



MECHANISM FOR FOLLOW-UP ON THE
IMPLEMENTATION OF THE INTER-AMERICAN
CONVENTION AGAINST CORRUPTION
Twenty-Eighth Meeting of the Committee of Experts
March 13 to 17, 2017
Washington, D.C.

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MINUTES
OF THE TWENTY-EIGHTH MEETING OF THE COMMITTEE ON EXPERTS
OF THE MECHANISM FOR FOLLOW UP ON THE IMPLEMENTATION
OF THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION

I. BACKGROUND

In accordance with the schedule for the Fifth Round agreed by the Committee of Experts of the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption (MESICIC), the Twenty-Eighth Meeting of the Committee was held at OAS headquarters, in the city of Washington, D.C., from March 13 to 17, 2017.

Participating in the meeting were the following representatives of the States Parties: Annette Mark (Antigua y Barbuda); Laura Geler, Leonardo Limisqui, Omar Sosa (Argentina); Ricardo Juan Céspedes Rau (Bolivia); Homero Junior, David Fischer, Elizabeth Marques (Brazil); Mathilda Haykal, Doug Breithaupt (Canada); Luis Sepúlveda Ponce, Verónica Seguel Ilabaca, Dorothy Pérez Gutiérrez, Verónica Orrego Ahumada, Carlos Becerra Farías, Yelica Lusic Nadal, María Loreto Gutiérrez Alvear, Mila Francisco Ferrada, Carolina Horta Gil (Chile); Alice Breggrum, Camilo Enciso, Camilo Gutierrez (Colombia); Ronald Viquez (Costa Rica); Andres Sierra (Ecuador); Manuel Cruz, Orlando Rivas, Cesar Gonzalez, Rodrigo Barahona, Maro Caceres, Jose Gomez, Rafael Villegas (El Salvador); Marianne Touissant, David Grier, Jane Ley, Kellen McClure, Andrew Stevenson, Patrick Shepherd, Wendy Pond (United States of America); Robert Branch (Grenada); Leslie Sandoval, Gabriel Aguilar, Libna Bonilla, Mauricio Benard (Guatemala); Aubrey Heath Retemyer (Guyana); Lionel Constant Bourgoïn, Ronald Mathurin, Fritzner Gaspard, Rosny Evariste (Haiti); Juan Jose Pineda, Ricardo Rodríguez (Honduras); Nicole Foster-Pusey (Jamaica); Luis Alfonso de Alba, Alejandra García Brahim, Ximena Mariscal de Alba, Luis Fernando Quirarte Beverido, Guillermo Ruiz de Teresa Mariscal, Pablo Villareal Soberanes, Valentina Valdez Jasso, Alfonso Jose Motta Allen (México); Angelica I. Maytin Justiniani, Antonio Lam, Guillermo Escobar, Agustin Miranda, Jorge Acosta (Panama); Federico Espinosa, Sofía López Garelli (Paraguay); Rosmary Cornejo Valdivia, Javier Arevalo Vela, Ana Maria Alarcon Delgado (Peru); Rafael Basora Arriaga, Ramón Revi Matos (República Dominicana); Ricardo Gil, Hugo Cayrus, Alvaro Gallardo (Uruguay); and José A. Monzón (Venezuela).

II. PROCEEDINGS

Jean Michel Arrighi, Secretary for Legal Affairs of the OAS, greeted the participants at the opening of the meeting.

Under the first item on the meeting's agenda and schedule (Annexes I and II), the Technical Secretariat gave a report that referred to the agenda; the operations of the MESICIC and its financing; and organizational aspects of the meeting.

Next, under agenda item 2, the Technical Secretariat reported on the notes received, respectively, from the Permanent Mission of Canada to the OAS, presenting the candidacy of the Principal Expert of that State, Mathilda Haykal Sater, for Chair of the Committee, and of the Permanent Mission of Peru to the OAS, presenting the candidacy of the Principal Expert of that State, Rosmary Cornejo, for Vice Chair of the Committee.

The Committee then turned its attention to agenda item 3 and considered, in order, the preliminary draft country reports of Argentina, Panama, Chile, and El Salvador.

In reviewing the preliminary draft country reports, the meeting proceeded as provided in Article 25 of the Rules of Procedure. In each case, the review subgroup presented the content and scope of its preliminary draft report. Then, the State Party under review took the floor to refer to the draft report. Finally, the Committee considered the respective draft report, with Experts offering observations and comments on the chapters and sections in order.

For each draft report it considered, the Committee agreed on modifications and gave instructions for the respective changes to be made and for the revised versions to be submitted to the plenary for consideration and final approval.

