

MECHANISM FOR FOLLOW-UP ON THE  
IMPLEMENTATION OF THE INTER-AMERICAN  
CONVENTION AGAINST CORRUPTION  
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SECOND PROGRESS REPORT ON IMPLEMENTATION OF  
THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION  
(Corresponding to the period from December 18, 2010 to March 17, 2013)



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## **SECOND PROGRESS REPORT ON IMPLEMENTATION OF THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION**

### **INTRODUCTION:**

As was mentioned in the First Progress Report on Implementation of the Inter-American Convention against Corruption, the Committee of Experts of the Convention's Follow-Up Mechanism (MESICIC), considers it of supreme importance to provide information on the activities that it carries out in pursuit of its mission of assisting its member states to improve the legal/institutional tools at their disposal for confronting corruption. Accordingly, it proposed to issue periodic reports on those activities and on the measures adopted by states in response to its recommendations to them for implementing the Convention in full

In keeping with that purpose, the Committee of Experts of MESICIC hereby presents the Second Progress Report on Implementation of the Inter-American Convention against Corruption, which covers the period from December 18, 2010 to March 17, 2013, thereby continuing where the first progress report left off, it having covered the period from June 23, 2008 to December 17, 2010.

The progress reports are based on the following provisions of the Rules of Procedure and Other Provisions of the Committee:

“Article 31. Reports within the framework of the Committee meetings. At the first Committee meeting of each year, each State Party shall submit a brief verbal report on the measures that it has adopted since the first meeting of the previous year with respect to the recommendations made by the Committee. Similarly, each State Party may inform on the difficulties that it has faced with respect to the implementation of those recommendations as well as on other progress related to the implementation of the Convention during that time period. An electronic copy of these reports, which shall be drafted in a standard format approved by the Committee and shall not exceed five pages in length, shall be published on the Internet web page of the Mechanism.”

“Article 32. Annual progress reports. The Secretariat shall annually compile the results mentioned in the foregoing paragraph and shall accompany them with a summary of progress achieved by all countries in implementing the recommendations made by the Committee together with the information provided by the States with respect to the difficulties that they have encountered in the implementation of those recommendations, as well as on other progress in the implementation of the Convention. Those reports and their summary, once approved by the Committee at the second meeting of each year, shall be published as the “Annual Report on Progress in Implementation of the Inter-American Convention against Corruption”, on the dates stipulated for this purpose in the schedule for each round of analysis, and shall be disseminated via the Internet web page of the Mechanism, and otherwise publicized. In the year in which the Hemispheric Report stipulated in Article 30 of these Rules of Procedure is to be adopted, the annual progress report referred to in this article shall not be prepared.”

The progress reports basically differ from the hemispheric reports that the Committee adopts at the end of each review round in accordance with Article 30 of its Rules of Procedure and Other Provisions in the following ways:

- The progress reports basically contain a compilation of the reports presented by the countries at the Committee's first meeting of each year, pursuant to Article 31 of its Rules of Procedure and Other Provisions (hereinafter referred to as progress reports), supplemented by a summary of the information provided therein, prepared by the Secretariat in accordance with Article 32 of the above-mentioned Rules.

- The content of the hemispheric reports from each round, in accordance with Article 30 of the above-mentioned Rules, in addition to offering a summary of the progress made by the countries in general in implementing the recommendations, also includes a general, comprehensive analysis, with conclusions and collective recommendations on the issues addressed by the provisions of the Convention reviewed in the respective round.

- In the progress reports, the summary of the progress made by the countries in general is prepared using the information provided by the countries in their annual progress reports, without indicating whether on the basis of this information it can be established if a given country has or has not satisfactorily considered the recommendations in question, because that is done by the Committee using the procedure for adopting the country reports set forth in Articles 23, 24 and 25 of its Rules of Procedure and Other Provisions.

- In the hemispheric reports on each round, to prepare the summary of the progress made by the countries in general, at the end of the round, complete information is available on the recommendations deemed by the Committee to have been satisfactorily considered by each country during the corresponding period; this enables the summaries to record the progress made by the countries in general in implementing the recommendations, taking into consideration whether they have been satisfactorily considered by the countries or whether additional attention still needs to be given.

To date, the Committee had adopted hemispheric reports on the first three rounds of review: the first in 2006,<sup>1/</sup> the second in 2008,<sup>2/</sup> and the third in 2011.<sup>3/</sup>

This progress report is based on information provided by countries in the progress reports submitted by 24 of the 31 member states of MESICIC at the twenty-first meeting of its Committee of Experts held in March 2013.

The period covered by this second progress report runs, as mentioned above, from December 18, 2010 to March 17, 2013. That is longer than one year, because in 2012 the Committee held only one meeting, in September.

In accordance with the provisions set out in Articles 31 and 32 of the Committee's Rules of Procedure and Other Provisions, transcribed above, this second progress report covers the following areas:

- Section A, the first part of the report, reference is made to the background to the Committee's recommendations on which the countries reported progress in their reports. For this, a brief description of the Inter-American Convention against Corruption (IACAC) and its Follow-up

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1. This report may be found at: [http://www.oas.org/juridico/english/mec\\_ron1\\_inf\\_hemis\\_en.pdf](http://www.oas.org/juridico/english/mec_ron1_inf_hemis_en.pdf)

2. This report may be found at: [http://www.oas.org/juridico/english/mec\\_ron2\\_inf\\_hemis.pdf](http://www.oas.org/juridico/english/mec_ron2_inf_hemis.pdf)

3. This report may be found at: [http://www.oas.org/juridico/PDFs/IIIinf\\_hemis\\_en.pdf](http://www.oas.org/juridico/PDFs/IIIinf_hemis_en.pdf)



Mechanisms (MESICIC) is given; mention is also made of how the first three rounds of review were conducted, considering that the recommendations in question arose from those two rounds.

- Section B, the second part of the report, provides a summary of progress reported by the countries in the progress reports of March 2013 in implementing the recommendations formulated to them by the Committee in the first three rounds of review and on other progress in implementing the Convention. For this, reference is first be made to the standard form adopted by the Committee to gather this information; to the reports from the countries furnishing that information; and then to the methodology used to prepare the progress summary, which is addressed below.

- Section C, the third part of the report, contains a summary of the information provided by the countries in the aforesaid reports on the difficulties they encountered in implementing the recommendations formulated to them by the Committee in the first three rounds of review.

- Section D, the fourth part of the report, provides the full text of the main progress reported by the countries in their progress reports of March 2013.

- Section E, the fifth part of the report, offers a compilation of the full text of the progress reports of the countries of March 2013, copies of which were made available to the Secretariat. Given the size of this compilation, it has been copied onto a CD that is attached to, and a part of, the present report.

- Section F, the sixth part of the report, provides a summary of the main activities carried out in the framework of MESICIC, in the period from December 18, 2010 to March 17, 2013, regarding the country reports adopted; the on-site visits conducted; the issues of collective interest; the events held; participation in other events; and preparation of model laws.

This report was adopted by the Committee of Experts of MESICIC at its twenty-second meeting held from September 9 to 13, 2013, based on the document prepared by the Technical Secretariat pursuant to Article 32 of the Committee's Rules of Procedure and Other Provisions.

## **A. PART ONE: BACKGROUND**

### **I. THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION (IACAC) AND ITS FOLLOW-UP MECHANISMS (MESICIC)**

Although the initial sections of the First Progress Report on Implementation of the Inter-American Convention against Corruption dealt with the background, content, and scope of the Inter-American Convention against Corruption (IACAC),<sup>4/</sup> together with the origins, purposes, agencies, and characteristics of its follow-up mechanism (MESICIC), we believe it would be useful for this second progress report to set out a few brief comments on those points, in order to promote awareness of the cooperation instruments on which OAS anticorruption activities are based and, particularly, of the framework for the follow-up mechanism.

The OAS member states adopted the IACAC in March 1996. A pioneer instrument in its field, it has served as the inspiration for other similar treaties, such as the United Nations Convention against Corruption.

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4. The text of the IACAC may be found at: <http://www.oas.org/juridico/english/Treaties/b-58.html>

The nature of the IACAC as an international legal instrument that comprehensively addresses corruption as a cross-border phenomenon that, to be tackled effectively, demands the cooperation of the various States involved, is what has made it a roadmap for attaining that goal in the OAS member states and a model to be followed in regions other than the Americas.

In order to encourage and facilitate that cooperation, the IACAC sets two goals: first, to promote and strengthen the development, by each of the States parties, of the mechanisms needed to prevent, detect, punish, and eradicate corruption; and, second, to promote, facilitate, and regulate cooperation among those States to ensure the effectiveness of measures and actions intended to prevent, detect, punish, and eradicate corruption in the performance of public functions and acts of corruption specifically related to such performance.

The IACAC establishes binding obligations under international law, identifies the acts of corruption to which it applies, and sets out principles for effectively combating corruption. It emphasizes the importance of measures for preventing corruption; it addresses the institutional development and effective enforcement of the measures adopted for tackling it; it requires the criminalization of certain specific corrupt actions; and it contains provisions on extradition, asset seizures, mutual legal assistance, and technical assistance in corruption cases occurring in or affecting other States parties.

The reception that the IACAC has received in our hemisphere can be seen in that it has been signed by 34 OAS member states and ratified by 33 of them, as well as in the interest shown by our countries in pursuing the implementation of its provisions through a follow-up mechanism (MESICIC) to which 31 of those states have adhered. This follow-up mechanism was adopted in June 2001 and began to operate in January 2002 under the terms of the “Report of Buenos Aires on the Mechanism for Follow-up on Implementation of the Inter-American Convention against Corruption.”<sup>5/</sup> Annex I of this report lists the IACAC and MESICIC States parties.

