

MECHANISM FOR FOLLOW-UP ON THE  
IMPLEMENTATION OF THE INTER-AMERICAN  
CONVENTION AGAINST CORRUPTION

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**BELIZE**

**QUESTIONNAIRE  
and Country Responses**

**REGARDING THE PROVISION OF THE INTER-AMERICAN CONVENTION AGAINST  
CORRUPTION SELECTED FOR REVIEW IN THE FOURTH ROUND AND FOR FOLLOW-  
UP OF THE RECOMMENDATIONS FORMULATED IN THE FIRST ROUND\***

**INTRODUCTION**

The *Report of Buenos Aires*<sup>2/</sup> and the *Rules of Procedure and Other Provisions*<sup>3/</sup> of the Committee of Experts of the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption (hereinafter, as applicable, *Report of Buenos Aires*, *Rules of Procedure*, *Committee*, *Mechanism*, and *Convention*) provide that the Committee shall adopt a questionnaire on the selected provisions to be reviewed in each round.

At its Eighteenth Meeting, held on March 21 to 25, 2011, the Committee agreed on the comprehensive review of “oversight bodies, with a view to implementing modern mechanisms for preventing, detecting, punishing, and eradicating corrupt acts” (Article III, paragraph 9, of the Convention) as the topic for review during the Fourth Round. In addition, in compliance with recommendation 9(a) of the Third Meeting of the Conference of States Parties of the MESICIC<sup>4/</sup>, it was agreed that in the Fourth Round, “with regard to the follow-up of recommendations, [the Committee will concentrate] exclusively on the follow-up of the recommendations formulated to the States Parties in their corresponding reports of the First Round and which were deemed to require additional attention in the reports of the Second and Third Rounds, including the consideration of any new and relevant information or developments that would allow the Committee to determine the continued validity of the recommendations and measures suggested in the reports of the First Round and, with regard to those deemed still valid, to assess whether the State has given them satisfactory consideration or whether additional attention is required or, when applicable, to restate or reformulate them.”

Furthermore, Article 29 of the *Rules of Procedure* states that the information on the implementation of the recommendations is to be presented by each State Party using the standard format provided by the Committee as an Annex to the Questionnaire. It also establishes that “with respect to the implementation of recommendations, the State Party shall refer to any difficulties that may have arisen in the process,” and that “should it deem it to be appropriate, the State Party may also identify the domestic agencies that

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- \* This Questionnaire includes an Annex I that contains an individualized format for Belize to present progress and new information on developments related to the implementation of the recommendations formulated in the country report in the First Round of Review.
2. The Report of Buenos Aires (document AG/RES. 1784 (XXXI-O/01)) is available at: [www.oas.org/juridico/english/doc\\_buenos\\_aires\\_en.pdf](http://www.oas.org/juridico/english/doc_buenos_aires_en.pdf)
  3. The Rules of Procedure and Other Provisions of the Committee of Experts of the MESICIC (document SG/MESICIC/doc.9/04 rev. 4) are available at: [www.oas.org/juridico/english/mesicic\\_rules.pdf](http://www.oas.org/juridico/english/mesicic_rules.pdf)
  4. The Recommendations of the Third Meeting of the Conference of States Parties of the MESICIC (document MESICIC/CEP-III/doc.4/10 rev. 1) are available at: [www.oas.org/juridico/english/cepIII\\_recom\\_en.pdf](http://www.oas.org/juridico/english/cepIII_recom_en.pdf)

have participated in implementing the recommendations, as well as identify specific technical assistance or other needs connected with the implementation of the recommendations.”

Pursuant to the above, this document contains the questions that comprise the questionnaire adopted by the Committee.

The responses given to the questionnaire shall be reviewed in accordance with the methodology adopted by the Committee, which may be consulted on the *Anticorruption Portal of the Americas* at [www.oas.org/juridico/english/mesicic\\_rounds.htm](http://www.oas.org/juridico/english/mesicic_rounds.htm).

In accordance with Article 21 of the *Rules of Procedure*, the State Party shall return its response to the questionnaire through its Permanent Mission to the OAS, in an electronic format, along with the corresponding supporting documents, within the deadline established by the Committee.

To this effect, the OAS General Secretariat’s e-mail address, to which the response to the Questionnaire should be sent and to which queries may be addressed in order to clarify any doubts that may arise, is the following [LegalCooperation@oas.org](mailto:LegalCooperation@oas.org).

## **SECTION I**

### **QUESTIONS ON IMPLEMENTATION OF THE CONVENTION PROVISION SELECTED FOR REVIEW IN THE FOURTH ROUND**

#### **OVERSIGHT BODIES, WITH A VIEW TO IMPLEMENTING MODERN MECHANISMS FOR PREVENTING, DETECTING, PUNISHING, AND ERADICATING CORRUPT ACTS (ARTICLE III, PARAGRAPH 9, OF THE CONVENTION)**

A) Indicate the oversight bodies in your country that would be relevant for preventing, detecting, punishing, and eradicating corrupt acts, and briefly state the assigned purpose of each.

#### **Prevention:**

- The Accountant General’s Office
- The Parliamentary Standing Committees established in accordance with s. 72 of the Belize Constitution (House of Representatives) Standing Orders;
- All Government Ministries;
- The Contractor General’s Office.

#### **Detection:**

- The Standing Committees, particularly the Public Accounts Committee established in accordance with s. 72 of the Belize Constitution (House of Representatives) Standing Orders;
- The Auditor General;
- The Ombudsman’s Office;
- The Integrity Commission;
- The Financial Intelligence Unit;
- The Police Department (investigation);
- The Regulatory bodies of professions covered by statute, including those of medical practitioners, attorneys-at-law, accountants and auditors.

#### **Punishing and Eradicating:**

- The Judiciary;

- The Judicial and Legal Services Commission;
- The Public Service Commission;
- The Security Services Commission;
- The Office of the Director of Public Prosecutions (prosecution)

B) Then select 4 or 5 of these oversight bodies, bearing in mind their institutional importance and that the functions they are assigned should cover one or more of the objectives of preventing, detecting, punishing, and eradicating corrupt acts that trigger disciplinary; administrative; financial or civil; and criminal responsibility.

- The Auditor General;
- ~~The Financial Intelligence Unit;~~
- The Ministry of the Public Service;
- ~~The Attorney General's Ministry;~~
- The Office of the Services Commission, which comprises of the three Services Commissions established by the Constitution of Belize;
- The Director of Public Prosecutions

C) For each of the oversight bodies selected in the response to question B), to the extent that is possible, address the issues such as those indicated below, attaching copies of the norms or measures on which the answers are based or indicating links to the web pages where they may be consulted:

- i. Their objectives and functions; their autonomy for pursuing them; and when applicable, the exercise of their functions in conjunction or concert with other agencies or authorities; and the mechanisms for resolving any conflicts of jurisdiction that may arise.

### **The Ministry of the Public Service**

The Ministry of the Public Service (“the Ministry”) is the primary human resource Ministry of the Government Service. It administers the relevant parts of the Belize Constitution Act, Chapter 4 of the Laws of Belize, R.E. 2000 – 2003 (“the Constitution”); in particular those entrenched in the Public Service Regulations (developed in accordance with s. 103(6) of the Constitution) and the Services Commissions Regulations (pursuant to s. 105 (13) of the Constitution).

The Ministry of the Public Service is also responsible for the Government’s Public Sector Reform and Transformation programme.

The Ministry, through its Human Resource Management Section, also functions as the Secretariat to the Office of the Services Commissions. The Office of the Services Commissions comprises of the three Services Commissions established by the Constitution: the Public Services Commission (s. 105), the Security Services Commission (s. 110 C), and the Judicial and Legal Services Commission (s.110 E). Each of these Commissions have the authority to review the suitability of applicants, to hold or act in offices – including the power to make appointments, promotions, transfers, confirmation of appointments – and to deal with

all matters relating to the conditions of service with respect to their respective sectors. Subject to s. 111 of the Constitution (appeals in discipline cases), they also have the power to exercise disciplinary control over persons holding or acting in public offices and the power to remove persons from such offices.

In this capacity, the Ministry prepares the relevant documentation of disciplinary matters that go before any of the Commissions for their consideration. The Ministry also guides other Ministries and Departments in their preparation of the documents and relevant evidence that must be put together for onward transmission to the Commission. In this way, Ministries and Departments ensure that disciplinary matters do not fail before the Commission on the ground of insufficiency or incompleteness of information. When in doubt, the Ministry seeks guidance from the Office of the Solicitor General.

### **The Auditor General<sup>5</sup>**

The Office of the Auditor General is established by s. 109 of the Constitution. The Auditor General is appointed by the Governor General, on the recommendation of both Houses of the National Assembly, signified in a resolution. The Auditor General enjoys security of tenure, thus may be removed from office only for inability or failure to perform the functions of her office or for misbehavior. Provided that failure or undue delay by the Auditor General to submit her report as required by s. 120 is treated as “failure to perform the functions of her Office (s. 109 (5)).

The Auditor General also has the constitutional responsibility to ensure that all moneys appropriated and distributed by the National Assembly are used for the purposes for which they were appropriated and that “the expenditure conforms to the authority that governs it” (s. 120 (2) (a)). The Constitution, per s. 120 (2) (b), further mandates the Auditor General to audit and report upon, at least once a year on the following:

- the public accounts of Belize;
- the account of all officers and authorities of the Government;
- the accounts of all courts of law in Belize;
- the accounts of the Belize Advisory Council;
- the accounts of every Commission established by the Constitution;
- the accounts of the Clerk of the National Assembly.

In so doing, the Auditor General or any officer she so authorizes, shall have unhindered access to all books, records, returns, reports and other documents he consider relevant to the accounts under her consideration (s. 120 (3)).

The Auditor General must submit every report she makes in accordance with sub-section 2, to the Minister of Finance, and the latter must lay it before the House of Representative within a specified time-frame (s. 120 (4)). The Auditor General must notify the Clerk of the National Assembly (“the Clerk”) of the date of submission of the Report to the Minister.

In the performance of her functions, the Auditor General is not subject to the control of any person or authority (s. 120 (7)). This position is reiterated in s. 13 (3) of the Finance and Audit (Reform) Act, No. 12 of 2005 (“the FARA”). See <http://www.belize.gov.bz/index.php/useful-links/publications/finish/18-public-officers-regulations/52-finance-audit-act> for electronic copy of the FARA). In the performance of her

functions, the Auditor General is guided by the Constitution, the Finance and Audit (Reform) Act, 2005 and have adopted the International Standards for Supreme Audit Institutions.