Then, under agenda item 4 and as provided in Article 31 of the Rules of Procedure, the representatives of the States Parties gave verbal reports on the measures adopted by their respective States from March 7, 2016 to March 13, 2017 in connection with the recommendations of the Committee, and on other advances in that period in implementation of the Convention. The electronic copies of those reports, drafted in the standard format approved by the Committee, would be published on the web page of the Mechanism.

Next, under agenda item 5.1, and in implementation of Recommendation 39 of the Fourth Meeting of the Conference of States Parties to the MESICIC, the Technical Secretariat presented the Proposal for Possible Structure and Contents of the Guidelines on Private-Sector Responsibility in Preventing and Combating Corruption (Annex III). In that regard, different delegations offered initial comments and April 24 was set as the period for delegations to forward to the Technical Secretariat proposed changes or additions to the text of the document presented. Taking into account the proposals received from the delegations, the Technical Secretariat would prepare a revised version of the document, which it would present at the next meeting of the Committee.

Under agenda item 5.2., the topic of collective interest on private sector responsibility in preventing and combating corruption:

- a. Presentations were given by Elizabeth Cosmo of the Office of the Comptroller General of the Union of Brazil, Douglas Fischer of the Office of the Prosecutor General of the Republic of Brazil, Homero Andretta of the Office of the Attorney General of the Union of Brazil, and Rosmary Cornejo of the High-Level Anti-

Corruption Commission of Peru and Principal Expert of that State on the Committee of Experts of the MESICIC.

Different delegations asked questions regarding each of these presentations, and in each case, an opportunity was given for replies. The electronic versions of the presentations given are contained in Annex IV hereto.

- b. The Technical Secretariat presented a report on the comments received on the document distributed at the last meeting and the guidance it could continue to give regarding this matter. In that regard, following comments by different delegations, the Committee decided that this would be one of the topics for which sharing would continue of developments and best practices, and that the inventory of developments in this area would continue to be updated and disseminated through the Anti-Corruption Portal of the Americas.
- c. The Committee decided that, as a topic of collective interest, it would take up integrity in public service, including its relationship to public servant remuneration, as well as matters related to technological financial crime and the harm to society caused by corrupt acts.
- d. The Committee also decided that, where relevant and possible, it would follow up on any topics of collective interest presented.

Next, under agenda item 7, and as provided in Article 4 of the Rules of Procedure, the Committee elected as Chair by consensus and acclamation the Principal Delegate of Canada, Mathilda Haykal Sater, and as Vice Chair the Principal Expert of Peru, Rosmary Cornejo.

The Committee then undertook the final review of the draft country reports of Argentina, Panama, Chile, and El Salvador, which, following comments regarding each, were approved by consensus. The approved texts of these four country reports may be found in the annexes to these minutes (Annexes V, VI, VII and VIII).










The meeting then considered the draft work program of the Committee for 2017-2018 (agenda item 6), which was approved by consensus.

Then, under agenda item 8, "Other Business," the Committee considered the situation that had prevented Nicaragua from replying to the questionnaire by the time envisaged in the schedule, and decided that the Committee would review the country report of that State as the last report in the last group of countries for review in the Fifth Round. Accordingly, the Committee authorized the Technical Secretariat to prepare and disseminate a revised version of the document containing the review sequence for the Fifth Round.

The Committee unanimously approved a motion by the delegation of Argentine congratulating and commending the Technical Secretariat of the MESICIC for the excellent work done.

Before the meeting was declared closed, the Technical Secretariat read out these minutes, which were then unanimously approved by the plenary of the Committee, together with all the annexes forming an integral part thereof.

Washington, D.C., March 17, 2017

ANNEXES		
No.	Title	Link
I	Agenda	
II	Schedule	
III	Proposal for Possible Structure and Contents of the Guidelines on Private-Sector Responsibility in Preventing and Combating Corruption	
IV	Brazil – Elizabeth Cosmo Marques <i>“Lei Anticorrupção e Programas de Integridade para Micro e Pequenas empresas”</i> [Anti-corruption law and microenterprise and small business integrity programs]	
	Brazil – Douglas Fischer <i>“El CASO “LAVAJATO” (LAVADO DE AUTOS) Técnicas esenciales de la investigación de los delitos de corrupción and la cooperación internacional con el intercambio de pruebas a través de MLAT”</i> [The “Carwash” case. Essential techniques for investigation of crimes of corruption and international cooperation in the exchange of evidence through MLAT]	
	Peru – Dr. Rosmary Cornejo Valdivia <i>“Desarrollos normativos en materia de responsabilidad del sector privado en la prevención and la lucha contra la corrupción”</i> [Legislative developments in the area of private sector responsibility in preventing and combating corruption]	
V	Report on the <u>Republic of Argentina</u>	
VI	Report on the <u>Republic of Chile</u>	
VII	Report on the <u>Republic of El Salvador</u>	
VIII	Report on the <u>Republic of Panama</u>	