As provided for in the Report of Buenos Aires, the purpose of the mechanism is to promote the implementation of the IACAC; to follow up on the commitments made by the Convention’s States parties and to study how they are being implemented; and to facilitate technical cooperation activities, exchanges of information, experience, and best practices, and the harmonization of the States parties’ laws.

MESICIC operates under the aegis of the goals and principles set out in the OAS Charter and it abides by principles such as sovereignty, nonintervention, and the legal equality of states; in addition, although it is intergovernmental in nature, it allows for the opinions of civil society to be heard.

It is characterized by impartiality and objectivity in its operations and in the conclusions it reaches, and by the absence of sanctions; this all serves to guarantee its seriousness and underscores the fact that its goal is not to assess or classify the participating states, but to strengthen cooperation among them in their efforts against the common enemy of corruption.

MESICIC comprises the Conference of the States Parties, which has general responsibility for implementing the mechanism, and the Committee of Experts, which is described in the following section of this report.

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5. The text of the Report of Buenos Aires may be found at: [www.oas.org/juridico/english/doc\\_buenos\\_aires\\_en.pdf](http://www.oas.org/juridico/english/doc_buenos_aires_en.pdf)

Finally, in order to perform its functions, it is important to note that the MESICIC receives support from a Technical Secretariat, which is provided by the OAS General Secretariat through the Department of Legal Cooperation of the Secretariat for Legal Affairs.

## II. THE COMMITTEE OF EXPERTS OF MESICIC

### 2.1. Composition and responsibilities

The MESICIC Committee of Experts is made up of anticorruption experts appointed by each of the Mechanism's states parties. The essential aspects of its organization and operations—such as its functions, the powers of its Chair, Vice-Chair, and Technical Secretariat, the adoption of decisions, the selection of the Convention provisions for review in each round and the procedure for that review, and civil society participation in its activities—are governed by a set of Rules of Procedure adopted by its members.<sup>6/</sup>

The Committee is the mechanism's technical body and is responsible for the technical analysis of how the states parties to the Convention implement its provisions.

In addition, the Committee is tasked with following up on the progress reported by the MESICIC states parties in connection with the recommendations extended to them for improving their implementation of the Convention's provisions.

Special mention should be made of the new responsibility that was given to the Committee in the Fourth Round of Review; namely, the on-site visits by which it collects information “in the field” on the activities and measures being pursued to implement the Convention and the recommendations of MESICIC. To that end, meetings are held with the relevant government authorities and representatives of civil society organizations, private sector organizations, professional associations, academics, and researchers.

### 2.2. Civil society participation in the Committee's activities

As noted in the First Progress Report on Implementation of the Inter-American Convention against Corruption, since its inception, the Committee has encouraged the participation of civil society organizations in its activities and, pursuant to Chapter V (Articles 33 to 36) of its Rules of Procedure and Other Provisions, has provided them with forums for that participation.

These provisions afford civil society broad possibilities for participation. For example, they may present documents with specific proposals to be considered in determining such important matters as the Convention articles to be reviewed in a given round, the review methodology to be used, and the questionnaire to be applied to gather the necessary information.

They may also submit documents with specific and direct information on the questions contained in the questionnaire regarding the implementation by a given State party of the provisions selected for review in a round, and on the implementation of recommendations formulated during previous rounds.

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6. The text of the Committee's Rules of Procedure and Other Provisions may be found at: [www.oas.org/juridico/english/mesicic\\_rules.pdf](http://www.oas.org/juridico/english/mesicic_rules.pdf)

These documents, after they have been submitted in the timeframes and fashion indicated in the Rules of Procedure, can also be presented in person by the organizations at the informal meetings that the Committee holds prior to the commencement of its formal sessions.

Of particular note in the Fourth Round of Review is the new participation opening that the Committee has provided, not only for civil society organizations, but also for private sector organizations, professional associations, academics, and researchers, in order to enable them to put forward their opinions during on-site visits, in keeping with provisions 26 and 27 of the methodology adopted for conducting these visits.

The hemispheric reports from the first three rounds of review list the civil society organizations that have participated in the activities of the MESICIC Committee of Experts. The Committee once again extends an invitation to the different civil society organizations interested in anticorruption efforts to avail themselves more actively of the opportunities for participation available to them.

### **III. DEVELOPMENT OF THE FIRST THREE ROUNDS OF REVIEW**

#### **3.1. Provisions of the Convention selected for review**

During the first three rounds, the Committee analyzed the States parties' implementation of the following Convention provisions:

- In the first round:

Article III, paragraphs 1 and 2 (standards of conduct and enforcement mechanisms); Article III, paragraph 4 (systems for registering income, assets and liabilities); Article III, paragraph 9 (oversight bodies, only in those areas relating to the performance of functions by such bodies with respect to compliance with the provisions of paragraphs 1, 2, 4, and 11 of Article III of the Convention); Article III, paragraph 11 (mechanisms to encourage participation by civil society and nongovernmental organizations in efforts to prevent corruption); Article XIV (assistance and cooperation); and Article XVIII (central authorities).

- In the second round:

Article III, paragraph 5 (systems for government hiring and state procurement of goods and services); Article III, paragraph 8 (systems for protecting civil servants and private citizens who, in good faith, report acts of corruption); and Article VI (acts of corruption).

- In the third round:

Article III, paragraph 7 (denial or prevention of favorable tax treatment for expenditures made in violation of the anticorruption laws); Article III, paragraph 10 (prevention of bribery of domestic and foreign government officials); Article VIII (transnational bribery); Article IX (illicit enrichment); Article X (notification of criminalization of transnational bribery and illicit enrichment); and Article XIII (extradition).

#### **3.2. Review methodology and procedure**

For the technical review of the MESICIC states parties' implementation of the Convention provisions, the Committee conducts a process of mutual or reciprocal evaluation among the States,

through a series of “rounds” that analyze how they are implementing the provisions of the IACAC selected for each round; then, in accordance with the Rules of Procedure and a uniform methodology, questionnaire, and structure, it adopts country reports in which it offers each State specific recommendations to address the regulatory shortcomings detected, resolve any inadequacies found, and identify indicators for the objective determination of results.

The methodologies adopted by the Committee for each of the first three rounds of review were essentially similar,<sup>7/</sup> with the differences required by the particular nature of each of the topics covered by the Convention’s provisions that were selected for review, as identified above. In each round, the methodology specified the object and scope of the analysis, indicating that it would examine the existence, in each State party, of a legal framework and other measures for the enforcement of each of the provisions and, if they were found to exist, on their suitability for achieving the Convention’s purposes and on the objective results obtained through their application.

This methodology also set general guidelines for the review. These were: equal treatment for all the States; the functional equivalence of the measures adopted by the States for implementing the Convention’s provisions, in consideration of their legal systems and contexts; and strengthening cooperation among them all for the prevention, detection, punishment, and eradication of corruption.

As mentioned, in the Fourth Round of Review the practice was introduced of on-site visits, which are conducted with the consent of the states

The procedure for reviewing the implementation of the Convention’s provisions selected for each round and the subsequent adoption of reports containing recommendations to help the countries implement them is regulated by Articles 23, 24 and 25 of the Committee’s Rules of Procedure; it observes due process in seeking to ensure objectivity and impartiality in the reviews.

### **3.3. Recommendations formulated**

The Committee, as a result of the reviews made in its first three rounds, made recommendations to the countries that are members of the MESICIC, aimed at strengthening the legal standards, measures and systems they have available for the enforcement of the provisions of the Convention that were selected to be reviewed in each one of these rounds, as mentioned previously, and suggested measures for their implementation.

These recommendations and measures are described in detail in each one of the country reports, which can be consulted at: [http://www.oas.org/juridico/english/mesicic\\_reports.htm](http://www.oas.org/juridico/english/mesicic_reports.htm)

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7. The methodologies adopted for the first, second and third rounds of review can be seen, respectively, at: [www.oas.org/juridico/english/followup\\_method.htm](http://www.oas.org/juridico/english/followup_method.htm), [www.oas.org/juridico/english/mesicic\\_method\\_IIround.pdf](http://www.oas.org/juridico/english/mesicic_method_IIround.pdf), and [www.oas.org/juridico/english/mesicic\\_method\\_IIIround.pdf](http://www.oas.org/juridico/english/mesicic_method_IIIround.pdf).

**B. PART TWO: SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON PROGRESS IN IMPLEMENTING THE RECOMMENDATIONS OF THE FIRST THREE ROUNDS OF REVIEW AND ON OTHER PROGRESS IN THE IMPLEMENTATION OF THE CONVENTION**

**IV. SOURCES OF INFORMATION AND METHODOLOGY TO PREPARE THE PROGRESS SUMMARY:**

**4.1. Standard form for collecting information**

In order to ensure the provision of uniform information on the specific issues to be concretely addressed in the progress reports presented by the countries under Article 31 of the Committee's Rules of Procedure, the article in question requires that they be drafted in a standard format approved by the Committee.

The standard form adopted by the Committee allows the countries to report,<sup>8/</sup> in the introduction, on their main achievements in implementing the Convention and then to refer, in connection with each of the recommendations that have been made to them, first of all, to the measures adopted and the actions taken for their implementation; second, if deemed necessary, to the difficulties encountered in the implementation process; and third, again if deemed necessary, to other progress made in implementing the IACAC.