If the Minister of Finance fails to lay the Auditor General's Report before the National Assembly, the Clerk shall request the Auditor General to submit copies of his report to the Clerk for the latter to lay it before the two houses (s. 120 (5)). If the Auditor General fails to comply, he may be required to appear before the Senate to answer for his failure to submit his Report to the Clerk. His failure to submit such report could be deemed as failure in the performance of his duties, which is ground for removal in accordance with s. 109 (6) of the Constitution.

While the Auditor General is required to prepare and submit annual reports to the National Assembly through the Minister of Finance, she may, at any time, prepare special reports on any matter incidental to her powers and duties under the FARA for presentation to the National Assembly. Examples of Special Reports include her Report on the sale of national land leases and titles (see [http://audit.gov.bz/special\\_reports.html](http://audit.gov.bz/special_reports.html))

### **Office of the Service Commissions**

In 2001, the Office of the Services Commissions ("the Commission") was established to coordinate and administer the whole spectrum of Human Resource Management with respect to the three constitutionally-established services commissions: (a) the Public Services Commission (s. 105 of the Belize Constitution); (b) the Security Services Commission (s. 110C of the Belize Constitution); and (c) the Judicial and Legal Services Commission (s.110E of the Belize Constitution). To support their functions and responsibilities, it was staffed with a small secretariat and two regulations were developed pursuant to s. 106 (3) of the Constitution: the Public Service Regulations ("the PSR") and the Services Commission Regulations ("the SCR").

While each of these three commissions were established to guide and regulate matters concerning public officers that fall within the purview of each, their functions are similar in nature. Each of these Commissions has the authority to review the suitability of applicants, to hold or act in offices – including the power to make appointments, promotions, transfers, to confirm appointments – and to deal with all matters relating to the conditions of service with respect to their respective sectors. Subject to s. 111 of the Constitution (appeals in discipline cases), they also have the power to exercise disciplinary control over persons holding or acting in public offices and the power to remove persons from such offices.

Prevention and detection of corrupt acts within the public service are the primary responsibility of each Government Office, Department or Ministry. Their functions are guided by the PSR, the Finance and Audit (Reform) Act, and the Financial Orders and Stores Orders.

Punishment of corrupt acts is the responsibility of the relevant Services Commission through administrative proceedings. Some of these actions may also give rise to civil or criminal proceedings, which are pursued within the jurisdiction of the domestic courts.

### **The Director of Public Prosecutions**

The Office of the Director of Public Prosecutions is a public office established by s. 50 of the Belize Constitution. This Office is responsible for the prosecution of crimes, including the crime of corruption. The Director of Public (“the DPP”) does not have investigative powers, as this is conferred on the Belize Police Department, which work in close collaboration with the DPP. Similarly, punishment of acts of corruption is the jurisdiction of the Courts.

The functions and powers of the DPP, as established by s. 50 (2) of the Constitution, are:

- (a) “to institute and undertake criminal proceedings against any person before any court of law (other than a court martial) in respect of any offence alleged to have been committed by that person;
- (b) to take over and continue any such criminal proceedings that have been instituted or undertaken by any other person or authority; and
- (c) to discontinue at any stage before judgment is delivered any such criminal proceedings instituted or undertaken by himself or any other person or authority.”

These functions may be exercised by the DPP or by any person acting under her general or special instructions (s. 50 (3)). The powers at (b) and (c) above are exclusively vested in the DPP to the exclusion of any other person or authority.

In addition to appearing in criminal and quasi-criminal proceedings on behalf of the State before the local courts, the DPP also advises the Police Department and other institutions with powers of investigation or arrest in the exercise of those functions.

Subject to the powers of the Attorney General pursuant to s. 42 (2) of the Constitution, the DPP shall not be subject to the direction or control of any person or authority (s. 50 (6) of the Constitution).

- ii. The scope of their functions, indicating whether any exceptions to it exist.

### **The Ministry of the Public Service**

The Ministry of the Public Service is the principal human resource Ministry of the Government Service and is responsible for guiding the administration and training of these resources in accordance with the Public Service Regulations, 2001 and the Services Commissions Regulations, 2001.

### **The Auditor General**

The Office of the Auditor General, now known as the Supreme Audit Institution of Belize, states that its principal objectives are “to ensure transparency and accountability over the use of public funds and assets” and “to examine the facts and report such findings as required by law and do so devoid of any type of considerations that lies outside the remit of the law.”

The Auditor General also has the constitutional responsibility to ensure that all moneys appropriated and distributed by the National Assembly are used for the purposes for which they were appropriated and that “the expenditure conforms to the authority that governs it” (s.

120 (2) (a)). The Constitution, per s. 120 (2) (b), further mandates the Auditor General to audit and report upon, at least once a year on the following:

- the public accounts of Belize;
- the account of all officers and authorities of the Government;
- the accounts of all courts of law in Belize;
- the accounts of the Belize Advisory Council;
- the accounts of every Commission established by the Constitution;
- the accounts of the Clerk of the National Assembly.

Auditor General must submit every report she makes in accordance with sub-section 2, to the Minister of Finance, and the latter must lay it before the House of Representatives.

Section 12 of the FARA provides that the Auditor General, on behalf of the National Assembly, shall audit the accounts “of all Accounting Officers and of all persons entrusted with the collection, receipt, custody, issue or payment of public monies, or with the receipt, custody, issue, sale, transfer or delivery of any stamps, securities, stores, or other Government property of any kind whatsoever” and that: (a) all necessary precautions were taken to safeguard the collection of public moneys, in accordance with the relevant laws/directions/instructions; (b) all public monies disbursed were applied under proper authority and for the purpose(s) intended; and (c) all reasonable precautions were taken to safeguard the receipt/custody/issue/proper use of Government property and that the laws/instructions/directions thereon were duly observed.

Section 13 of the FARA outlines the functions of the Auditor General to include: (a) calling on any public officers for information/explanations she may require; (b) authorizing any public officer to conduct enquiry/examination of audit on his behalf; (c) cause a search to be made of extract of book/record/document in any public office; (d) requesting the Attorney General, in writing, regarding the interpretation of any law concerning her powers/duties and the Attorney General shall so respond.

If at any time it appears to the Auditor General that any loss/serious loss/serious irregularity has occurred in the receipt/custody/expenditure of public monies/stamps/securities/stores/other Government property, or in the accounting of any of these, she shall immediately bring the matter to the attention of the Minister of Finance (s. 14 of the FARA).

Within three months from the end of each financial year, the Accountant General shall submit to the Auditor General accounts showing fully the financial position of the Consolidated Revenue Fund and other public funds of Belize as at the last day of the financial year (s. 15 of the FARA). The Auditor General submits copies of these accounts together with his certificate of audit and a report of his audit of all public accounts to the Minister of Finance for further tabling before the National Assembly (s. 16 of the FARA).

### **The Office of the Services Commissions**

The Office of the Services Commissions is an autonomous entity. Its functions are outlined in the Services Commissions Regulations, 2011, which was developed pursuant to s. 106 (3) of the Belize Constitution.

It is comprised of three Services Commissions (the Public Service Commission (“the PSC”), the Security Services Commission (“the SSC”) and the Judicial and Legal Services Commission (“the JLSC”)), each of which exercise jurisdiction over the respective sector of public officers: the PSC over all public officers except those that fall under the jurisdiction of the SSC or the JLSC; the SSC over all officers in the security sector (the Police, the Defence Force, the Coast Guard), and the JLSC over all judicial and legal officers. They each have the same functions: power to appoint persons to hold or act in offices, including power to transfer, confirm appointments, and the power to exercise disciplinary control over officers who fall under their respective sectors.

The Constitution empowers each of the Commissions to make regulations to facilitate the performance of their functions (s. 105 (13) for the PSC, s. 110C (8) for the SSC, and s. 110E (13) for the JLSC), and to regulate its own procedure (s. 105 (14) for the PSC, s. 110C (8) for the SSC, and s. 110E (14) for the JLSC).

In the performance of their functions, none of the Services Commissions is subject to the direction or control of any person or authority (s. 105 (12) of the Constitution for the PSC, s. 110C (8) for the SSC, and s. 110E (12) for the JLSC).

The Office of the Services Commission is coordinated by a Director whose duties are to:

- (a) be the Secretary to the Services Commissions;
- (b) submit matters for consideration to a Services Commission with authority to deal with the matter;
- (c) give effect to, and notify other persons of the decisions of the Services Commissions; and
- (d) ensure that all documents relating to any matter subject to consideration by a Services Commission are submitted timely to the Services Commissions.

Currently, the functions of the Director are being provided by the Human Resource Management Section of the Ministry of the Public Service.

Other authorities, such as the Office of the Ombudsman and the Auditor General, work in conjunction with the Office of the Services Commissions.

While the Constitution of Belize dictates the overall functions of each of the Commissions, it also provides for the delegation of certain powers to the Chief Executive Officers (s. 106 (5) for the PSC, s. 110C for the SSC, and 110F (4) for the JLSC).

### **The Director of Public Prosecutions**

The DPP is responsible for appearing in criminal and quasi-criminal proceedings on behalf of the State before the local courts. This includes instituting and undertaking criminal proceedings against a person, taking over and continuing proceedings instituted by another person or entity, and discontinuing any criminal proceeding instituted by her or any other person or entity. In the case of discontinuation of criminal proceedings, the DPP must do so at any time before the delivery of judgment (s. 50 of the Constitution). These powers are exclusively conferred on the DPP. Provided that the DPP does not have the authority to discontinue proceedings arising from an appeal by a person who has been convicted in criminal proceedings (or in any case states or question of law reserved by that person) (s. 50 (5)).

The Constitution specifically provides that, subject to the powers of the Attorney General pursuant to s. 42 (2) of the Constitution, the DPP is not subject to the direction or control of any person or entity in the performance of her functions (s. 50 (6)). Section 42 (2) establishes that the Attorney General shall be responsible for the administration of legal affairs in Belize.

In addition to the functions exercised by the DPP, as outlined above, the DPP also advises the Police Department and other institutions with powers of investigation or arrest in the exercise of those functions.

