

AG/RES. 2655 (XLI-O/11)

**FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION
AND ON THE INTER-AMERICAN PROGRAM OF COOPERATION
TO FIGHT CORRUPTION**

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1) as it pertains to this topic;

TAKING INTO ACCOUNT resolution AG/RES. 2576 (XXL-O/10);

CONSIDERING the importance of the Inter-American Convention against Corruption (IACC) and the fact that it has been ratified by 33 member states of the Organization of American States (OAS), and that 31 of those states participate in the Mechanism for Follow-Up on Implementation of the Inter-American Convention against Corruption (MESICIC);

BEARING IN MIND the mandates of the Summits of the Americas with respect to the fight against corruption, implementation of the IACC, and strengthening of its follow-up mechanism (MESICIC); as well as the support expressed by the XIX Ibero-American Summit of Heads of State and Government held in Portugal, in 2009;

RECOGNIZING the work of the Committee of Experts of the MESICIC, which has been supported by the General Secretariat and has made it possible to initiate, in September 2009, the Third Round of Review for the 28 states parties;

UNDERSCORING the developments in the Inter-American Program of Cooperation to Fight Corruption (MESICIC/CEP-II/doc.5/06 rev. 2), approved at the Second Meeting of the Conference of States Parties to the MESICIC, in November 2006, and adopted by the General Assembly at its thirty-seventh regular session, in June 2007, noteworthy among which are continuity in the process of review by the member states of implementation of the MESICIC and the program of support for those states for implementation of the recommendations made to them by the Committee of Experts of the Mechanism;

REITERATING the unswerving commitment of the states parties to the IACC to promote, encourage, and regulate cooperation among the states parties, in order to ensure that measures and efforts to promote, punish, and eradicate acts of corruption in the performance of public functions are effective;

RECOGNIZING WITH SATISFACTION the results of the Third Meeting of the Conference of States Parties to the MESICIC and, in particular, the recommendations thereof, the text of which is contained in the document MESICIC/CEP-III/doc.4/10 rev. 1; and

EXPRESSING ITS SATISFACTION with the fact that Antigua and Barbuda, Haiti, and Saint Kitts and Nevis joined the MESICIC in the framework of the above meeting,

RESOLVES:

1. To urge those states parties to the Inter-American Convention against Corruption (IACC) that have not yet done so to participate in the Mechanism for Follow-Up on Implementation of the Inter-American Convention against Corruption (MESICIC or “the Mechanism”); and to urge all states parties to the Mechanism to fund it through voluntary contributions.

2. To encourage those member states of the Organization of American States (OAS) that have not yet done so to consider ratifying or acceding to, as appropriate, the United Nations Convention against Corruption (Mérida Convention) and the United Nations Convention against Transnational Organized Crime (Palermo Convention).

3. To urge states parties to the IACC to take the measures they deem necessary, within their own institutional systems, to adapt their domestic law and regulations in order to comply with the commitments they undertook upon ratification of or accession to the Convention and, in this regard, to continue working toward compliance with the recommendations of the Committee of Experts of the MESICIC corresponding to the first, second, and third rounds of review of implementation of the Convention.

4. To express its satisfaction with the adoption and effective implementation by many states parties to the IACC of national anti-corruption legislation or plans.

5. To express once again its support for strengthening the MESICIC and, in that regard:

- a. To express its satisfaction with the progress made by the Committee of Experts of MESICIC in the Third Review Round, with support from the General Secretariat, which is reflected in the approval of the reports on Argentina, The Bahamas, Bolivia, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Vincent and the Grenadines, Trinidad and Tobago, the United States, Uruguay, and Venezuela; as well as in the preparation of the reports on Belize, Brazil, Grenada, and Suriname to be considered and approved at the next meeting of the Committee of Experts to be held in Washington, D.C., from September 12 to 16, 2011;
- b. To express its satisfaction with the workshops held in Bolivia, Costa Rica, Suriname, and Trinidad and Tobago as part of the cooperation project being undertaken by the General Secretariat to support the states parties to the MESICIC in the implementation of the recommendations made to them by the Committee of Experts, through the adoption of national action plans to that effect;
- c. To express its satisfaction with the approval by the MESICIC Committee of Experts of the First Progress Report on Implementation of the Inter-American Convention against Corruption (SG/MESICIC/doc.263/10 rev. 2), which reflects the advances made in this process by the MESICIC member states;