This standard form enables the countries to submit information on the progress they have made in implementing the recommendations, not only through the measures suggested by the Committee, but also through any measures chosen by the countries for that purpose.

**4.2. Country reports**

The countries submitted the progress reports that were taken into account in the preparation of this second progress report in March 2013. As explained previously, since only one meeting of the Committee was held in 2012, the period covered by this progress report runs from December 18, 2010 to March 13, 2013.

The compilation of those reports, referred to in Article 32 of the Committee's Rules of Procedure, is dealt with in Section E of this progress report.

**4.3. Methodology for preparing the progress summary**

Pursuant to the provisions of Article 32 of the Committee's Rules of Procedure, the summary of the progress to be developed in Section V of the present progress report shall be done on the basis of information furnished by the countries in the previously mentioned progress reports, which report on many actions of various kinds, mostly involving the implementation of the recommendations that were made in the first three rounds of review.

In view of the large number of diverse actions, to be able to draw up a summary that would make it possible to uniformly appreciate the aspects on which the countries in general have emphasized in the implementation of the Convention and to clearly reflect efforts that have been made to prevent and

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8. The form is available at: [http://www.oas.org/juridico/english/mesicic\\_format\\_std.doc](http://www.oas.org/juridico/english/mesicic_format_std.doc).

combat corruption in the period referred to by this second progress report, the procedure used was the same as that for the first progress report, as follows:

First of all, the following categories of actions have been taken into account, pertaining to the class of activities that have been primarily developed by the countries for the implementation of the recommendations that were made to them in the first three rounds of review and the provisions of the Convention in general:

- a) Laws
- b) Other legal standards and/or measures:
- c) Preparation and processing of draft laws
- d) Training actions
- e) International cooperation actions:
- f) Institutional strengthening actions:
- g) Adoption or implementation of technological systems or tools

Second, the above-mentioned actions that have a cross-cutting character have been selected, that is, those that are related to the Convention's provisions as a whole reviewed in the first three rounds and not only a given provision considered individually. Because of this they have been called, for the purpose of the summary of the present report, "comprehensive actions."

Third, the above-mentioned actions that are specifically related to a given provision of the Convention, have been selected. Because of this they have been called, for the purpose of the summary of the present report, "actions referring to certain specific provisions of the Convention."

Fourth, using the above-mentioned criteria, the following summaries were carried out:

1. The summary pertaining to the information provided by the countries on the progress made in implementing the recommendations on those provisions of the Convention reviewed in the first three rounds, which:

- a) describes very briefly the "comprehensive actions" which the countries have reported regarding this (such as the issuance of comprehensive anticorruption laws or statutes or the organization of comprehensive training programs), and reflects the summary of these actions, by category and in their entirety, pertaining to the countries in general;
- b) describes very briefly the "actions referring to certain specific provisions of the Convention" which the countries have reported regarding this (such as the issuance of laws on the prevention of conflicts of interest or the organization of training programs on public procurement) and reflects the summary of these actions, by category and in their entirety, pertaining to the countries in general.

2. The summary pertaining to the information furnished by the countries on other progress made in implementing the Convention, which addresses the same aspects as the preceding summary, but with respect to Convention provisions other than those that were reviewed in the first three rounds.

It is important to stress that, in view of the large amount of information on the diverse actions carried out by the countries appearing in their progress reports of March 2013, it was necessary to focus the summary on the actions that were relevant to the subjects of the Convention that corresponded to the indicated categories (adoption of laws, etc.) and would have been carried out in the period corresponding to this report (December 18, 2010 to March 17, 2013), and also to make their descriptions very brief.

Given the foregoing, the summary cannot reflect all of the information provided by the countries in the above-mentioned progress reports, the full texts of which are available at the following link: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

## **V. SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON PROGRESS IN IMPLEMENTING THE RECOMMENDATIONS OF THE FIRST THREE ROUNDS**

### **5.1. Comprehensive progress regarding the recommendations on the provisions of the Convention reviewed in the first three rounds considered as a whole**

The information reported by the countries in general in their progress reports of March 2013, describes the implementation of 128 comprehensive actions related in a cross-cutting fashion with the implementation of the recommendations on the provisions of the Convention that were reviewed in the first three rounds considered as a whole.

These comprehensive actions pertain to: the issuance of laws (24); the adoption of other legal standards and/or measures (14); the preparation and processing of draft laws (10); the execution of training activities (32); the execution of international cooperation activities (8); the execution of institutional strengthening activities (28); and the adoption or implementation of technological systems or tools (12).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

#### **▪ ARGENTINA**

##### Training actions:

- Continued use by the Anticorruption Office of the Distance-Training System in Public Ethics (SICEP), in order to create a framework for dissemination and training in standards and tools for strengthening transparency and the fight against corruption, targeting officials of the national public administration.
- Training for personnel of the Anticorruption Office as part of the projects envisaged in a new Institution-Building Program being implemented by that Office (with UNDP sponsorship) that aims to harness the installed capacity available within the framework of the "Education in Values" and "Public Ethics Training System" projects for designing and implementing educational activities (both



face-to-face and “distance”) for faculty and students at secondary schools throughout the country, with the aim of spreading social awareness about the importance of respect for the rule of law, strengthening education in values, disseminating information about public ethics, and fostering debate thereon.

- Signing of an agreement by the Anticorruption Office and the Ministry of Security to pursue joint actions to design and implement cooperation, technical assistance, and training programs in areas connected with policies on transparency and strengthening oversight in the public administration, as well as a training course for the security forces on “Ethics and Transparency in Government Procurement,” the “System of Sworn Declarations for Public Officials,” and “Ethics and Transparency in the Civil Service,” in addition to a training workshop for personnel of the *Gendarmería Nacional* in the federal capital and the interior of the country on practical case studies relating to different government procurement situations.

Institutional strengthening actions:

- Regular linkage by the Anticorruption Office with subnational governments, national public agencies, higher-education institutions, and professional associations with the aim of working in partnership and making direct contact with stakeholders on public ethics issues.

- Monthly publication of the Anticorruption Office Digital Newsletter which contains a round-up of the agency's activities. Each edition includes activities directed at the private sector. Public officials as well as representatives of the private sector and mass media outlets receive them.

- Organization by the Anticorruption Office, in partnership with other provincial and municipal government authorities and entities (provinces of La Pampa, Buenos Aires, Santa Fe, and Chubut, and municipalities of Rauch and Trenque Lauquen) of various transparency policy promotion measures as part of the *Plan Provincias y Municipios* [Provinces and Municipalities Plan], in addition to the Office's participation in the Second Assembly of the Federal Civil Service Council (COFEFUP) as well as in various activities of the Permanent Forum of Administrative Investigation Units and Anticorruption Offices, which comprises a large number of national, provincial, and municipal institutions.

▪ **BOLIVIA**

Other legal standards and/or measures:

- Approval of a bi-ministerial decree adopting the Plurinational Policy on Decolonization of Public Ethics and Revolution in the Conduct of Civil Servants as a mandatory instrument that set down the guidelines for and organizes the adoption and implementation of measures, programs, and projects that promote ethics among public servants in all public-sector entities and at all levels of the state.

Training actions:

- Creation at the national and municipal level of transparent youth volunteer networks to implement the Education with Transparency Program, which encourages anticorruption values and the construction of a culture of transparency through strengthening municipal transparency units.

▪ **BRAZIL**

Laws:

- Adoption of the law governing access to public information envisaged in the Federal Constitution of Brazil.

Other legal standards and/or measures:

- Enactment of the decree regulating the Law on Access to Information in the Federal Executive Branch.

Draft Laws:

- Adoption by the House of Deputies of the proposed law on conflict of interest. The bill has been introduced to the Federal Senate for approval.

International cooperation actions:

- Participation in the Open Government Partnership and implementation of the Brazilian Plan of Action in the context of the Partnership.

- Holding of the 15th International Anti-Corruption Conference (IACC), which brought together government representatives, civil society organizations, scholars, and journalists from more than 140 countries.

Institutional strengthening actions

- Holding of the First National Conference on Transparency and Societal Oversight (CONSOCIAL), which mobilized around 1 million Brazilians and in which context 153,000 people from every state and the Federal District took part in the discussions.

Actions related to technological systems and tools:

- Creation of a consolidated electronic system (e-SIC) to receive and process information requests in the framework of the federal executive branch.

▪ **COLOMBIA**

Laws:

- Adoption of a new Anticorruption Statute that envisages, *inter alia*, the following measures: prohibition of the so-called "revolving door" between the public and private sectors; restrictions on political campaign contributions by government contractors; greater liabilities for tax inspectors; new ways of electing directors of internal control offices to ensure greater independence; new criminal classifications, including private corruption and transnational bribery; elimination of correctional benefits for corruption-related offenses; administrative and criminal measures for tackling health-sector fraud; more suitable oral proceedings in trials involving fiscal and disciplinary liability; and reform of the procurement system in such areas as the obligation to use fiduciary accounts for managing prepayments.

- Adoption of the Decree Law “enacting standards to suppress or amend unnecessary regulations, procedures and formalities in the public administration.”

Other legal standards and/or measures:

- Establishment in the national development plan of the commitment to shape and implement a comprehensive government policy to fight corruption that involves the private sector and civil society, and envisages evaluation and follow-up mechanisms on that policy.

Institutional strengthening actions:

- Creation and restructuring, pursuant to the powers granted in the Anticorruption Statute, of several entities in the executive branch at the national level, in order to ensure greater efficiency in the provision of public services, the coherent organization and functioning of the public administration, and greater social good from the use of public resources.