- iii. The manner in which they adopt their decisions, indicating whether there are various agencies with jurisdiction to do so and whether they are collegiate or single-person agencies; review remedies that can be brought against the decisions adopted, both internally and with other external agencies or authorities; and the actions needed to implement or enforce those decisions.

### **The Ministry of the Public Service**

The Ministry of the Public Service is headed by a Minister (member of the Executive) and a Chief Education Officer (“the CEO). The CEO is appointed in accordance with s. 107 of the Constitution by the Governor General, acting in accordance with the advice of the Prime Minister. Similarly, the power to exercise disciplinary control over CEOs or persons acting in these offices, and the power to remove them from office, vests in the Governor General, on the advice of the Prime Minister.

The CEO, as head of department, has the primary responsibility of adopting and enforcing decisions, always in accordance with the Public Service Regulations.

Request for revision of any decisions of the Ministry of the Public Service may be addressed to the CEO. If the matter involves the interpretation of any law or regulation, she usually refers the matter to the Attorney General, as the Government’s constitutional legal adviser.

Appeals against decisions by the Ministry in regard to the disciplining of public officers are made to the Public Service Commission. Appeals against the decisions of the Commission are made to the Belize Advisory Council (“the BAC”), which is established pursuant to s. 54 of the Constitution. Decisions of the BAC are adhered to by the respective Services Commissions – in this case, the Public Service Commission.

Decisions of the Commission can be challenged before the courts for judicial review.

### **The Auditor General**

The Auditor General is appointed by the Governor General, on the recommendation of both Houses of the National Assembly, signified in a resolution (s.109 of the Constitution). She has security of tenure and may be removed from office only for inability or failure to perform the functions of her office or for misbehavior. Provided that failure or undue delay by the Auditor General to submit her report as required by s. 120 is treated as “failure to perform the

functions of her Office (s. 109 (5)).

In the performance of her functions, the Auditor General is not subject to the control of any person or authority (s. 120 (7)). This position is reiterated in s. 13 (3) of the FACA.

The functions of the Auditor General are to audit the public accounts and to present his report to the Minister of Finance for onward tabling before the National Assembly.

### **The Office of the Services Commissions**

In the performance of their functions, the Services Commissions are not subject to the direction or control of any person or authority (s. 105 (12) of the Constitution for the PSC, s. 110C (8) for the SSC, and s. 110E (12) for the JLSC). Each of the Commissions has the authority to regulate its own functions.

In accordance with the SCR, each of the Commissions meets as often as its business requires. True and accurate account of the minutes of meetings is kept by the Director of the Office of the Services Commissions (see Regulations 5 to 7 of the Services Commissions Regulations). Decisions of the Commissions shall require concurrence by the majority of the Members, provided that the Commission in question may act in the absence of any Member other than the Chairman (s. 105 (15) of the Constitution for the PSC, s. 110C (8) for the SSC, and s. 110F (15) for the JLSC).

Provided that each of the Services Commissions, on the circulation of the relevant documents, may make decisions without holding a formal meeting, if all the Members make the same decision. However, if one or more Members make a different decision or specifically request that a formal meeting be held, the matter shall be deferred to the next formal meeting of that particular Services Commission. All documents circulated in this regard must come from the Office of the Services Commissions (see Regulation 7 of the SCR).

Any of the Services Commissions, in considering any matter or question before them, may consult with any public officer, trade union representative, staff association representative or any other person or body it considers necessary. It may also require any public officer to appear before them and/or produce any official document relevant to the matter under their consideration (Regulation 8 of the SCR). Any public officer who fails to comply with any of the requirements made by the Services Commission, without reasonable cause, commits a breach of discipline which attracts disciplinary proceedings (Reg. 9 of the SCR).

While the Constitution of Belize dictates the overall functions of each of the Commissions, it also provides for the delegation of certain powers to the Chief Executive Officers (s. 106 (5) for the PSC, s. 110C for the SSC, and 110F (4) for the JLSC).

In disciplinary matters, appeals against decisions of any of the Services Commissions lies before the Belize Advisory Council at the instance of the public officer against whom the decision was made. The Belize Advisory Council may affirm or set aside the decision of the relevant Services Commission, or make any other decision that the Services Commission could have made (s. 111 (3) of the Constitution). Decisions of the Services Commissions can also be appealed before the Supreme Court of Belize.

### **The Director of Public Prosecutions**

The Office of the DPP is bound by the Code of Prosecutors. This Code establishes the tests that should be observed when considering whether a matter should be proceeded with. The first test is the evidentiary test and the second is the public interest test. A decision of the DPP is subject to review by the Supreme Court upon application by any person with standing on the matter.

- iv. The manner in which their senior officers are selected, indicating whether they serve fixed terms or are freely appointed and removable, and the agencies authorized to hold them responsible for their actions and deciding on their continued tenure in those positions.

### **The Ministry of the Public Service**

The Ministry of the Public Service is headed by a Minister (member of the Executive) and a Chief Education Officer (“the CEO). The CEO is appointed in accordance with s. 107 of the Constitution by the Governor General, acting in accordance with the advice of the Prime Minister. Similarly, the power to exercise disciplinary control over CEOs or persons acting in these offices, and the power to remove them from office, vests in the Governor General, on the advice of the Prime Minister.

The CEO, as head of department, has the primary responsibility of adopting and enforcing decisions, always in accordance with the Public Service Regulations.

All other officials below the CEO are appointed/promoted, transferred, disciplined/removed, by the Public Service Commission pursuant to s. 105 of the Constitution, in accordance with the Public Service Regulations, 2001 (“the PSR”) and the Security Services Regulations, 2001 (“the SCR”).

Public officers are selected based on the defined criteria for the post for which they have applied. Senior posts, in particular, are advertised either internally or externally to the general public service. A panel comprising of a member of the Public Service Commission, a representative of the Ministry from which the vacancy arises, and two representatives of the Ministry of the Public Service interview the candidates and identify the person most suited to fill the post. They make a recommendation in this regard to the Public Service Commission. If the Commission agrees with the recommendation, that person is appointed to the post. However, if the Commission considers that the recommendation is not genuine or was motivated by other issues which are not merit-based, it may request a candidate/candidates to appear before them for clarification of questions that may have arisen with respect to the Panel’s recommendation.

In some instances, senior posts may be filled on a contractual basis. This may occur where the post requires specialist skills, especially where these are in short supply, and the most suitable person for the post does not wish to be tenured in the public service. In such a case, such recommendation must be made to the Public Service Commission and the Commission must agree thereto.

In all instances, all public officers are held accountable by the respective Ministry through its CEO, and ultimately by the relevant Service Commission – in this case, the Public Service Commission.

### **The Auditor General**

The Auditor General is the most senior official in the Auditor General’s Office. She is appointed by the Governor General (“the GG”) on the recommendation of both Houses of the National Assembly, signified in a resolution (s. 109 of the Constitution). She must vacate office (subject to the removal procedure) at the age of sixty-five or any other age prescribed by the National Assembly (s. 109 (4)).

The Auditor General enjoys security of tenure, thus may be removed from office only for inability or failure to perform the functions of her office or for misbehavior. Provided that failure or undue delay by the Auditor General to submit her report as required by s. 120 is treated as “failure to perform the functions of her Office (s. 109 (5)).

If the question of removing the Auditor General is presented by the Prime Minister to the Governor General, the latter shall refer the matter to the Belize Advisory Council (“the BAC”). The GG may, in the interim, suspend the Auditor General from the performance of her functions, pending the outcome of the recommendation of the BAC s. 109 (8)).

The BAC shall sit as a tribunal, enquire into the matter and report thereon to the Governor General, advising him whether the Auditor General should be removed. If the Belize Advisory Council advises the Governor General that the Auditor General ought to be removed, the Governor General shall so remove her from office (s. 109 (6) and (7) of the Constitution).

Other senior officials below the Auditor General are appointed/promoted, transferred, disciplined/removed, by the Public Service Commission pursuant to s. 105 of the Constitution, in accordance with the PSR and the SCR.

The Office of the Auditor General indicates that in carrying out its functions, her office must ensure that its professionals are held to the same high levels of professionalism and ethical standards.

### **The Office of the Services Commissions**

The manner of appointment, tenure and removal of the Members of the Services Commissions are established by the Belize Constitution.

- The Public Service Commission

The Public Service Commission (PSC) consists of a Chairman and five other Members. They are appointed by the Governor General, acting in accordance with the advice of the Prime Minister, given after consultation with the Leader of the Opposition.

Members of the National Assembly are disqualified for appointment as Members of the PSC, as are officers who hold or act in any public office (except for the ex-

official Members). Provided that a person who has held or acted in the office of a Member of the Commission or has so held or acted within two years from the date on which he last acted in that office, be eligible for appointment to any public office (s. 105 of the Constitution).

Members of the PSC are appointed through an Instrument of Appointment usually for a fixed period of three years (or for an earlier period not being less than two years) (s. 105 (5) of the Constitution). Provided that Members of the PSC cannot perform the functions of their Office unless they have taken and subscribed the oath of allegiance and office (s. 105 (11)).

Members of the PSC are removed from Office only for inability to perform the functions of his office (be it from infirmity of mind or body or from any other cause), or for misbehavior (s. 105 (6) of the Constitution).

Removal of a Member of the PSC can only occur after the proper procedure (established in s.105 of the Constitution) is followed: (1) the Prime Minister must represent to the Governor General that the question of the removal of the Member ought to be investigated; (2) the Governor General must refer the matter to the Belize Advisory Council, which shall sit as a tribunal and enquire; (3) the BAC shall enquire into the matter and report the facts to the Governor General, advising whether the officer should be removed from Office. Provided that at the same time that the Governor General refers the matter to the Belize Advisory Council, he may also suspend the Member from performing the functions of his office. The Governor General may revoke the suspension at any time (s. 105 (7), (8), (9) of the Constitution).

- **The Security Services and the Judicial and Legal Services Commissions**

Same provisions with respect to procedures of the respective Services Commissions exist with respect to the SSC (see s. 110C (8) of the Constitution) and the JLSC (s. 110E).

The composition of the SSC is: the Chairman of the Public Services Commission, who shall be a member and Chairman, a former senior officer of the Belize Police Department, a former senior officer of the Belize Defence Force, one person nominated by the Leader of the Opposition and one person from the private sector.

The JLSC consists of: the Chief Justice, who shall be a member and Chairman, the Chairman of the Services Commission, the Solicitor General, and the President of the Bar Association.