- d. To express its satisfaction with the work session by international experts, in the framework of the MESICIC technical cooperation project, on the model legislation to protect persons who report and/or witness acts of corruption, held in the city of Lima, Peru, on April 6 and 7, 2011;
- e. To support the holding of the Second Conference on Progress and Challenges in Hemispheric Cooperation against Corruption, which will be held in Colombia on June 21 and 22, 2011, in cooperation with the government of that country and will facilitate an exchange of good practices and experiences with the issues examined in the MESICIC framework and, thus, contribute to implementation of the Mechanism's recommendations and strengthening of inter-American cooperation against corruption;
- f. To suggest to the MESICIC Committee of Experts that it consider placing on its agenda, as a collective-interest issue, quality management in the public sector;
- g. To request the General Secretariat to continue identifying sources of funding within the OAS, such as the Regular Fund, as well as sources of external funding, such as international and regional financial institutions and national government agencies, among others, for the adequate functioning of the MESICIC and, when applicable, for the full and effective implementation of its recommendations and of the activities of the countries at which such recommendations are directed;
- h. To invite the Conference of States Parties to the MESICIC to continue reporting to the Permanent Council on the implementation of concrete measures to strengthen the MESICIC, as well as on other topics submitted to it for consideration;
- i. To request the General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs, to provide technical secretariat services to the Conference of States Parties to the MESICIC and to the Committee of Experts of the Mechanism; and
- j. To request the General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and in accordance with the provisions of section I.2.g of the Inter-American Program of Cooperation to Fight Corruption, designing and conducting a training program for members of the Committee of Experts of the MESICIC, aimed at the implementation both of the methodology of the Mechanism and of the recommendations it has made regarding the provisions of the IACC.

6. To thank the Government of Brazil for its successful organization of the Third Meeting of the Conference of States Parties to the MESICIC, held in Brasilia, Brazil, on December 9 and 10, 2010.

7. To endorse the Recommendations of the Third Meeting of the Conference of States Parties to the MESICIC (MESICIC/CEP-III/doc.4/10 rev. 1), which are a valuable

contribution to the continued strengthening of the Mechanism, and, in that regard, to express its support for the measures necessary to implement them, including the holding of on-site visits as of the Fourth Round of Review of the Committee of Experts of the MESICIC, with the prior consent of the respective state, in accordance with the methodology that the Committee adopted by consensus at its last meeting, held in Washington, D.C., in March 2011, the text of which is contained in document SG/MESICIC/doc.276/11 rev. 2.

8. To invite the States Parties to the MESICIC to express their consent for holding on-site visits during the Committee's Fourth Round of Review, in keeping with provision 5 of the Methodology for Conducting On-site Visits adopted by the MESICIC Committee of Experts.

9. To recognize the contributions made by civil society organizations in the implementation process of the MESICIC recommendations, in accordance with provision 8 of the Report of Buenos Aires and Article 34 of the Rules of Procedure of the Committee, as well as in the new opportunities for participation set out for these organizations in provisions 26 and 27 of the methodology adopted by the Committee for on-site visits, which advance the objectives of the pertinent recommendations of the Third Meeting of the Conference of States Parties to the MESICIC.

10. To express its satisfaction with the approval, at the Third Meeting of the Conference of States Parties to the MESICIC, of the strategy in relation to the United Nations Convention against Corruption (MESICIC/CEP-III/doc.4/10 rev. 1), in accordance with the provisions contained in Chapter VII of the Inter-American Program of Cooperation to Fight Corruption (MESICIC/CEP-II/doc.5/06 rev. 2).

11. To request the General Secretariat to continue providing, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and pursuant to Chapter VIII of the Inter-American Program of Cooperation to Fight Corruption, the technical support needed to implement that program within the resources allocated in the program-budget of the Organization and other resources.

12. To encourage member states and other donors to consider contributing, in accordance with Article 74 of the General Standards to Govern the Operations of the General Secretariat, to the OAS specific fund "Inter-American Anti-Corruption Fund" to assist member states in implementing the IACC and the MESICIC country report recommendations and to support operations of the MESICIC itself, including on-site visits.

13. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.