Actions related to technological systems and tools:

- Adoption by the Colombian state, through the National Commission for Moralization, of the Anticorruption and Integrity Observatory, a tool for managing information and communication among entities, citizens, and public and private organizations at the national and subnational level with the aim of preventing risks and acts of corruption and boosting integrity in the conduct of public affairs.
- Adoption of the Open Government Index (IGA), an indicator that measures compliance with strategic anticorruption standards, which are defined as provisions that aim to implement preventive measures in the public sector in the framework of the Inter-American and United Nations anticorruption conventions. In that sense, the IGA is a measuring tool designed for the construction of an open government; that is, an accessible, transparent, and receptive government based on the information management value chain approach.

- **COSTA RICA**

Laws:

- Adoption of a law that amends the Law against Corruption and Illicit Enrichment in Public Administration by extending the list of civil servants required to declare their net worth.

Draft Laws:

- Preparation of a draft law amending the Law against Corruption and Illicit Enrichment in Public Administration.

Institutional strengthening actions:

- Development of a strategic partnership between the Office of the Comptroller General, the Public Prosecution Service, the Costa Rican Institute on Drugs, and the Office of the Attorney General for the purposes of interagency coordination on assistance and cooperation.

Actions related to technological systems and tools:

- Implementation of the Project on Oral Proceedings and Modern Management of Judicial Chambers at the First and Second Instance Criminal Courts of the San José Second Judicial Circuit.

▪ **ECUADOR**

Other legal standards and/or measures:

- Adoption of the resolution that sets the timetable for carrying out the accountability processes and the subsequent delivery of accountability reports to entities required to present them; Adoption by the Citizen Participation and Societal Oversight Council (CPCCS) of the “standard ordinance” that governs the Citizen Participation and Societal Oversight System in decentralized autonomous governments, in order to promote, form, and introduce rules on the workings of the system; and adoption of two resolutions by the Council of the Judicature: one regarding the “Replacement Regulations on Competitive Examinations, Citizen Challenges, and Societal Oversight in the Recruitment of Employees in the Judicial Branch”; and the other concerning the “Instructions for Competitive Examinations, Citizen Challenges, and Societal Oversight in the Recruitment and Appointment of Personnel in the Office of the Attorney General.”

Training actions:

- Training activities in citizen participation, societal oversight, and accountability; training for community-based reporters and journalists in participation rights and mechanisms, societal oversight, transparency, and the fight against corruption; training for public servants on participation rights and mechanisms, and intercultural and plurinational awareness; training for local government representatives in societal oversight issues at the national level; and training program for community police.

International cooperation actions:

- Implementation of international monitoring of the reform of the judicial system in Ecuador.

Institutional strengthening actions:

- Design of the National Plan on Prevention and Fight against Corruption 2013-2017; formulation of parameters for the presentation of public information and design of standard reporting formats; establishment of citizen assemblies, committees, and managers for the establishment of citizen assemblies and participation systems; implementation of grant fund for citizen participation proposals and projects;

- Establishment of citizen watchdogs; design of methodologies and tools for the establishment of citizen observatories; design of guidelines for accountability reporting and presentation of the annual report on the right of access to public information; signing of a cooperation agreement with UN Women on capacity building in women's social organizations; methodology design, proposal, and selection of civil servants who participated in the Train-the-Trainer Program for Decentralized Autonomous Governments at the *parroquia* level (the smallest administrative/territorial division); design of materials and contents for training in citizen participation, transparency, and fight against corruption; and inclusion of the Attorney General's Office in the judiciary.

Actions related to technological systems and tools:

- Creation of a database of accountability reports received by the CPCCS.

▪ **DOMINICAN REPUBLIC**

Laws:

- Adoption of a decree creating the Government Ethics and Integrity Bureau (DIGIEG), which has the power to issue rules on prevention of corruption and to open administrative investigations of alleged corruption.

Other legal standards and/or measures:

- Implementation of the Code of Ethical Guidelines, which consists of a declaration signed by incumbents in all public sector institutions who have been appointed by decree.

▪ **EL SALVADOR**

Laws:

- Adoption of the Government Ethics Law applicable to all civil servants, the purpose of which is to regulate and promote ethical conduct in the public administration at the state and municipal level, prevent and detect corruption, and punish acts that infringe the ethical duties and prohibitions established therein.

▪ **GUATEMALA**

Laws:

- Adoption of the Anticorruption Law, which amends the Criminal Code by regulating crimes such as misuse of information, abuse of authority, breach of duties, failure to submit a sworn declaration of net worth, submission of a false declaration of net worth, disobedience, illegal appointments, illegal assumption of functions, bribery in this different forms, embezzlement in this different forms, misappropriation, illicit enrichment, establishment of dummy corporations, influence peddling, fraud, illegal collection of fees, illegal exaction, improper collection, obstruction of criminal proceedings, illegal representation, obstruction of justice, and denial of justice.

▪ **GUYANA**

Draft Laws:

- Efforts in progress to review the Integrity Commission Act with regard to enforcement, compliance with reporting after demission from office, publicly available declarations and upgrading the Schedule of public officers and officials who must report.

Actions related to technological systems and tools:

- Design of a model of e-governance and established a specialized unit to implement such a system that would allow for timely submission of data, collection, analysis and retrieval across the country and enhance access to information and goods and services by the public.

▪ **HONDURAS**

Laws:

- Adoption of a decree reforming the Organizational Law of the Superior Court of Auditors.

Other legal standards and/or measures:

- Adoption of the new Regulations on the Organizational Law of the Superior Court of Auditors, and accession by Honduras to the Extractive Industries Transparency Initiative.

Draft Laws:

- Introduction of a preliminary draft law creating the Comprehensive Anticorruption Policy.

Institutional strengthening actions:

- Project on “Enhancing government oversight by improving citizen participation and the capacities of oversight entities”; launch of the National Office for Comprehensive Internal Control of Public Sector Institutions (ONADICI); appointment of an internal auditor in all public administration agencies; short- and medium-term modernization projects in the judiciary for the purposes of modernization, transparency, and the fight against corruption; and strengthening of the Public Prosecution Service's Forensic Audit Unit.

▪ **MEXICO**

Laws:

- Adoption of the Federal Government Contracting Anticorruption Law, the purpose of which is to punish national or foreign individuals who commit acts of corruption in federal procurement procedures

Draft Laws:

- Preparation of a draft law to reform various articles of the Constitution with a view to the creation of a national anticorruption commission and a national public ethics counsel, as well as to give greater powers to the Congress to legislate on anticorruption matters, among other aspects.

▪ **NICARAGUA**

Other legal standards and/or measures:

- Deployment of the National System for Promotion and Education and Values in the public administration and in the population with a view to promoting ethical principles and values, satisfaction, and empowerment in the general population.

Actions related to technological systems and tools:

- Development of the Government Management Information System (SIGRUN), an information technology platform.

▪ **PANAMA**

Laws:

- Adoption of a law governing e-government procedures, whose regulations establish the principles and validity of the country's online procedures, guaranteeing a solid basis and a valuable frame of reference for effective and transparent management of e-government procedures.

Draft Laws:

- Introduction of a draft law for the creation of a National Transparency and Access to Information Authority, as an independent and autonomous body whose principal objective is to monitor compliance with the Transparency and Access to Public Information Law in Panama, as a means to circumvent the difficulties in which efforts to implement the latter law have been ensnared since its adoption 10 years ago.

- Presentation by the National Council for Transparency Against Corruption of the recommendations contained in the report on the Third Round of Review of MESICIC, by means of a note to the Ministry of the Interior. In addition, officials from both institutions met on September 17, 2012 to discuss the recommendations, which are currently under evaluation by the Interior Ministry.

Training actions:

- Creation of the Regional Anticorruption Academy (ARAC). The Academy offers specialized courses to equip all civil servants with skills to prevent, detect and deal with corruption. As of March 2013, the Academy had provided training to 450 people with 12 courses imparted by international lecturers, each addressing a different topic related to the fight against corruption.

- The Transparency Council held a training workshop for the Ministry for Children and the Family on ethics, standards of conduct, and conflict of interest.

International cooperation actions:

- Formal expression of intent by the Government of Panama to join the Open Government Partnership (OGP).

▪ **PARAGUAY**

Other legal standards and/or measures:

- Adoption of the operating regulations of the Forensic Audit Bureau of the (Office of the Auditor General of the Executive Branch) AGPE

- Adoption and implementation of the Strategic Communication Manual in the AGPE

- Adoption of a resolution ordering the nationwide announcement of a public competition for the appointment of 36 vacant positions in the CGR and formation of the selection committee
- Adoption of a Civil Service Secretariat resolution approving the job profiles and evaluation matrices for various positions to be filled by the CGR through public competitions based on merits

Adoption of the Paraguayan Civil Service Equality and Nondiscrimination Plan as an institutional policy of the CGR

- Adoption of the CGR Strategic Plan, Mission Statement, and Vision 2012-2016
- Adoption of the Code of Ethics of the Executive Branch

#### Draft laws

- Draft modification of the regulatory decree on preliminary administrative investigations under the Civil Service Law.

#### Training activities carried out

- Training for AGPE auditors provided by the civil society organization *Instituto de Estudios para la Consolidación del Estado de Derecho* (ICED)
- Negotiation of cooperation agreements on training for internal auditors with Asunción National University (UNA), the National Professional Promotion Service (SNPP) and the Services Training Center (CAES)

#### International cooperation activities

- Implementation of cooperation mechanisms with offices of auditors general and the like in other countries, such as the Office of the Auditor General of Colombia, the Office of the Internal Auditor of Uruguay, the General Internal Audit Council of the Government of Chile, the National Auditing Office (*Sindicatura General*) of Argentina, and the Federal Secretariat for Internal Control (which reports to the Office of the Comptroller General) of Brazil.