### **The Director of Public Prosecutions**

The Office of the DPP is headed by the DPP, who is assisted by Senior Crown Counsel and Crown Counsel. They comprise the professional legal staff and are all fully-trained attorneys-at-law. The DPP is also aided by support/administrative staff who proceed from the pool of the wider public service.

The DPP is appointed by the Governor General, acting in accordance with the advice of the

Judicial and Legal Services Commission and with the concurrence of the Prime Minister, given after consultation with the Leader of the Opposition (s. 108 (1) of the Constitution). The DPP enjoys security of tenure and may only be removed by the Governor General if the question of her removal from office has been referred to the Belize Advisory Council (“the BAC”) and the BAC advises the Governor General that the DPP should be removed (s. 108 (7)).

The process is initiated if the Prime Minister represents to the Governor General that the question of the removal of the DPP ought to be investigated. The Governor General is then required to refer the matter to the Belize Advisory Council, which shall sit as a tribunal and enquire into the matter. It shall reports its findings to the Governor General, with an advice whether the DPP ought to be removed (s. 108 (8) of the Constitution).

All appointments, transfers, confirmation, disciplining and removal of Senior Crown Counsel and Crown Council at the DPP’s Office is done by the Judicial and Legal Services Commission (JLSC) in accordance with the powers conferred on it by s. 110E of the Constitution. Some of these officers are on fixed term contracts, while others are held against established positions within the public service. They are all guided by the Public Service regulations, the Code of Judicial Etiquette and those on fixed term contracts, additionally by the specific provisions of said contract.

- v. The manner in which the human resources needed for their operations are identified and how their personnel are selected, indicating whether they are freely appointed and removable or whether they are selected by means of merit-based competition; if certain requirements have to be met to hold such positions; and whether their personnel are subject to a regime of disqualifications and incompatibilities and of responsibility for their actions.<sup>6/</sup>

### **The Ministry of the Public Service**

The same procedure at (iii) applies to the Ministry of the Public service. As a case on point is the case of the filling of the post of Director, Human Resource Management (filled in September 2013) to which a former Inspector of Police, possessing the advertised requirements, was selected on a competitive basis and appointed to act for a period of six months in the first instance. If the officer performs and conducts himself to the expected standards, he will be considered for permanent appointment to the post by the PSC. The person holding this post is Secretary to the Services Commissions.

### **The Auditor General**

The same procedure at (iii) applies. In discharging its mandate Office of the Auditor General indicates that it must also ensure that its professionals are held to the same high levels of professionalism and ethical standards as the Office is.

### **The Office of the Services Commissions**

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6. If relevant and applicable information was reported in the response to the First or Second Round questionnaires, reference may be made to that information.

The same procedure at (iii) applies.

Staff to support the work of the Services Commissions are selected from among serving Public Officers who are of high integrity and confidentiality. These officials are held responsible against the Public Service Regulations and the Belize Constitution.

#### The Director of Public Prosecutions

The professional/legal staff at the Office of the DPP are employed by the Judicial and Legal Services Commission. In so doing, the JLSC can consult with the DPP on the suitability of the applicant. It is not unusual for the DPP to interview applicants and to make a recommendation in that regard to the JLSC. Crown Counsel and Senior Crown Counsel must be fully-trained attorneys-at-law and entitled to practice in Belize.

Support/administrative staff of the Office of the DPP proceed from the wider public service. They are appointed, confirmed, transferred, disciplined or removed by the Public Services Commission in accordance with s. 106 of the Constitution.

- vi. The existence of manuals or other documents that describe the functions of their personnel, and also indicating whether regular training is given in connection with those functions.

#### **The Ministry of the Public Service**

All posts have a job description and list of duties. Regular coaching and mentoring is done by supervisors. They also benefit from regular and constant training offered by the Ministry of the Public Service, in collaboration with educational institutions, to the wide public service.

#### **The Auditor General**

The office informs that it is currently in the process of formulating and updating manuals with the aid of the International Organization for Supreme Audit Institution. Through the Office's international affiliation training is adequate.

#### **The Office of the Services Commissions**

Officials who collaborate with the Office of the Services Commissions all come from the wider public service and are subject to the rules, regulations, manuals of the general public service.

As explained with respect to the Ministry of the Public Service, all posts of personnel who collaborate with the Office of the Services Commissions, have job descriptions and a list of duties. Officials also benefit from regular and constant training offered by the Ministry of the Public Service at and for various levels of management.

### **The Director of Public Prosecutions**

The powers of the DPP are established in and by the Constitution. Crown Counsel and Senior Crown Counsel are guided by a Code for Prosecutors and the relevant provisions of the individual contracts signed by each Counsel.

The support staff is bound by the Public Service Regulations in the performance of their functions. Training is offered by the Ministry of the Public Service on a consistent basis for public officers.

- vii. The existence of documented procedures for performing their tasks, or of manuals or guides dealing with those duties; institutional strengthening or quality improvement actions implemented; and the implementation of systems or modern technologies to facilitate their work.

### **The Ministry of the Public Service**

The Ministry administers the Public Service Regulations and the Services Commissions Regulations across the Public Service. Desk manuals are available for officers in the Ministry. Through regular Management Team meetings, reviews/assessments on the work of the Ministry are conducted and where particular areas of weakness are identified, these are addressed.

Efforts are in train, in collaboration with Smart Solutions International (SmartStream Company) and Government's Central Information Technology Office, to automate many of the Ministry's human resource processes towards greater efficiency and effectiveness in the work of the Ministry.

### **The Auditor General**

Through international affiliation manuals are being acquired along with assistance for institutional strengthening.

The Office of the Auditor General has built into its website a tab entitle "whistleblowing" aimed at enabling persons to give tips or express any concerns to the Auditor General ([http://audit.gov.bz/whistle\\_blowing.php](http://audit.gov.bz/whistle_blowing.php))

### **The Office of the Services Commissions**

The functions of the Services Commissions are described in the Belize Constitution and the Services Commissions Regulations (developed pursuant to s. 106 of the Constitution). Commission Members do not receive training, but in the conduct of their affairs the Commission can call on the expertise of any person or entity.

While there is an existing Disciplinary Procedure Manual used by the Administrative Officers of the wider public service, there is currently no manual for formal procedure in Disciplinary

Proceedings to be used by the Commission. Their principal guides are the PSR and the SCR.

### **The Director of Public Prosecutors**

The Office of the DPP reports that it has a full complement of professional staff. In the exercise of their functions, professional staff are guided by the Code of Prosecutors and the applicable procedural laws of Belize.

In order to more efficiently carry out their functions, the DPP has “zoned” its professional staff. A Crown Counsel has been assigned to a particular Police formation and precinct. Having a direct contact allows for closer collaboration and speedier response. Recently the Office was moved to another location with appropriate office space.

Additionally, while the principal office remains centrally located in Belize City, the need to open office spaces in other strategic areas of the country are being addressed. An office will be opened in Belmopan and the Office of the DPP is “actively negotiating” office space in the one of the two northern districts in the country. The reason therefor is that Supreme Court Sessions are held in these two localities throughout the year.

The DPP reports that the office obtained more resources for training and research for the current fiscal year and that those resources have been used to “improve the knowledge and capability of staff members and to increase our resource base.”

The Office of the DPP informs further that legal assistants are now assigned to each Court to assist Crown Counsel in the preparation of trials. Also, the DPP’s Office has recently established a Case Care Unit which is staffed with Police Officers, and foresees the expansion of this Unit.

The Office of the DPP also lobbied for amendments to various pieces of legislation (including amendments to the Evidence Act and the Indictable Procedure Act) to allow cases to proceed without the physical presence of the witness. This was necessary to address the problems arising from the intimidation of witnesses or from the recanting by witnesses of their statements.

- viii. The manner in which the general public is provided with information about their objectives and functions, is informed of the procedures established for the performance of their functions, and is given guidance about how to carry out proceedings before them.

### **The Ministry of the Public Service**

The Ministry’s functions are more relevant and geared toward Government line-Ministries and Departments. These ministries and departments are provided with Circulars and Circular Memoranda on a regular basis. It is through this means that Government’s HR policies and decisions and the relevant processes are conveyed.

The Ministry also organizes Public Service Days which are held during Public Service Week. The Ministry, along with other Ministries, participates offering the general public information about its services and processes.

### **The Auditor General**

The general public is provided information primarily through the office's website, through various citizen participation projects including the media and its recent strategic plan. The general public is provided information primarily through the office's website, through various citizen participation projects including the media and its recent strategic plan.

### **The Office of the Services Commissions**

The Public Service Regulations and the Services Commissions Regulations provide guidance to all public officers and the public on the objectives and functions of the Office of the Services Commissions and each of the Services Commissions. They also provide general information on the procedure followed by the Office of the Services Commissions and each of the Commissions in the performance of their functions and consequently are general guides on the procedure to be followed to carry out proceedings before them.

These regulations mirror the provisions of the Belize Constitution. These three documents are available in hard copy at the Ministry of the Public Service, and electronically in the Government of Belize website at [www.belize.gov.bz](http://www.belize.gov.bz).

(See <http://www.belize.gov.bz/index.php/useful-links/publications/finish/18-public-officers-regulations/55-public-service-regulation-act> for the PSR;

As mentioned above, there is currently no official website for the Office of the Services Commissions or any of the three Services Commissions.

### **The Director of Public Prosecutions**

The DPP periodically undertakes general (*albeit* minor) awareness campaigns and informs that during the last quarter of this year they initiated "a new community prosecution model" with a view to expanding same in the near future. This initiative aims at sensitizing the public about the functions of the Office and the means by which decisions are made. It is also foreseen that this initiative will establish liaisons with the community.

- ix. The mechanisms for internal control and for dealing with claims, complaints, or allegations related to the pursuit of their objectives and to the performance of their personnel.

### **The Ministry of the Public Service**

Claims, complaints, allegations and matters of this nature are channeled to the Ministry either in person, via electronic means (including by telephone), or by letter. When these are received, they are investigated by the Ministry's administration. The officer in question is informed and is given ample and fair opportunity to respond. Any action that is required, as a result, is done either verbally, by way of advice or warning, or in writing.

If wrongdoing is proven, and such wrongdoing is serious, the matter is referred to the Public Service Commission.

### **The Auditor General**

At the presentation of the office's recent strategic plan a code of ethics was presented to staff. The intent is for the code of ethics to be used alongside other established regulations. A copy was presented to the Ministry of the Public Service for information and implementation purposes.

