties;

AGREE AS FOLLOWS:

ARTICLE 1

The Draft Plan of Action will now address the provisions of the Inter-American Convention against Corruption selected for review in the framework of both the first and second Round of review. Accordingly, paragraphs 2.1 of the Memorandum and paragraph 1.1 of the terms of reference (Annex A), should be understood to refer to both the first and second rounds of Review, and therefore shall read as follows:

2.1. The purpose of this Memorandum of Understanding is to establish actions to be taken and the terms and conditions that will govern GS/OAS and the Executing Agency in carrying out a technical cooperation project (hereinafter "the Project") to support Belize in its activities aimed at facilitating implementation of the recommendations made by the Committee of Experts of MESICIC (hereinafter "the Committee") regarding the provisions of the Inter-American Convention against Corruption (hereinafter "the IACAC) selected for review in the first and second rounds of Review (as set out in the Committee's country report, published on MESICIC's Web page at: http://www.oas.org/juridico/english/mesicic_com_expertos.htm).

1.1 **Purpose of the Project:** The General Secretariat of the Organization of American States (hereinafter "GS/OAS") and the Attorney General's Ministry of Belize (hereinafter the "Executing Agency"), signed a Memorandum of Understanding (hereinafter "the Memorandum") to carry out a technical cooperation Project (hereinafter "the Project") intended to help Belize implement the recommendations from the Committee of Experts of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (hereinafter, respectively, "the Committee" and "MESICIC") concerning the provisions of the Inter-American Convention against Corruption (hereinafter the "IACAC") selected for review in the framework of the first and second rounds of Review (as set out in the Committee's report on the country,

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which may be found on MESICIC's web page:
http://www.oas.org/juridico/english/mesicic_com_expertos.htm).

ARTICLE 2

Annex C to the Memorandum, the Standard Format for Preparing the Plan of Action, shall be replaced with the Revised Annex C included in this Amendment Number One, which incorporates the second round of Review into the format for the Plan of Action.

ARTICLE 3

Paragraphs (a) and (b) of section 2.5 of the terms of reference (Annex A) of the original agreement shall now read as follows:

a. The total amount of the consultant's fees for this contract will be the equivalent in national currency of EIGHT THOUSAND (\$8,000) US DOLLARS.

b. Payment of that sum will be made, subject to prior written authorization from GS/OAS, in three disbursements, as follows:

- The first, equivalent in national currency to THREE THOUSAND (\$3,000) US DOLLARS, when the Preliminary Draft Plan of Action is delivered and approved as the Draft Plan of Action by the Executing Agency, following the activities described in 1.2.a.and b. above.

- The second, equivalent in national currency to THREE THOUSAND (\$3,000) US DOLLARS, when the final report on the Workshop is delivered and approved, after completion of the activities in 1.2 .c., d., e. and f. above.

-The third, equivalent in national currency to TWO THOUSAND (\$2,000) US DOLLARS, when the revised Draft Plan of Action containing the contributions from Workshop participants is delivered and approved by the Executing Agency, after completion of the activity in paragraph 1.2 .g above.

ARTICLE 4

All other terms and conditions on the Memorandum not inconsistent with the provisions set forth herein continue to be in force.

Pursuant to Article 6.5 of the Memorandum, this Amendment Number One and its attachment constitute Attachment I to the Memorandum and is an integral part thereof.

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Two originals of the text of this Amendment Number One have been signed by the duly authorized representatives of the Parties at the place and on the date indicated below.

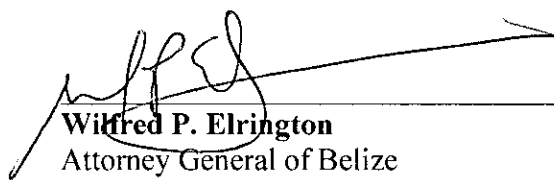
For the General Secretariat of the OAS



Jean Michel Arrighi
Secretary for Legal Affairs

City: *Washington, D.C.*
Date: *December 5, 2008*

For the Executing Agency



Wilfred P. Elrington
Attorney General of Belize
Attorney General's Ministry
Belmopan, Belize

City: *Belmopan*
Date: *15th December, 2008*

REVISED ANNEX C

**STANDARD FORMAT FOR PREPARING THE PLAN OF ACTION TO IMPLEMENT
THE RECOMMENDATIONS FROM THE MESICIC COMMITTEE OF EXPERTS
(FIRST AND SECOND ROUND OF REVIEW)**

SECTION I. FIRST ROUND OF REVIEW

In line with the thematic structure of the country report¹ in the First Round of Review, provide the following information on each recommendation made by the Committee in its report:

1. First Recommendation (transcribe the text of the first recommendation from the First Round of Review):

A. First Measure (transcribe the first measure suggested by the Committee to comply with the recommendation, or the alternative measure proposed for that purpose):

i. Indicate the type of legal action required to adopt it, the studies, plans, projects or programs needed to implement it, or such other actions as may be needed;

ii. If the country has already put into practice the first measure suggested by the Committee, or on alternative measure, indicate so briefly;

iii. Indicate the entities, authorities or agencies responsible for or involved in adopting the measure in question or in designing, preparing or implementing studies, plans, projects, programs or any other action needed to implement the measure;

iv. Calculate the time needed to consider, adopt or implement the measure;

¹ As a guide, the second-to-last page of this standard format describes that structure in relation to the matters discussed in the First Round of Review.

v. Propose indicators to objectively gauge progress in the actions proposed for implementing the measure;

vi. Calculate the approximate cost of implementing the measure and indicate possible funding sources, national or international.

NOTE: Repeat items i-vi for each measure suggested by the Committee with respect to the first recommendation.

2. Second Recommendation (transcribe the text of the second recommendation from the First Round of Review):

A. First Measure (transcribe the first measure suggested by the Committee to comply with the above recommendation or the alternative measure being proposed);

i. Indicate the type of legal action required to adopt it, the studies, plans, projects or programs needed to implement it, or such other actions as may be needed;

NOTE: Repeat items i-vi for each measure related to each recommendation made by the Committee in its report from the First Round of Review.

SECTION II. SECOND ROUND OF REVIEW

In line with the thematic structure of the Second Round of review,² transcribe one by one the recommendations made by the Committee to the country in the report. For each implementing

² As a guide, the last page of this standard format describes that structure in relation to the matters discussed in the Second Round of Review.

measure suggested by the Committee, or for the alternative measures proposed, provide the information set out in Section I of this document.

SECTION III

Briefly refer to any other matters connected with the purpose of the consulting services that the Executing Agency believes should be included in the Plan of Action.

THEMATIC STRUCTURE OF COUNTRY REPORTS IN THE SECOND ROUND OF REVIEW

1. SYSTEMS OF GOVERNMENT HIRING AND PROCUREMENT OF GOODS AND SERVICES (ARTICLE III.5 OF THE CONVENTION)

1.1 Government hiring systems

1.2 Government procurement of goods and services

2. SYSTEMS FOR PROTECTING PUBLIC SERVANTS AND PRIVATE CITIZENS WHO, IN GOOD FAITH, REPORT ACTS OF CORRUPTION (ARTICLE III.8 OF THE CONVENTION)

3. ACTS OF CORRUPTION (ARTICLE VI OF THE CONVENTION)

3.1 Definition of acts of corruption in Article VI .1 of the Convention

3.2 Application of the Convention to other acts of corruption not described therein, by virtue of Article VI .2

4. GENERAL RECOMMENDATIONS