#### Institutional strengthening actions:

- Adoption of the Annual Work Plan and Activity Schedule for Institutional Internal Auditors' Offices for fiscal year 2013
- Increased funding for the AGPE
- Adoption of regulations for the AGPE that will permit the disaggregation of the necessary statistics on ongoing investigations.
- Creation of the AGPE Anticorruption Unit
- Interagency cooperation agreements signed by the CGR and the Civil Service Secretariat
- Implementation of a new procedure to request public information in the possession of the CGR or institutions subject to its oversight.



- Interagency cooperation and support agreements signed by the CGR and the PGR
- Transmission by the SFP to the executive branch of the proposed SICCA (Centralized Integrated Administrative Career System) Law.

Actions related to technological systems and tools:

- Adoption by the Minister-Auditor General of a proposal for improving the design of the AGPE website and encouraging visits by web users.
- Launch of the project for the overall and redevelopment of the CGR website
- Project on the creation of a “complaints box” on the SFP website.

▪ **PERU**

Laws:

- Promulgation of the law that elevates the legal provision creating the High-Level Anticorruption Commission to the rank of law.

Other legal standards and/or measures:

- Adoption of the National Anticorruption Plan (2012-2016) by Executive Decree. The Plan contains the various preventive and suppressive anticorruption measures that the Peruvian state (public sector, private sector, and civil society) must implement to make concrete progress against corruption.

Draft Laws:

- Presentation of a draft law entitled “Law harmonizing the crimes against the public administration contained in the Criminal Code with the international conventions against corruption as well as in improving their classification.” This draft law proposes the amendment of various provisions in the Criminal Code in order to make them consistent with Article VI (1) of the Inter-American Convention against Corruption.

International cooperation actions:

- Adoption of the Open Government Plan of Action by resolution of the Presidency of the Council of Ministers. The Plan sets out concrete commitments on transparency and access to public information, public sector integrity, citizen participation, and e-government for improving services to the public.

▪ **SURINAME**

Training actions

- Training of Government employees trained by a NGO about August 2012, on behalf of the Ministry of Justice and Police.
- Training of members of Parliament by the aforementioned NGO, providing them with information in relation to their role in the fight against corruption.

▪ **UNITED STATES**

Laws:

- Entry into force of the Stop Trading on Congressional Knowledge (STOCK) Act and of the Whistleblower Protection Enhancement Act.

Other legal standards and/or measures:

- Release by the Securities and Exchange Commission (SEC) of *A Resource Guide to the U.S. Foreign Corrupt Practices Act* (FCPA).

Draft Laws:

- The comprehensive money laundering and forfeiture legislative proposal presented to Congress by the United States Department of Justice in 2012 and which is expected to be reintroduced in 2013, and which is designed to address gaps in the current legal authority that collectively hamper the government's ability to exercise the full weight of its money laundering and forfeiture activities.

Institutional strengthening actions:

- The organizational development support offered to Mexico's prosecutors (Procuraduria General de la Nacion – PGN) and the Mexican Federal Police by the US DOJ, regarding human resources management and preparation, leadership development, and development of organizational policy, procedures and professional standards.

Training actions:

- Training and technical assistance provided by law enforcement and regulatory agencies on money laundering countermeasures, financial investigations, and asset recovery in corruption cases.

- Training provided by the Department of Justice (DOJ) to foreign judges and private sector participants; assistance to other countries in drafting anti-money laundering and anti-corruption statutes; and a training conference held by the SEC, DOJ, and Federal Bureau of Investigation (FBI) on investigating and prosecuting foreign bribery offenses.

- The development and provision of training by the US DOJ to Colombian investigators and prosecutors regarding Financial Crimes and Investigative Techniques, as part of the larger effort to combat money laundering of illicit revenues from drug trafficking and other crimes.

International cooperation actions:

- Publication of the *U.S. Asset Recovery Tools and Procedures: A Practical Guide for International Cooperation* in the six UN languages; and freezing of proceeds of foreign corruption.

Actions related to technological systems and tools:

- Launch of "We the People," an online tool that allows members of the public to petition the White House on a range of issues. Over 127,000 petitions have been submitted via this tool, with 8.5 million petition signatures from more than 5.4 million users.

- Founding of the Open Government Partnership (OGP) with the help of the United States, which is a multi-stakeholder initiative to promote transparency, enhance accountability and fight corruption by harnessing new technologies designed to increase public integrity, promote public participation, manage public resources more effectively and improve public services. The Obama Administration has committed to undertake 26 Open Government initiatives in the U.S. National Action Plan.

▪ **URUGUAY**

Laws:

- Adoption of a law that provides that the National Resources Fund shall require anyone functionally or technically connected to the Fund to declare any conflict of interest that may arise with respect to the bringing to market, production, financing, or use of certain technologies, devices, medical procedures, or medications.

Other legal standards and/or measures:

- Adoption of three resolutions by the Transparency and Public Ethics Board that increase the range of persons required to present a declaration, including: (1) Persons who work at private companies belonging to public-sector agencies; (2) alternate municipal councilpersons and, (3) the incumbents of around 10 specific posts.

- Adoption of a regulatory decree on Law 18627, which governs the stock market in Uruguay. The Decree assigns the already created Audit and Oversight Committee internal control functions to monitor compliance with laws, regulations, and ethical standards as well as to report any conflict of interest that comes to its attention.

Draft Laws:

- Preparation of the Draft Law on Strengthening Public Transparency, which the executive branch presented to the General Assembly. The bill contains provisions that would require civil servants to file a declaration of assets and income for up to one year after leaving office; creates authorities to receive complaints of acts of corruption committed in public sector agencies, as well as appropriate administrative and workplace protection for whistleblowing civil servants; establishes the obligation to write on the face of the envelope containing the declaration a summary of the average monthly income for the previous 12 months and of their total assets and liabilities; and creates new classifications for criminal offenses expressly cited in the Convention, including illicit enrichment, bribery, acceptance of bribes, and transnational bribery.

Training actions:

- Dissemination of standards of conduct via a training courses held by the Transparency and Public Ethics Board, the National Civil Service Office, and the Court of Auditors of the Republic, which cover topics such as public ethics, national and international anticorruption standards, prevention of conflict of interest, the sworn declaration of assets and income system, and other related issues.

Actions related to technological systems and tools:

- Acquisition of a new sworn declaration management system that includes a module that can be accessed on line and enables the liaisons for each agency to transfer the information reported by obligated persons directly to the database.

**5.2. Specific progress on the recommendations related to the provisions of the Convention reviewed in the first three rounds, considered individually**

**5.2.1. First Round of Review**

1. Standards of conduct for the proper, honorable and proper performance of public functions and enforcement mechanisms (Article III, paragraphs 1 and 2, of the Convention)

1.1. Standards and mechanisms to prevent conflicts of interest

The information reported by the countries in general in their progress reports of March 2013 describes 77 actions regarding the implementation of the recommendations related to the prevention of conflicts of interest.

These comprehensive actions pertain to: the issuance of laws (4); the adoption of other legal standards and/or measures (30); the preparation and processing of draft laws (11); the execution of training activities (22); the execution of institutional strengthening activities; (8); and the adoption or implementation of technological systems or tools (2).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **ARGENTINA**

Training actions:

- Continued advisory services from the Anticorruption Office to officials and agents of the national public administration on legislation on public ethics and conflict of interest, as well as the release, to that end, of its publication entitled “*Conflicto de Intereses. Disyuntivas Entre lo Público y lo Privado y la Prevención de la Corrupción* [Conflict of Interest: The Public v. Private Question and Preventing Corruption].

- The Anticorruption Office held the distance courses "Ethics, Transparency, and Control of Corruption" and "The Punitive Approach in the Fight against Corruption, Responsibilities of the Investigation Department of the Anticorruption Office" in the framework of the Distance-Training System in Public Ethics (SICEP).

▪ **BELIZE**

Draft Laws:

-Preparation of the Revised Public Service Regulations 2013.

▪ **BOLIVIA**

Other legal standards and/or measures:

- Approval of a bi-ministerial decree adopting the “Plurinational Policy on Decolonization of Public Ethics and Revolution in the Conduct of Civil Servants” that reflects the principles and values of the Constitution with respect to transparency and fighting corruption.

▪ **BRAZIL**

Laws:

- Adoption of a law governing employee participation in the boards of directors of state-owned enterprises, parastatal companies and their subsidiaries, and other enterprises in which the voting stock is majority-owned by the federal government.

Other legal standards and/or measures:

- Approval by the National Council of Justice of a public consultation to discuss the adoption of a resolution governing the participation of judges, in seminars, courses, conferences, and corporate-sponsored events.

- Adoption of a decision by the court of auditors, recommending that the “quarantine” period for former managers of regulating entities be extended from 4 to 12 months, during which time they are prohibited from any activities in the regulated area or from bringing privileged information to the market.

Draft Laws:

- Adoption by the House of Deputies of a draft law governing conflict of interest in the exercise of official duties or employment in the federal executive branch and subsequent impediments.

Institutional strengthening actions:

- Expulsion of 107 federal civil servants for violating rules on conflict of interest (72 in 2011 and 35 in 2012).

▪ **CHILE**

Other legal standards and/or measures:

- Issuance of an opinion on Article 56, paragraph 3 of Law 18.575, which makes it a conflict of interest for at least six months after leaving office for former authorities or staff members of an oversight agency to engage in any activity that entails an employment relationship with private sector entities subject to inspection by the agency in question.