### **The Office of the Services Commissions**

The Chairman of each of the Services Commissions has the overall responsibility of monitoring the performance of its members.

The Chief Executive Officer in the Ministry of the Public Service is charged with monitoring the performance of support staff of the Commission.

### **The Director of Public Prosecutions**

Claims, complaints, allegations against the objectives of the Office of the DPP or against the performance of their personnel can be made directly (in person, electronically, or in writing) to the Office or to the respective/relevant Commission. In practice, if a claim/complaint/allegation is directed at the DPP, she would investigate the matter and give the officer a fair opportunity to be heard. If she considers that the matter is not a serious one and can be addressed by her, she will. If the matter requires deeper investigation or consideration, she would refer same to the appropriate authority.

- x. The manner in which the budgetary resources needed for their operations are ensured.

### **The Ministry of the Public Service**

The Ministry is provided with a monthly budgetary allocation from the Ministry of Finance in the framework of the Annual Estimates of Revenue and Expenditure as approved by the National Assembly.

### **The Auditor General**

The same applies as for the Ministry of the Public Service. Provided that with respect to the budget presented by the Office of the Auditor General (and seven other entities), s. 118 (6) of the Constitution of Belize expressly provides that it shall be given first priority on the Consolidated Revenue Fund.

### **The Office of the Services Commissions**

Budgetary allocations are provided by the Ministry of Finance from the budgetary allocation within the framework of the Annual Estimates. The Office of the Services Commissions' budget is managed by the Financial Officer at the Ministry of the Public Service.

### **The Director of Public Prosecutions**

The DPP's Office has its own budgetary allocation from the Consolidated Revenue Fund. Each fiscal year a proposal is submitted to the Ministry of Finance for consideration in the new budget. If additional funds are needed during the fiscal year, the relevant request is made to the Ministry of Finance. Provided that with respect to the budget presented by the Office of the DPP (and seven other entities), s. 118 (6) of the Constitution of Belize expressly provides that it shall be given first priority on the Consolidated Revenue Fund.

- xi. As appropriate, the coordination mechanisms for harmonizing their functions with those of other oversight agencies or public authorities and for securing the support of other authorities and the public for full compliance with their duties.

### **The Ministry of the Public Service**

The Caucus of Chief Executive Officers serves as a coordination mechanism. At weekly meetings of the Caucus, ministries' various programmes and initiatives are discussed and support/collaboration obtained for same. Where a particular programme of the Ministry requires particular collaboration with another Ministry or agency, outreach is made to these agencies and support requested.

### **The Auditor General**

The Office of the Auditor General has informed that at present there is no effective mechanism in place and that their primary oversight agency is the Public Accounts Committee.

### **The Office of the Services Commissions**

The composition of the individual Services Commissions provides opportunity for some level of coordination with other public bodies, and in the case of the SSC, with the private Sector.

### **The Director of Public Prosecutions**

The Belize Police Department is the authority with which The DPP's Office interacts the most in the carrying out of its functions. There are certain protocols which are in place in order to ensure the efficient carrying out of duties.

Additionally, as described above, Counsel are assigned to specific Stations/Formations. There is also regular direct communication between the DPP and the Commissioner of Police, Head of National Criminal Investigation Branch and Head of Crime Investigation Branch, Eastern Division (Belize City).

- xii. Accountability mechanisms applicable to the performance of their duties; the way in which the information needed for that is gathered and processed; and the information issued for that purpose,<sup>7/</sup> and the way in which it is made public and how members of the public may access it.

### **The Ministry of the Public Service**

The Ministry, like all others, is required to produce an Annual Report. It is also required, in the early months of each year, to provide the Office of the Prime Minister with an account of its accomplishments. A review of the Ministry's work is undertaken based on its Action/Strategic Plan and compiled. Because of status reports produced by lead personnel throughout the year, this is done with some ease.

### **The Auditor General**

The accountability mechanism is through reporting of audits conducted on behalf of and reported to the National Assembly within a specified time. Once the reports are tabled they become public documents and are available to the public.

### **The Office of the Services Commissions**

The Office of the Services Commissions informs that currently it does not have an adequate reporting mechanism with respect to its duties and achievements. They inform, however, that a reporting design is currently being reviews with the aim of implementation.

- D) For each of the oversight bodies selected in the response to question B), summarize the results obtained in the performance of their duties, providing the relevant information available to your country<sup>8/</sup> and making reference, to the extent that is possible, to issues such as the following:
  - i. If the oversight body in question is tasked with the prevention of corrupt acts, list the actions taken in the past five years to prevent those acts, such as: campaigns to publicize their

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7. If the information relevant to this paragraph is contained in a document, please provide copies of it or indicate the internet address where it may be accessed. If it is in several reports or if they are issued periodically, please provide copies of those issued over the past five years, or indicate the internet address where they may be accessed.

8. If possible, covering the past five years.

consequences; probity programs or awareness-raising on the duty of respecting and protecting public property and general interests; production of manuals or guides to orient public servants and private citizens regarding ethical behavior in their dealings with the State; alerts about corruption risks in specific areas of the State's operations and proposals for preventing them; attention to inquiries, issuing of opinions, or advisory actions or preventive auditing related to the State's actions; attention paid to corruption prevention studies in the areas of their jurisdiction and to related suggestions made by civil society.

### **The Ministry of the Public Service**

The Ministry is in the process of the following, among other initiatives:

- a) production of a 2013 revision of the Public Service Regulations with an enhanced Code of Conduct and more user-friendly provisions for the disciplinary process. For the first time, the Regulations will contain a listing of major and minor offences and the penalties to be applied by the Commissions for each of these offences. The range of penalties has also been greatly expanded, providing the Commissions with more scope for decision-making;
- b) production of a 2013 Staff List (a compilation of personal information of all Government employees);
- c) development of an Employee Assistance Policy – 2013
- d) implementation of a Job Classification Exercise, leading to a new Job Classification Plan and Interfacing Pay scales for the Public Service
- e) development of a Quality Assurance/ Customer Service Policy and Implementation Plan for the wide public service.

### **The Auditor General**

The Office of the Auditor General has undertaken a campaign under the banner "Citizen Participation". In April 2013 sessions were held with Staff in an effort to sensitize them and create awareness about the office's role and its interaction with stakeholders. Follow-up sessions were held with stakeholders including the media, Finance Officers in the Government Service, and the Chamber of Commerce. Visits were also made to tertiary level educational institutions (the universities and junior colleges). The Office now seeks to network with the Financial Intelligence Unit and other relevant agencies.

### **The Office of the Services Commissions**

Public awareness to promulgate the need to safeguard, respect and protect government assets is usually done by the Ministry of the Public Service, both as the current Secretariat of the Office of the Services Commissions, and as the principal human resource Ministry of the Government Service. This is done at the Public Service Day presentations which are held for one week, once a year.

- ii. If the oversight body in question is tasked with detecting corrupt acts that trigger disciplinary; administrative; financial or civil; or criminal responsibility for persons involved therein, indicate, as appropriate, the total number of investigations begun in each of the past five years and indicate how many remain ongoing; how many have been suspended for whatever reason; how many have been shelved due to statute of limitations; how many have been shelved without a decision being reached on the merits in the case under investigation; how many are at a stage that allows a decision to be reached on the merits of the case under investigation; and how many have been referred to the competent body in order for such a decision to be taken.

### **The Ministry of the Public Service**

Not applicable.

### **The Auditor General**

The Office addresses this two-fold: Through compliance and financial audits conducted regularly. Once the audits are completed the findings and recommendations are forwarded to the respective Ministries for necessary action. Follow-up is not normally done by this office. Follow-up of the process is done by the respective Ministry, which is free to liaise with the Office for further information or clarification.

There is also the reporting process for losses suffered by the ministries, where these are required to report any loss or damage of Government property to the Auditor General, and to submit the relevant/supporting evidence/documentation. The Auditor General reviews the particular matter and makes the relevant recommendation, which may vary from disciplinary action, a surcharge or recommendation for criminal action to be instituted.

### **The Office of the Services Commissions**

The Office of the Services Commissions is not primarily tasked with the detection of cases of corruption, but rather to subject reports of acts of corruption by public officers to the relevant Commission for proper investigation and corrective measures, including the imposition of disciplinary measures. The Office of the Services Commissions, also gives advice on how to improve internal systems of control/monitoring to safeguard Government assets.

- iii. If the oversight body in question is tasked with punishing corrupt acts that trigger disciplinary; administrative, financial or civil; or criminal responsibility for persons involved therein, indicate the total number of cases investigated that were ready for a decision to be adopted in each of the past five years; the number of decisions adopted in connection with them; the number of those decisions in which responsibilities were established or penalties were imposed; the number of those decisions in which no responsibilities were found or acquittals were given; and the number of those decisions involving the extinction of the punishment or responsibility because of the triggering of the statute of limitations.

### **The Auditor General**

The Auditor General is tasked with the investigative aspect of use of Government resources.

#### **The Office of the Services Commissions**

The Office of the Services Commissions informs that there is an average of 10 cases disposed of by the Commission each year and that in all cases, the public officers were found guilty. They inform further that none of the cases was statute barred.

#### **The Director of Public Prosecutions**

As mentioned above, the Office of the DPP has responsibility for the prosecution of all criminal offences, including corruption-related offences, before the local courts of Belize.

- iv. If the oversight body in question is tasked with punishing corrupt acts that trigger civil or financial responsibility for persons involved therein, indicate the monetary sanctions imposed, or of the amounts ordered paid to the State, that have entered the public treasury in each of the past five years.

#### **The Ministry of the Public Service**

Under the Finance and Audit Act, the Financial Secretary makes recommendations to the Public Service Commission for public officers to be surcharged when they cause damage or loss to Government property. This is usually the full cost of such damage or loss and is recovered by way of pay sheet deductions.

When theft/embezzlement is discovered, the case may also be referred to the courts.

#### **The Office of the Services Commissions**

The monetary sanctions imposed are normally equivalent to the losses suffered by the Government which is recovered from the person directly in addition to the loss of benefit which the Government would have otherwise paid to the individual.

- E) For each of the oversight bodies selected in the response to question B), briefly report on difficulties encountered in preventing, detecting, and punishing corrupt acts of relevance in consideration of their functions and, if applicable, identify specific technical cooperation needs.