-Adoption of the 2012 Government Procurement Audit Framework Program, which covers the majority of public-sector entities and provides for the review of mitigating controls for preventing conflict of interest through the inclusion in award documents of a standard clause whereby the members of the committee awarding the good or service declare that they have no interest or any kin or societal relationship with the partners in the enterprises or individuals awarded the contract.

Adoption of the “initial certification” system whereby the president of the Republic, through the Government Internal Audit Council, annually requests the service chiefs of public sector agencies to present a certificate to the relevant line Minister in which they declare, inter alia, that they have not engaged in any activities, nor adopted any decisions, nor are in a position that would entail a conflict of interest with the public duties that they perform, and that they are not aware of any conflict of interest that might affect the supervisors and civil servants that work in their agency.

- Publication, by order of the President, of declarations of net worth and interest by 205 public officials (including the President and his cabinet, ministers, undersecretaries, mayors, governors, and service chiefs).

- Release by the Government Internal Audit Council issued by the CAIGG of the “Government Procurement Operational Controls - 2012,” which describes minimum controls and best practices that should be applied by state entities in their procurement activities, including a number of basic procedures for ensuring that officials with evaluation and/or decision-making powers have no conflict of interest with suppliers or vendors.

- Publication on the Civil Service website of Probity and Transparency Guidelines, which include a chapter on prevention of conflict of interest with respect to both public servants and their relatives. The chapter also refers to gifts, use of public resources, public-sector procurement, and judicial proceedings.

- Adoption by the Office of the Comptroller General of opinions on rules on conflict of interest and how they apply to various government officials.

#### Draft Laws:

- Introduction to Congress by the Government of a draft probity in public office law, aimed at regulating the exercise of public office with a focus on compliance with the principle of probity. This draft law recognizes the declaration of interests and assets as one of the main preventive mechanisms against conflict of interest among public servants, and that the declaration should state in a clear, transparent, and public way where the interests of obligated authorities and civil servants lie and what assets they hold.

- Presentation by the Government to Congress of an amendment to the draft lobbying law broadening the proposed law's scope of application.

#### Training actions:

- Periodic publication by the Government Internal Audit Council of electronic newsletters on topics of importance to the state administration, aimed at instilling a culture of probity and transparency in all civil servants. The newsletters present in an instructive manner the main points of relevant rules that civil servants should consider, including those concerning the declaration of interests and assets as well as conflict of interest.

- Implementation by the civil service of an online course on probity and transparency as well as an induction program for newly hired civil servants.

▪ **COSTA RICA**

Other legal standards and/or measures:

- Incorporation of the Public Treasury's Penalties Registration System (SIRSA) through the Rules on Organization and Service of the Public Finance Disciplinary and Annulment Powers of the Office of the Comptroller General.

Draft Laws:

- Preparation of a draft law amending the Law against Corruption and Illicit Enrichment in Public Administration.

Institutional strengthening actions:

- Design of a system/guidelines for detecting conflict of interest; preparation of a study on conflict of interest in education; and preparation of model guidelines for preventing such conflicts of interest.

Actions related to technological systems and tools:

- Adoption of measures for improving the registration of ineligible persons, ensuring its updating, and facilitating its use as a mechanism to prevent and detect appointments that break the rules on prohibitions and ineligibility; and inclusion of the Roster of Disqualified Persons and Automated Employment and Human Talent Management System (SAGETH).

▪ **DOMINICAN REPUBLIC**

Laws:

- Adoption of a decree creating the Government Ethics and Integrity Bureau (DIGIEG) as the governing body on conflicts of interest.

Draft Laws:

- Preparation (in process) of a Conflict of Interest Law

▪ **EL SALVADOR**

Laws:

- Adoption of the Government Ethics Law.

▪ **GUYANA**

Draft Laws:

- Efforts in progress to review the Integrity Commission Act with regard to enforcement, compliance with reporting after demission from office, publicly available declarations and upgrading the Schedule of public officers and officials who must report.

▪ **HAITI**

Training actions:

- Organization of several training sessions by the National Commission on Government Procurement, to inform civil servants of the public administration of the provisions of the law of 10 June 2009 that establishes general norms on public procurement and public service concession agreements. Training sessions were held on August 21, 2012 and January 31, 2012.

▪ **JAMAICA**

Laws:

- Issue of the *Financial Administration and Audit Act 2011*

Other legal standards and/or measures:

- Issue of the *Financial Management Regulations 2011*

▪ **MEXICO**

Other legal standards and/or measures:

- Adoption of the Integrity and Ethics Guidelines governing steps that entities of the federal public administration should always take to identify and restrict conduct that public servants are required to adopt in specific situations in the performance of their official work, duties, or missions.

- Design of two guides for the proper implementation of the Integrity and Ethics Guidelines and to promote the creation and/or updating of codes of conduct in each entity of the federal public administration.

- Creation of the “ethics links” database to promote and follow up on compliance with the Integrity and Ethics Guidelines.

▪ **NICARAGUA**

Other legal standards and/or measures:

- Amendment of two internal regulations: one at the Nicaraguan Water and Sewerage Institute (INAA) and the other at the Ministry of Finance and Public Credit (MHCP).

- Two technical advisory services projects carried out to prepare internal codes of ethics for the: Nicaraguan Insurance Institute (INISER) and the Nicaraguan Water and Sewerage Company (ENACAL).

- Adoption of the New Police Disciplinary Regulations by presidential decree, effective as of June 2013.

- Development of three specialized internal control guides for public-sector entities



Training actions

- Ongoing training courses held on the contents of the Code of Ethics for civil servants in executive branch institutions.
- Initiation of the induction process at institutions of the central government and in the different branches of government; planned to continue throughout 2013 and 2014 until 100% coverage of entities is achieved.
- Training events held on control samples and inspections for officials of central institutions, municipal mayors' offices, internal auditors, and private firms of independent public accountants
- Implementation by the National Police of an ongoing training program in the framework of the *Escuela Total* education model, addressing topics to do with doctrine, ethics, and crimes against the public administration.

Institutional strengthening actions:

- Formation of the interagency network for implementation of the Code of Ethics of Civil Servants of the Executive Branch.
- Design of a Strategy for Strengthening Transparency and Probity in the National Police for advancing good governance in services provided to the population.
- Initiation of the design of the General Inspectorate module (Transparency, Police Inspection and Control, and Human Rights). This activity will continue in 2013.

▪ **PERU**

Draft Laws:

- Presentation of a proposed law amending Article 4 of the Parliamentary Code of Ethics, which would ban congresspersons from taking part in the discussion and adoption of laws in the event of a conflict of interest.
- Presentation of a proposed law establishing the prohibition and duty for lawmakers not to exercise the legislative functions envisaged in Article 4 of the Parliamentary Code of Ethics when a conflict of interest impedes them from doing so.
- Preparation of a "preliminary draft law on civil servants' sworn declarations of interests," which consolidates various conflicts of interest in a single law and requires government employees to submit a sworn declaration."

▪ **TRINIDAD AND TOBAGO**

Training actions:

- Seven training sessions held with respect to the role and functions of the various Service Commissions and the conduct of One Man Disciplinary Tribunals by the Legal Unit of the Service Commissions Department.

- Education seminars held by the Integrity Commission on the code of conduct as outlined in the Integrity in Public Life Act.

Institutional strengthening actions:

- Legal consultant hired to undertake holistic review and redrafting of Public Service Commission Regulations to include case management of disciplinary matters and the use of Alternative Dispute Resolution as part of the disciplinary process.

- **URUGUAY**

Other legal standards and/or measures:

- Adoption of a new consolidated text of the Accountancy and Financial Administration Law by means of a decree requiring persons who organize expenditure, advisers, civil servants, and anyone who performs a public function or has an employment relationship of any kind with the public administration to refrain from taking part in a procurement process when the offeror or procurer has a kinship relationship to them up to the fourth degree of consanguinity or the third degree of affinity. They are also required to refrain from doing so if they are currently in or have had in the last 12 months a professional, employment, or business relationship with the offeror or procurer.

Draft Laws:

- Draft Strengthening of Public Transparency Law introduced to the legislature, under which the prohibition on relations with controlled activities lasts for one year after leaving the position on which that prohibition exists, regardless of the reason for termination. The bill also contains standards of conduct that include a prohibition on relations with linked private entities or activities; the implications report or consultation; and a ban on intervention through third parties, all of which are important tools when it comes to preventing conflict of interest.

Training actions:

- The Transparency and Public Ethics Board carried out a training program for implementing a network of public officials specializing in anticorruption rules through nationwide workshops targeting senior officials.

- **VENEZUELA**

Laws:

- Adoption by the National Assembly of the Law Reforming the Organizational Law on Telecommunications.

Other legal standards and/or measures:

- Adoption of the Staff Rules of the Office of the Comptroller General
- Adoption of a presidential decree partially reforming the Banking Sector Institutions Law.

Adoption of the Code of Ethics of Employees, Workers, and Contracted Personnel of the Social Protection Fund for Bank Deposits with Regard to Prevention and Control of Money Laundering, Financing of Terrorism, and Trafficking and Abuse of Drugs

- Adoption of Standards on the Intervention Process for Institutions That Operate in the Venezuelan Banking Sector and Associated Corporations.
- Adoption of the Code of Ethics of Employees of the Superintendency of Insurance
- Adoption of the Code of Ethics of Employees of the Bicentennial Public Stock Market
- Adoption of the Code of Ethics and Conduct of Employees, Workers, and Contracted Personnel of the Social Protection Fund for Bank Deposits
- Adoption of the Standards on Ongoing Training and Retraining in the Police
- Adoption of two judgments by the Criminal Cassation Chamber on measures concerning assets for preparation of damages to public property
- Adoption of precautionary measures by the Political and Administrative Chamber of the Supreme Court of Justice
- Publication by the Ministry of People's Power for Planning and Finance of a list of public accounting principles and standards for measuring and monitoring economic activity in the public administration.
- Adoption of an order by the Ministry of People's Power for Culture concerning the Cultural Heritage Institute, issuing instructions governing the procedure for the transfer of assets that constitute movable cultural property belonging to the Bank Deposits Social Protection Fund and banking institutions, or related enterprises subject to administrative liquidation
- Adoption of an order by the Ministry of People's Power for Culture establishing that all movable and real cultural property of all state institutions, privately owned movable and real property that has been declared national a monument, and church-owned movable or real property that has or is declared a national monument, as catalogued by this Institute, be digitally registered for inclusion in the Virtual Museum of Latin America and the Caribbean with the aim of disseminating and promoting it, and protecting it from illicit trafficking.
- Adoption of an order by the Ministry of People's Power for Planning and Finance authorizing the transfer to the Bolivarian Republic of Venezuela or any public entity of goods belonging to or owned by banking institutions or related enterprises subject to administrative liquidation by any means of property transfer, whether for consideration of free of charge, without the need to be offered up for public sale
- Adoption of an order by the Cultural Heritage Institute issuing the standards and Procedures on Archaeological and Paleontological Activities
- Adoption of an order by the Superintendency of Public Property establishing the obligation to obtain permission from the Committee on the Sale of Public Property in order to sell property owned by the national public sector.

- Adoption of a resolution by the Ministry of People's Power for Housing and Habitat expressly prohibiting national and international companies, community councils, technical departments, cooperatives, or any other organization that executes works for the Housing Venezuela Great Mission with resources from the public purse, from selling, assigning, donating, or exchanging construction materials to or with other persons, be they individuals or corporations.

- Adoption of a resolution by the Ministry of people's power for housing and habitat expressly prohibiting- Adoption of a resolution by the Ministry of People's Power for Housing and Habitat expressly prohibiting national and international companies, community councils, technical departments, cooperatives, or any other organization that executes works for the Housing Venezuela Great Mission with resources from the public purse, from selling, assigning, donating, or exchanging materials classified as junk to or with other persons, be they individuals or corporations.

#### 1.2. Standards and mechanisms to ensure the proper conservation and use of public resources

The information reported by the countries in general in their progress reports of March 2013 describes 57 actions connected with implementation of the recommendations related to the proper conservation and use of public resources.

These comprehensive actions pertain to: the issuance of laws (7); the adoption of other legal standards and/or measures (20); the execution of training activities (20); the execution of institutional strengthening activities (7); and the adoption or implementation of technological systems or tools (3).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

##### ▪ **COLOMBIA**

Other legal standards and/or measures:

- Progress in implementing the New Standard Model for Internal Control (MECI). In that connection, in the Annual Executive Report on Internal Control it was reported with respect to the maintenance and enhancement of that system in executive branch entities that progress in 21 of the 24 administrative sectors was above 90%.

##### ▪ **EL SALVADOR**

Laws:

- Adoption of the Government Ethics Law.

- Adoption of the Municipal Public Borrowing Law which consolidates and guarantees provisions applicable to municipal public officials on the proper conservation and use of the public resources of municipalities.

▪ **GUATEMALA**

Other legal standards and/or measures:

- Adoption of a government decision for dissemination and enforcement of the Code of Ethics of Staff Members and Employees of the Office of the Comptroller General.

▪ **GUYANA**

Institutional strengthening actions:

- The Public Accounts Committee (PAC) commenced working in October 2012 and is addressing the Auditor General's Reports for the Years 2010 and 2012.

▪ **HAITI**

Training actions:

- Training session held from November 27 to 30, 2012 to inform the content of the framework program for state reform, which contains a component that focuses on the effective management of state assets. This was undertaken by the Office of Human Resources Management.

▪ **MEXICO**

Laws:

- Adoption of the Federal Government Contracting Anticorruption Law, the purpose of which is to strengthen accountability and prevent corruption.

Other legal standards and/or measures:

- Adoption of the Integrity and Ethics Guidelines governing steps that entities of the federal public administration should always take to identify and restrict conduct that public servants are required to adopt in specific situations in the performance of their official work, duties, or missions.

- Design of two guides for the proper implementation of the Integrity and Ethics Guidelines and to promote the creation and/or updating of codes of conduct in each entity of the federal public administration.

- Adoption of six new guides on the use of auctions, application of a points- or percentage-based evaluation system for adopting policies, terms and conditions, and guidelines; for reducing the amounts of performance bonds, expediting the payment of suppliers and contractors; and for determination of prices and services associated with public works infrastructure projects.

- Adoption of the provisions to be observed in using the Electronic Government Procurement System (CompraNet).

- Regulatory reform to eliminate internal regulations that obstruct adequate performance by federal public administration entities, leading to the creation of specific manuals to expedite governmental administration of goods and services procurement.

- Adoption of a decision enacting various guidelines on procurement, public works leasing and services, and public works and services connected therewith. The decision is composed of six guidances that govern the legal scope of the provisions contained in the laws on procurement, public-sector leasing and services, and public works and services connected therewith.
- Reform of the Federal Criminal Code and the Federal Civil Servant Administrative Liability Law with the aim of enhancing transparency.

Training actions:

- Meetings, conferences, and conference calls were held regarding the provisions contained in the Integrity and Ethics Guidelines as well as with a view to implementing codes of conduct in institutions of the federal public administration.
- Joint design (with the National Strategy Information Centre) of a face-to-face Course on a Culture of legality for Public Servants of the Federal Public Administration, which was imparted by 352 trainers to 20,601 civil servants over 16 months.

Actions related to technological systems and tools:

- Compilation of a database on 255 agencies and entities required to comply with the Integrity and Ethics Guidelines, which includes the main activities under that instrument and the institutions' compliance.

▪ **NICARAGUA**

Training actions

- Training in connection with this issue provided from 2011 to February 2013 for more than 7,000 public officials.
- Creation of a special training plan covering institutions of the central government, the branches of government, and municipal and regional governments.

Actions related to technological systems and tools:

- Publication on the CGR website of annual reports, administrative decisions, Superior Council resolutions on audits carried out, frequently asked questions, and various other publications.

▪ **SURINAME**

Institutional strengthening actions:

- Introduction of a mission report form to be completed by representatives of Suriname upon return to the country.
- Introduction of a system aimed to avoid improper telephone usage by public officials (e.g. for private purposes).

▪ **TRINIDAD AND TOBAGO**

Institutional strengthening actions:

- Institutional strengthening activities underway in the Auditor General's Department, with financing from the Inter-American Development Bank, in the areas of: independence and legal Framework; financial audit.; value for money audit; human resources covering Code of Ethics; functional review of the Department covering governance and organization structure; information technology; managing finances, performance and impacts; knowledge finances, performance and impacts; knowledge management and communications; and managing external relations.

Actions related to technological systems and tools:

- Steps taken to implement INTRANET to link the Head Office of the Auditor General's Department with the two Branch offices, one in San Fernando, and the other in the island of Tobago.

▪ **URUGUAY**

Laws:

- Enactment of a law establishing the Government Procurement Agency, the purpose of which is to promote all measures aimed at improving the management and transparency of public-sector procurement as a whole.

▪ **VENEZUELA**

Laws:

- Adoption of the Organizational Law on Emoluments, Pensions, and Retirement of Senior Officials of the National Assembly.

- Adoption of a law partially reforming the Banking Sector Institutions Law.

Training actions

- Design, through the *Fundación Procuraduría*, of professional training workshops for its officials with a view to improving the standards on public consultation and government oversight.

- Training provided by the National Government Attorney School on different areas of technical and legal responsibility.

- Implementation of seminars on justice municipalization.

- Training provided by the National Magistracy School.

- Holding of a workshop on the reform of the Code of Criminal Procedure (COPP).

- Training courses and other educational activities carried out through the National Customs and Tax Administration Service (SENIAT).

- Activities and training courses held by the Republican Morality Council.

- Activities and training courses on institutional and general topics held by the CGR
- Training provided to the bodies comprising the National Government Oversight System (SNCF)
- Citizen participation training activities
- Training activities held by the Ombudsman's Office
- Training activities held by the National Superintendency of Internal Auditing (SUNAI)
- Training activities held by the National Assembly
- Training activities held by the Public Defender's Office
- Training activities implemented in the framework of the OLACEFS

Institutional strengthening actions:

- Agreement signed by the PGR and the National Administration and Public Finance School (ENAHF) to implement cooperation programs in their respective spheres of responsibility and areas of common interest.
- Creation of the Foundation for Research, Training and Development of the Social Function
- Creation of the National Public Defender School (ENDP)

1.3. Standards and mechanisms requiring public officials to report acts of corruption

The information reported by the countries in general in their progress reports of March 2013 describes 24 actions regarding the implementation of the recommendations related to the requirement to report acts of corruption.

These comprehensive actions pertain to: the issuance of laws (3); the adoption of other legal standards and/or measures (5); the preparation and processing of draft laws (5); the execution of training activities (6); the execution of institutional strengthening activities (2); and the adoption or implementation of technological systems or tools (2).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **BOLIVIA**

Draft Laws:

- Preparation of the first draft law on the National Corruption Whistleblower and Witness System in accordance with Law No. 004.