#### **The Ministry of the Public Service**

The biggest challenges to preventing, detecting and punishing corrupt acts are the ability (or lack thereof) of public officers to properly supervise staff and to organize facts for submission to the Public Service Commission.

Training of public officers in Supervisory Management and Administrative Law is direly needed.

### **The Auditor General**

The detection aspect is built in the auditing process. However, the prevention is reliant on the respective ministries and in their ability and consistency in the implementation of the recommendations of the Auditor General.

It is evident that there is a dire need for a broader understanding and observance by the wider public service of the issues associated with corruption and the effects of corruption.

### **The Office of the Services Commissions**

The Commission has encountered difficulties in the area of detection and prevention since it is the Heads of Departments/Organizations that are expected to exercise due diligence and enforce systems of control/monitoring. The Commission do its best in making recommendations on how to narrow the gaps that are easily penetrated by improper or even illegal practices that goes against regulations/or orders.

- F) If so desired, report on no more than one best practice developed in connection with the duties of each of the oversight bodies selected in the response to question B) that you wish to share with the other MESICIC member countries, using, to the extent deemed appropriate, the suggested standard form offered as a guideline for presenting that information and attached to this questionnaire (Annex II).

**SECTION II**<sup>9/</sup>**FOLLOW-UP OF PROGRESS AND NEW INFORMATION AND DEVELOPMENTS RELATED TO THE IMPLEMENTATION OF THE RECOMMENDATIONS FORMULATED IN THE COUNTRY REPORT FOR THE FIRST ROUND OF REVIEW**

In accordance with the terms of Article 29 of the *Rules of Procedure*, and bearing in mind the decision of the Committee at its Eighteenth Meeting, made in compliance with recommendation 9(a) of the Third Meeting of the Conference of States Parties of the MESICIC, the document contained in Annex I of this questionnaire is adopted as the standard format for the countries to report progress and new information and developments related to the implementation of the recommendations formulated and measures suggested by the Committee for implementation in their First Round reports, together with those that the Committee identified as requiring additional attention in their Second and Third Round reports.

Based on the standard form referred to above, the Technical Secretariat will send to each country an individualized format which clearly identifies those recommendations and measures, in advance not less than three months to the date on which to the country is to respond to the questionnaire, in accordance with the provisions of section VI of the methodology adopted by the Committee for the Fourth Round.

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9. Section II of this questionnaire, regarding the follow-up of the recommendations formulated in the First Round, is not applicable to those countries that had not joined the MESICIC at the time that Round took place; however, pursuant to Article 28 of the *Rules of Procedure*, those countries must reply to the questions set out in Sections I and II of the questionnaire adopted by the Committee for that round, except as regards their oversight bodies subject to review during the Fourth Round. That questionnaire is published at: [www.oas.org/juridico/english/questionnaire.doc](http://www.oas.org/juridico/english/questionnaire.doc) and the Technical Secretariat will complete it with questions on the topics addressed in Section XII of the methodology for the Fourth Round and send it to those countries at least three months in advance of the date on which they are to submit their responses to the Questionnaire in accordance with the schedule adopted for the Fourth Round.

**SECTION III**

**INFORMATION ON THE OFFICIAL RESPONSIBLE FOR COMPLETION OF THIS QUESTIONNAIRE**

Please provide the following information:

State Party: **BELIZE**

The official to be consulted regarding the responses to the questionnaire is:

~~Mr./Mrs.:~~ **Iran Tillett-Dominguez**

Title/position: **Deputy Solicitor General, International Legal Affairs**

Agency/office: **Attorney General's Ministry**

Address: **2<sup>nd</sup> Floor, East Block Building**

**Independence Plaza**

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**Cayo District**

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## ANNEX I

### **STANDARD FORMAT FOR BELIZE TO PRESENT INFORMATION ON PROGRESS AND NEW INFORMATION AND DEVELOPMENTS<sup>10/</sup> RELATED TO THE IMPLEMENTATION OF THE RECOMMENDATIONS FORMULATED IN THE COUNTRY REPORT IN THE FIRST ROUND OF REVIEW**

Following the same structure as the First Round country report, the Secretariat shall transcribe each of the recommendations formulated for the country in question during the round that the Committee deemed to require additional attention in the Second and Third Round reports.<sup>11/</sup> Then, it will ask the country to provide information in connection with the corresponding recommendation and with the corresponding measures suggested by the Committee for implementation, and, if any, with the alternative measures adopted by the country to that end, as follows:

#### **1. STANDARDS OF CONDUCT AND MECHANISMS TO ENFORCE COMPLIANCE (ARTICLE III, PARAGRAPHS 1 AND 2 OF THE CONVENTION)**

##### **1.1. Standards of conduct intended to prevent conflicts of interest and enforcement mechanisms**

#### RECOMMENDATION 1.1:

*Consider strengthening the implementation of the provisions on conflicts of interest, and ensure that the laws on this matter are applicable to all public officials and employees, so as to permit the practical and effective application of a public ethics system.*

#### Measure a):

*Establish a standard for addressing the conflicts that can occur between individual specific government matters in which those persons that perform public functions would be expected to act as part of their responsibilities and an official's or family member's financial interests or his outside activities or negotiations for future private employment arrangements. Such a standard could include recusal, request by the person that performs public functions for permission to continue to act, request by the official for a transfer of duties (if appropriate), or direction by an appropriate authority for divestiture/resignation when the conflict is pervasive.*

**With respect to the foregoing measure, provide the following information:**

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10. In accordance with the provisions of section VI of the methodology for the Fourth Round, it is understood that new information and developments relate to new provisions and/or measures adopted in regard to the topic addressed by the recommendations and measures suggested by the Committee, or provisions and/or measures unknown to or not taken into consideration by the Committee when those recommendations or measures were formulated, that could have an impact on their validity or that could lead to their restatement or reformulation. In the event that information of this kind was furnished in the progress reports referred to in Article 31 of the Committee's Rules of Procedure, reference may be made thereto.
  11. These reports are available at: [http://www.oas.org/juridico/english/mesicic\\_II\\_inf\\_blz\\_en.pdf](http://www.oas.org/juridico/english/mesicic_II_inf_blz_en.pdf) and [http://www.oas.org/juridico/PDFs/mesicic3\\_blz\\_en.pdf](http://www.oas.org/juridico/PDFs/mesicic3_blz_en.pdf).

- A) Please briefly describe the specific actions<sup>12/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

### **1. The *Prevention of Corruption Act, 2007* (“POCA”):**

This Act came into force in February 2008 and repealed and replaced the Prevention of Corruption in Public Life Act. It provides, *inter alia*, for strengthening measures to prevent and combat corruption and corrupt activities, for the offence of corruption and offences relating to corrupt activities, for investigative measures in respect of corruption and related corrupt activities, and for establishing probity, integrity and accountability in public life.

The Act establishes the offence of corruption and standards to address possible cases of conflict of interest that can occur between a public official’s performance of his duties with his outside activities or future negotiations. Thus, a person commits an act of corruption if, *inter alia* (per s. 22 of the POCA and corresponding s. 1 of Part I of the Third Schedule):

*“(h) he acquires, or becomes a partner, associate or shareholder in, or a director of a firm or company which has a contract with the Government or with the public body of which such person is a member or employee unless the person makes a disclosure of such partnership, association, shareholding or other interest to the Commission;*

*(i) he illegally uses his official influence in support of any scheme, or in furtherance of any contract or proposed contract or other matter in regard to which he has an interest;”.*

Note that the POCA complements existing provisions of the Belize Constitution, the Public Service Regulations, the Prevention of Corruption Act (Chapter 105 of the Laws of Belize, R.E. 2000 – 2003), and the Criminal Code – all of which establish the code of conduct of public officials. Part III of the PSR establishes in part the standard of behavior of public officers, forbidden conduct, and conduct in financial matters.

### **2. The Draft Public Service Regulations**

The Revised Public Service Regulations (Public Service Regulations 2013) have been drafted and are being reviewed by the Attorney General’s Ministry as part of the formal process of institutionalization. These revised regulations expand the provisions of the conduct of public officer including:

- (a) standards of conduct to prevent conflicts of interest
  - this area comprises a prominent aspect of Part VII of the Regulations (Code of Conduct). Part VII makes provisions with respect to: engagement in private activity which could compromise the official’s job performance or office; use of information or any material gained from a public officer’s official position for private gain; exploitation of status and privilege of a public officer’s position for private gain;

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12. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

solicitation or acceptance of payment or other considerations for the performance or neglect of official duties; conduct of private business on government premises; engagement in transaction on behalf of the Government where an unfair advantage is given to relatives or family members and members of staff, or an organization in which relatives or family members and members of staff have interest;

- (b) bribery;
- (c) personal indebtedness;
- (d) bankruptcy; and
- (e) acceptance of gifts.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:

The new Regulations, once published, should serve to better guide the behaviour of public officers with respect to the matters mentioned above. The revised Regulations will also provide an expanded list of infractions, and possible penalties to be imposed by the Public Services Commission, thereby providing the Commission greater scope in the execution of its work. It also provides for more clearly defined Due Process mechanisms.

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:

No difficulty is foreseen in the implementation of the new Regulations, as the Public Service Regulations is integral to the system.

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

The draft Public Service Regulations 2013 were formulated by a Revision Group comprising the following persons:

- Chief Executive Officer, Ministry of the Public Service (Chairperson)

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\* Please provide copies of them or indicate the internet address where they may be accessed.

- Chief Executive Officer, Ministry of Labour
- A former Auditor General (now retired)
- A Legal Representative from the Office of the Solicitor General
- President, Public Service Union
- Industrial Relations Officer, Public Service Union
- President, Association of Public Service Senior Managers
- Two Administrative Officers, Ministry of the Public Service

Extensive consultations were held with Chief Executive Officers, Senior and Middle level public officers

In developing the Regulations, best practices (provisions from Regulations) from other Caribbean Countries were adopted. These countries are: Barbados, Trinidad & Tobago, Jamaica and St. Lucia.

**Measure b):**

*Establish suitable restrictions for persons who leave public service, such as prohibitions on participation as a representative of a private interest in ongoing specific matters in which they had participated in an official capacity, or for a reasonable time, restrictions on dealing with former government body in which they served.*

**With respect to the foregoing measure, provide the following information:**

- A) Please briefly describe the specific actions<sup>13/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

Such restrictions are established by the Constitution with respect to the Members of the three Services Commissions: s. 105 (3) and (4) with respect to the PSC; s. 110D with respect to the SSC; and s. 110E (3) and (4) with respect to the JLSC.

Note also that s. 25 of the POCA provides that every person who acquires or holds a private interest in any contract, agreement or investment emanating from or connected with the public body in which he or she is employed or which is made on account of that public body commits a corruption offence which attracts a penalty of a fine of not less than ten thousand dollars.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing

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13. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:

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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:
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## **2. SYSTEMS FOR REGISTERING INCOME, ASSETS, AND LIABILITIES (ARTICLE III, PARAGRAPH 4, OF THE CONVENTION)**

### RECOMMENDATION:

*Consider strengthening the systems for registering income, assets, and liabilities.*

### Measure c):

*Use the financial declarations not only to detect actual violations of law and conflicts of interest, but to also serve as a basis for providing counseling on the prevention of conflicts of interest.*

### **With respect to the foregoing measure, provide the following information:**

- A) Please briefly describe the specific actions<sup>14/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

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\* Please provide copies of them or indicate the internet address where they may be accessed.

14. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

No new measures were adopted in this regard.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:

The power of examination of financial declarations is vested in the Integrity Commission. The powers of the Commission are extended to make the necessary enquiries to determine the accuracy of declarations, to investigate complaints of non-compliance, and to perform any other function authorized by the Act (s. 4 of the Prevention of Corruption Act, 2007 (“the POCA”)).

A principal setback in this matter has been the fact that Members of the Integrity Commission were not appointed. The matter was recently addressed by the Executive and it was agreed that the Members of the Commission would be officially appointed in early January 2014.

The Members of the Commission are appointed in the following manner (s. 3 POCA):

**3. (1) There is established for the purposes of this Act, a body to be known as the Integrity Commission, which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years’ standing, and six other members who shall be persons of integrity and high national standing.**

**(2) Two members of the Commission shall be appointed by the Governor- General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Commission including the Chairperson, shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition:**

**Provided that in the process of consultation with the Leader of the Opposition for the appointment of the Chairperson, the Prime Minister shall use his best endeavours to secure the agreement of the Leader of the Opposition.**

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\* Please provide copies of them or indicate the internet address where they may be accessed.

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:
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### 3. OVERSIGHT BODIES FOR THE SELECTED PROVISIONS (ARTICLE III, PARAGRAPHS 1, 2, 4 AND 11, OF THE CONVENTION)

#### RECOMMENDATION 3.1:

*Strengthen, and when appropriate create, oversight bodies in particular in the area of functions to enforce compliance with the matters covered by the provisions of Article III, paragraphs 1, 2, 4, and 11 of the Convention; provide them with the necessary resources to enable them to carry out their functions in full; and establish mechanisms necessary to permit effective institutional coordination, as well as periodic evaluation and monitoring, of the measures they adopt.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>15/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

While no new measures were adopted to address this recommendation, Belize submits that its very Constitution, which is the supreme law of Belize (Chapter 4 of the Laws of Belize, R.E. 2000 – 2003), makes provisions for oversight bodies for the enforcement of compliance with matters covered by the provisions of Article III, paragraphs 1 and 2 of the Convention. These bodies include:

- the three Commissions established as follows: the Public Service Commission (s. 105), the Judicial and Legal Services Commission (s. 110 E) and the Security Services Commission (s. 110 C);
- the Standing Committees of the House of Representatives.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing

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15. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:

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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:
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#### **4. MECHANISMS TO ENCOURAGE PARTICIPATION BY CIVIL SOCIETY AND NONGOVERNMENTAL ORGANIZATIONS IN EFFORTS TO PREVENT CORRUPTION (ARTICLE III, PARAGRAPH 11 OF THE CONVENTION)**

##### **4.1. General participation mechanisms**

###### **RECOMMENDATION 4.1:**

*Consider whether the recommendations related to specific mechanisms referred to below indicate a need for Belize to strengthen its general approach to encouraging civil society and nongovernmental organizations in efforts to prevent corruption.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>16/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

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\* Please provide copies of them or indicate the internet address where they may be accessed.

16. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

Some examples which highlight the efforts of the Government to involve the participation of civil society and non-governmental organizations in the prevention of corruption include:

1. In March 2012, a Liaison Office was established within the Prime Minister's Office to liaise between the Private Sector and the Central Government. This Office has found the interest of private sector groups such as the Belize Chamber of Commerce and Industry. Consultative meetings have been held with the Ministry and Minister of the Public Service. Among other things, they advocated for the reactivation of the Public Accounts Committee of the House of Representatives, which was signaled in the 2010/2011 Report of the Auditor General as a challenging issue affecting the Public Service.
2. The Prime Minister's Forum was established in 2011 and is held annually. The second Forum was held in 2012. The Forum is a combined public/private sector dialogue where issues of national import are addressed.
3. It is worthy of note, that the review of the Public Service Regulations and the efforts at enhancing its provisions to prevent conflicts of interest, to establish ethical standards, and strengthen the disciplinary procedures to ensure that appropriate action is taken by the Public Services Commissions for any breaches, was a joint effort of the Ministry of the Public Service, the Association of Public Service Senior Managers and the Public Service Union of Belize.

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:

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C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:

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D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

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\* Please provide copies of them or indicate the internet address where they may be accessed.

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## 4.2. Mechanisms for access to information

### RECOMMENDATION 4.2:

*Strengthen the mechanisms on access to information.*

#### Measure a):

*Conduct a comprehensive review of the rules and regulations that provide exceptions to the right of access to public information, in order to ensure that they do not obstruct the exercise of the right to information as an effective mechanism in efforts against corruption, in accordance with the observations in section 4.2.2 of this report.*

#### **With respect to the foregoing measure, provide the following information:**

- A) Please briefly describe the specific actions<sup>17/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

*The **Freedom of Information (Amendment) Act, 2008**, was passed, *inter alia*, to invalidate secrecy provisions in public contracts, to reduce the categories of exempt documents, to penalize unreasonable refusal or failure to provide access to public documents.*

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate,
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17. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

\* Please provide copies of them or indicate the internet address where they may be accessed.

please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

**Measure c):**

*Carry out a comprehensive evaluation of the use and effectiveness of mechanisms for access to information, and, based on the results of that evaluation, consider the adoption of measures to promote, facilitate, and consolidate the effectiveness of these mechanisms.*

**With respect to the foregoing measure, provide the following information:**

- A) Please briefly describe the specific actions<sup>18/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

Conducting an evaluation of anything, and more so a comprehensive evaluation of existing mechanisms can be challenging for any country, but especially so for small countries with very limited resources and many competing priorities. Belize informed the honourable Committee of Experts of this reality in our First Progress Report produced in December 2010.

Despite the foregoing, Belize amended the Freedom of Information Act through the Freedom of Information (Amendment) Act which, *inter alia*, invalidates secrecy provisions in public contracts, reduces the categories of exempt documents, and penalizes unreasonable refusal or failure to provide access to public documents. This amendment complements existing measures in Belize, including the Government of Belize website ([www.belize.gov.bz](http://www.belize.gov.bz)) which is constantly updated with relevant information for all and categorized accordingly (citizens, non-citizens, business, and public officers).

Other initiatives of Government and Government Ministries and Departments has been to create websites for the publication of relevant information. Many of these can also be accessed via links from the Government of Belize website ([www.belize.gov.bz](http://www.belize.gov.bz)).

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18. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:
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### 4.3. Mechanisms for consultation

#### RECOMMENDATION 4.3.:

*Strengthen existing mechanisms and consider creating other ones as part of their efforts to combat corruption.*

#### Measure a):

*Strengthen consultation mechanisms to enable civil society and nongovernmental organizations to generate opinions and proposals to be taken into account in preventing, detecting, investigating, and punishing corruption.*

#### **With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>19/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate

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\* Please provide copies of them or indicate the internet address where they may be accessed.

19. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

The Government's website has been reviewed and enhanced once again. It is more user friendly and continues to be constantly updated with relevant information of the work undertaken by the Government as well as with relevant country and public service information, including how, where and who to contact with respect to particular government ministries, departments, missions, etc.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:
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#### **4.4. Mechanisms to encourage participation in public administration**

##### RECOMMENDATION 4.4:

*Implement mechanisms to encourage civil society and nongovernmental organizations to participate in public administration.*

##### Measure a):

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\* Please provide copies of them or indicate the internet address where they may be accessed.

*Develop standards and procedures to establish, maintain and strengthen mechanisms to encourage participation by civil society and nongovernmental organizations in public administration as part of the efforts to prevent corruption*

**With respect to the foregoing measure, provide the following information:**

- A) Please briefly describe the specific actions<sup>20/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

### **The Draft Public Service Regulations**

The Revised Public Service Regulations (Public Service Regulations 2013) have been drafted and are being reviewed by the Attorney General's Ministry as part of the formal process of institutionalization. These revised regulations expand the provisions of the conduct of public officer including:

- (a) standards of conduct to prevent conflicts of interest;
- (b) bribery;
- (c) personal indebtedness;
- (d) bankruptcy; and
- (e) acceptance of gifts.

The draft Public Service Regulations 2013 were formulated by a Revision Group comprising the following persons:

- Chief Executive Officer, Ministry of the Public Service (Chairperson)
- Chief Executive Officer, Ministry of Labour
- A former Auditor General (now retired)
- A Legal Representative from the Office of the Solicitor General
- President, Public Service Union
- Industrial Relations Officer, Public Service Union
- President, Association of Public Service Senior Managers
- Two Administrative Officers, Ministry of the Public Service

Extensive consultations were held with Chief Executive Officers, Senior and Middle level public officers.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions

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20. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

\* Please provide copies of them or indicate the internet address where they may be accessed.

and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: \_\_\_\_\_

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: \_\_\_\_\_

#### **4.5. Mechanisms for participation in the follow up of public administration**

##### RECOMMENDATION 4.5:

*Implement mechanisms to encourage civil society and nongovernmental organizations to participate in public administration.*

##### Measure a):

*Promote, where appropriate, methods to facilitate civil society and non-governmental organizations' efforts to engage in activities in the follow up of public administration and prevention of corruption.*

##### **With respect to the foregoing measure, provide the following information:**

A) Please briefly describe the specific actions<sup>21/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

Participation by civil society in public administration and in the prevention of corruption is guaranteed in the Belize Constitution, the supreme law of the country, and in several relevant pieces of legislation. It is done in the following manner:

1. the Constitution guarantees their representation in the Senate (s. 61);

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21. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

2. the Constitution was amended in 2008 to, inter alia, extend the powers of the Senate to approve the appointment of the Contractor General, the Ombudsman, a member of the Elections and Boundaries Commission, and a member of the Integrity Commission (s. 61A (c));
3. the amendment also extend the powers and functions of the senate to enable them to initiate and conduct public enquiries into mismanagement or corruption by persons in the central government or public statutory bodies (s. 61A(d));
4. s. 21 of the POCA 2007 requires that civil society organizations be consulted by the National Assembly before extending the application of this Act to any public servant of the class of public servants who are not presently required to file sworn financial declarations;
5. in 2008 the Minister of the Public Service commenced conducting country-wide consultations with public servants and civil society on matters affecting the entire public service and on how to improve existing mechanisms. This practice has continued since, with positive input/results.

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: \_\_\_\_\_

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: \_\_\_\_\_

**Measure b):**

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\* Please provide copies of them or indicate the internet address where they may be accessed.

*Design and implement specific programs to publicize mechanisms to encourage participation in follow-up on public administration and, as appropriate, provide the necessary training and tools to public officials for the effective implementation of those mechanisms.*

**With respect to the foregoing measure, provide the following information:**

- A) Please briefly describe the specific actions<sup>22/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

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- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:

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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:

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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

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## **5. ASSISTANCE AND COOPERATION (ARTICLE XIV OF THE CONVENTION)**

### Recommendation 5.1:

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22. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

\* Please provide copies of them or indicate the internet address where they may be accessed.

*Design and implement a comprehensive program of dissemination and training specifically geared to the competent authorities and officials, to ensure they are familiar with and can apply the provisions in force on mutual legal assistance for investigation and prosecution of acts of corruption in the Convention and in other treaties signed by Belize.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>23/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

In November 2009, the Office of Legal Cooperation was established as a Directorate within the Attorney General's Ministry. The objectives and functions of this Office were to cooperate with other countries and entities, particularly in security-related matters. Due to the increasing requests to and demands on the office, especially in light of Belize's multilateral and bilateral legal obligations, the status of this Office was upgraded to a Section (International Legal Affairs Section) within the Ministry. It is one of three Sections and is headed by a Deputy Solicitor General and works in close collaboration with the other two Sections – the Litigation and Legal Advice Section and the Legislative Drafting Section.

The International Legal Affairs Section ("ILA") has the responsibility, inter alia, to comply with the country's international legal obligations with respect to mutual legal assistance, including with respect to investigation and prosecution of acts of corruption. ILA has been staffed with two Crown Counsel who have been sensitized and trained in-house on these international legal obligations of Belize.

- B) If applicable, indicate the new information and related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: \_\_\_\_\_
- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_
- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its

23. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

\* Please provide copies of them or indicate the internet address where they may be accessed.

implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

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**Recommendation 5.2:**

*Identify and ascribe priority to specific areas in which it deems it could need or it could be useful for it to receive technical cooperation from other States Parties in order to further strengthen its capacity to prevent, detect, investigate and punish corruption.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>24/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

Currently, discussions are underway with the other Party of our principal MLA bilateral agreement with a view to identifying weaknesses of the parties in the implementation of the agreement. The aim is to identify and eliminate unnecessary protocols which have played a role in slowing the effective implementation of the provisions of the agreement.

It is an expected consequence of these discussions that specific areas of technical cooperation needs will be highlighted and prioritized.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: \_\_\_\_\_
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure

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24. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

\* Please provide copies of them or indicate the internet address where they may be accessed.

suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

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**Recommendation 5.3:**

*Strengthen efforts to exchange technical cooperation with other States Parties on the most effective ways and means to prevent, detect, investigate, and punish corruption.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>25/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

Belize has always signaled to the international community its determination to fight corruption and to cooperate with other countries in this regard. An important aspect of international cooperation is networking – an avenue that has proven to be very helpful to the country in submitting or effecting requests for legal assistance, as well as in the general exchange of experience and information. Networking is the key to fighting – preventing, detecting, investigating and punishing – corruption.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: \_\_\_\_\_
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in

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25. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

\* Please provide copies of them or indicate the internet address where they may be accessed.

greater detail with these issues, clearly indicating the information of the web site in question:

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## 6. CENTRAL AUTHORITIES (ARTICLE XVIII OF THE CONVENTION)

### Recommendation 6.2:

*Ensure that said authority has sufficient resources to enable it to carry out its functions.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>26/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

The Attorney General or the Attorney General's Ministry is the country's designated Central Authority under the MLA-related bilateral and multilateral agreements to which Belize is a Party, except for one which designates the Ministry of Foreign Affairs as Central Authority. In this latter case, the Ministry of Foreign Affairs forwards such requests to the Attorney General's Ministry for execution. As one of the three sections in the Attorney General's Ministry, ILA has the responsibility of executing the obligations of the Central Authority.

ILA is headed by a Deputy Solicitor General and staffed with two Crown Counsel. Efforts are being pursued to recruit at least one more Counsel to reinforce the current human resource pool of the Section.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:

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26. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

\* Please provide copies of them or indicate the internet address where they may be accessed.

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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:
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## 7. GENERAL RECOMMENDATIONS

### Recommendation 7.1:

*Design and implement, when appropriate, training programs for public servants in charge of applying the systems, standards, measures and mechanisms considered in this report, with the objective of assuring adequate knowledge, handling, and implantation of the above.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>27/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

Standard training programmes are conducted for public officers on an annual basis. The Public Service Regulations, Financial Orders, Stores Orders, and Control of Public Expenditure Handbook are incorporated in the training. These training, and the exams which follow, are prerequisites to promotions in the Horizontal Grades of the Service, including Customs and Excise, Immigration & Nationality, General Sales Tax and Income Tax. Courses customised for these Departments are also delivered, the passing of which is compulsory for promotion in the Departments.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: \_\_\_\_\_
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27. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

\* Please provide copies of them or indicate the internet address where they may be accessed.

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: \_\_\_\_\_
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**Recommendation 7.2:**

*Select and develop procedures and indicators, as appropriate, that enable verification of the followup to the recommendations contained in this report, and communicate the results of this follow-up to the Committee through the Technical Secretariat. With this in mind, it may take into account the list of more general indicators applicable within the Inter-American system that were available for the- selection indicated by the State under review and posted on the OAS website by the Technical Secretariat of the Committee; as well, consider information derived from the review of the mechanisms developed in accordance with recommendation 7.3 below.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>28/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

To follow-up on the recommendations contained in the Reports adopted by the Committee of Experts, the Report would be submitted to our principals as an information document, with the actual follow-up pursued individually with relevant entities, through their Head of Section.

In the development of the current report, the relevant entities were consulted and their assistance enlisted according to normal procedure – through their head of section. Additionally, collective e-mails were sent to each Chief Executive Officer, most of who responded with questions –a sure sign that they addressed their mind to it. To complement, ILA conducted a sensitization session with the CEO Caucus, the weekly meeting of CEOs where they are apprised of Cabinet’s latest decisions and discussions ensue on the issues.

With respect to the issue of the Questionnaire and the country’s Report, it was evident that the awareness raised went a long way to the extent that the CEO within the Prime Minister’s Office urged the Caucus to cooperate as best as possible with our Office. CEOs raised questions about

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28. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

the process and were informed thereon, including the aspect of the on-site visit. It was agreed that our Office would present an information paper for the Cabinet of Ministers, to be submitted through the Honourable Attorney General.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: \_\_\_\_\_
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: \_\_\_\_\_
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**Recommendation 7.3:**

*Develop, as appropriate and where they do not yet exist, procedures designed to analyze the mechanisms mentioned in this report, and the recommendations contained in it.*

**With respect to the foregoing recommendation, provide the following information:**

- A) Please briefly describe the specific actions<sup>29/</sup> that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

The measures adopted in 7.2 apply.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing

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\* Please provide copies of them or indicate the internet address where they may be accessed.

29. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

the new provisions and/or measures adopted in connection with the subject,\* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,\* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: \_\_\_\_\_

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C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: \_\_\_\_\_

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D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: \_\_\_\_\_

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\* Please provide copies of them or indicate the internet address where they may be accessed.

**ANNEX II****STANDARD FORMAT SUGGESTED AS A GUIDELINE FOR PRESENTATION OF INFORMATION ON BEST PRACTICES<sup>30/</sup>**

1. The name of the institution that is implementing the best practice: \_\_\_\_\_  
\_\_\_\_\_
2. Title: The name of the best practice or the action it entails and the topic it covers (i.e., prevention of conflicts of interests): \_\_\_\_\_  
\_\_\_\_\_
3. Best practice description: A short description and summary of the best practice should be provided and explanation and as to why it should be considered a best practice: \_\_\_\_\_  
\_\_\_\_\_
4. Reasons/Importance: Reasons for the development of the best practice should be given. A description should be made of the situation in place before the adoption of the best practice and identification of the problem or problems it is to address: \_\_\_\_\_  
\_\_\_\_\_
5. Approach: What was the proposed design and methodology for applying the best practice? What was considered in its design and methodology? Were other countries experience taken into account: \_\_\_\_\_  
\_\_\_\_\_
6. Implementation: How is the best practice being implemented? \_\_\_\_\_  
\_\_\_\_\_
7. Challenges: What are the challenges in implementing the best practice? Were civil society organizations involved in its implementation? \_\_\_\_\_  
\_\_\_\_\_
8. Outcome: What is the end result or expected end result of implementing the best practice? Have benefits and/or success stories been identified? Have they addressed the problems originally identified as necessitating a best practice to be implemented? What has its impact on civil society been? \_\_\_\_\_  
\_\_\_\_\_
9. Follow-Up: Who or what groups will monitor the practice's implementation? How will its implementation be monitored? Will there be progress reports? \_\_\_\_\_  
\_\_\_\_\_

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30. The questions set out on this form are intended to guide the States regarding the information they may furnish on best practices, if they so wish, and to be responded as deemed appropriate.

10. Lessons: What are some lessons in implementing the Best Practice? \_\_\_\_\_

\_\_\_\_\_

11. Documentation: Where to find more information on the Best Practice (i.e., internet links) \_\_\_\_\_

\_\_\_\_\_

12. Contact: Who to contact to receive further information. \_\_\_\_\_

\_\_\_\_\_

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