Training actions:

- Release and distribution at national fairs and regional offices of newsletters, information pamphlets, and other, alternative media explaining what steps members of the public can take to report acts of corruption.

▪ **BRAZIL**

Laws:

- Adoption of the Access to Information Law, Article 43 of which includes the obligation for public servants to report to their supervisor any irregularities that come to their attention in the performance of their duties or, if they suspect the supervisor's involvement, to report the matter to another competent authority for investigation.

▪ **COLOMBIA**

Actions related to technological systems and tools:

- Progress in the process of designing the *Ventanilla Unificada de Denuncias*, one-stop shop for filing complaints, which is a web-based tool aimed at making it easy for members of the public to present requests, which, upon registration online, is assigned a code number to facilitate tracking and follow-up.

▪ **COSTA RICA**

Other legal standards and/or measures:

- Simplification of protection for good-faith whistleblowers as a result of the publication of the Administration Rules for the Special Protection Fund for victims, witnesses, and other persons involved in criminal proceedings.

Draft Laws:

- Preparation of the draft law partially reforming the Law against Corruption and Illicit Enrichment by including administrative protection measures for civil servants.

▪ **EL SALVADOR**

Laws:

- Adoption of the Government Ethics Law.

▪ **GUYANA**

Draft Laws:

- Review of the OAS "Model Law to facilitate and encourage the reporting of acts of corruption and to protect whistleblowers and witnesses" with a view to assisting Guyana with strengthening its legislative instruments and mechanisms.

▪ **JAMAICA**

Laws:

- Issue of the *Protected Disclosures (Whistleblower) Act*

▪ **MEXICO**

Other legal standards and/or measures:

- Design of two guides for the proper implementation of the Integrity and Ethics Guidelines and to promote the creation and/or updating of codes of conduct in each entity of the federal public administration.

Training actions:

- Meetings, conferences, and conference calls were held regarding the provisions contained in the Integrity and Ethics Guidelines as well as with a view to implementing codes of conduct in institutions of the federal public administration.
- Joint design (with the National Strategy Information Centre) of a face-to-face Course on a Culture of legality for Public Servants of the Federal Public Administration, which was imparted by 352 trainers to 20,601 civil servants over 16 months.

Actions related to technological systems and tools:

- Compilation of a database on 255 agencies and entities required to comply with the Integrity and Ethics Guidelines, which includes the main activities under that instrument and the institutions' compliance.

▪ **NICARAGUA**

Other legal standards and/or measures:

- Amendments to the Citizen Complaint Processing Procedure.

Training actions

Organization of workshops by the CGR in the framework of the project “Enhancing government oversight by improving citizen participation and the capacities of oversight entities”

- Visits made by the National Police Financial Investigations Division to different state institutions and municipal governments with the aim of preventing misconduct by public officials and alerting them to the need to report such conduct.

Institutional strengthening actions:

- Coordination agreement made between the Public Prosecution Service and the National Police on criminal complaints made by public officials with knowledge of criminal acts against the public administration.

- Interagency cooperation agreement by the Office of the Attorney General, CGR, and Public Prosecution Service to share anonymous or public complaints reported by citizens and public officials to the Citizen Complaints Offices set up at each of those state entities

Actions related to technological systems and tools:

- Creation of the “Web-Based Interagency Tracking System for Corruption Cases in Nicaragua” as a support tool among the National Police, Public Prosecution Service, and Attorney General's Office.

▪ **PANAMA**

Other legal standards and/or measures:

- Adoption of a resolution creating a training unit in the Department of Training and Development of the Public Prosecution Service.

▪ **SURINAME**

Draft laws:

- Issue of a revised draft Anti Corruption Law and additions to the Criminal Code.

▪ **TRINIDAD AND TOBAGO**

Training actions:

- Training Plan put into place for the Office of the Ombudsman, which are aimed at enhancing the work performance of officers to ensure the consistent delivery of a high standards of service to clients and the achievement of the strategic goals of the Office, in particular, the core functions of the Office, that of investigation and resolution of complaints.

▪ **URUGUAY**

Draft Laws:

- Draft Strengthening of Public Transparency Law introduced to the legislature. Reference is made to the creation of confidential settings for presenting complaints in various public-sector agencies with the aim of protecting the person making the complaint by keeping their identity secret in addition to providing appropriate administrative protection and job stability, without prejudice to liabilities that whistleblowing civil servants might incur from false or unfounded accusations. Article 10 of the draft law, therefore, calls for the creation of the pertinent areas to investigate charges of this type, offering guarantees so that the whistleblowing civil servant does not have injurious unjustified administrative measures imposed on them.

▪ **VENEZUELA**

Adoption of other legal norms and/or provision

- Adoption of a Public Prosecution Service resolution creating the National Coordination Office for the Protection of Victims, Witnesses, and Other Persons in Proceedings

## 2. Systems for registering income, assets and liabilities (Article III, paragraph 4 of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 44 actions regarding the implementation of the recommendations related to systems for registering income, assets and liabilities.

These comprehensive actions pertain to: the issuance of laws (2); the adoption of other legal standards and/or measures (17); the preparation and processing of draft laws (5); the execution of training activities (4); the execution of institutional strengthening activities (7); and the adoption or implementation of technological systems or tools (9).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

### ▪ ARGENTINA

#### Other legal standards and/or measures:

- Adoption and implementation in the Anticorruption Office of the Sworn Declarations Regime Strengthening Plan, the purpose of which is to enhance controls on the evolution of civil servants' wealth. The plan includes a review of the standards and procedures with a view to making controls more stringent, training for the areas responsible for its management throughout the public administration, the design and application of new mechanisms to monitor compliance, and standing for the Anticorruption Office to sue in cases of noncompliance.

- Adoption by the Anticorruption Office of a resolution governing suspension of pay for civil servants who fail to comply with the obligation to submit initial or annual sworn declarations.

- Adoption by the National Public Prosecution Service of a resolution that states that the complete list of those obligated to submit sworn declarations of net worth is available at the agency's website as required by the Sworn Declarations of Net Worth Regime.

#### Training actions:

- Continued dissemination by the Anticorruption Office of the second updated edition of *Declaraciones Juradas de Funcionarios Públicos. Una herramienta para la prevención y control de la corrupción. Tecnología informática y gestión pública.* [Civil Servant Sworn Declarations: A Tool for Preventing and Controlling Corruption. Information Technology and Public Administration]

### ▪ BOLIVIA

#### Other legal standards and/or measures:

- Adoption of an executive decree setting out rules on, *inter alia*, procedure, time frames, and places for presenting sworn declarations; exceptions to the obligation to file them; and their oversight, access, and disclosure.

- Initial implementation by the MTILCC in May 2011 of the Sworn Declarations of Assets and Incomes Verification Pilot Plan

▪ **BRAZIL**

Other legal standards and/or measures:

Adoption of a decree regulating the Law on Access to Information in the Federal Executive Branch, Article 7(3)(VI) of which governs disclosure of salaries and subsidies received by civil servants, including assistance, subsistence allowance and other financial benefits, as well as the retirement pay and pensions of those in active service, on an individual basis, all of which has been achieved through the federal government's Transparency Portal.

Draft Laws:

- Presentation of a draft law reforming the Criminal Code and criminalizing illicit enrichment by public officials.

Actions related to technological systems and tools:

- Implementation of the Declarations of Assets and Income Systematic Examination System by the Strategic Information Department (DIE) of the Office of the Comptroller General of the Union (CGU) for monitoring civil servants.

▪ **CHILE**

Draft Laws:

- Introduction to Congress by the Government of a draft probity in public office law, aimed at regulating the exercise of public office with a focus on compliance with the principle of probity. This proposed law provides that the Office of the Comptroller General the Republic shall monitor the integrity and accuracy of the contents of declarations of interests and assets. For the purposes of the foregoing it may request information from the Superintendency of Banks and Financial Institutions, the Superintendency of Securities and Insurance, business registers, the *Conservador de Bienes Raíces* [Property Register] and the Civil Registry Service.

▪ **COLOMBIA**

Laws:

- Establishment by decree law of the express obligation to record in the Public Sector Employment Information and Management System (SIGEP) the information contained in the resume of anyone who is appointed to a post or position in the civil service or enters into a services contract with the State.

Other legal standards and/or measures:

- Adoption of a Presidential Directive entitled "Zero Paper in the Public Administration" by which the SIGEP system has been launched in all sectors, increasing the interest on the part of institutions in having the system in place.

Training actions:

- Training provided by the Civil Service Administrative Department (DAFP) to 127 entities where staff are registering their declarations of assets and income in the SIGEP. (It is important to note that Colombian State entities are responsible for the registration and accuracy of the information from each institution, and for that purpose the Chief of Internal Control, or his or her equivalent, conducts permanent follow-up to ensure that each entity fulfills the obligation to record information in the System in an accurate and timely manner).

Institutional strengthening actions:

- Linkage to the SIGEP system of the entities and agencies of the executive branch created or reformed at the national level under the Anticorruption Statute, as well as of entities in the legislative and judicial branches, and other national-level entities and agencies.

- Assignment by legal mandate of an additional function to the Civil Service Administrative Department (DAFP), which has to do with meeting the Service's registration needs with regard to resumes and income. The databases for recording this information are the "Institutions" and "Resumes and Assets and Income" modules, which are managed and operated by the Departments of Organizational Development and Public Sector Employment.

▪ **COSTA RICA**

Actions related to technological systems and tools:

- Implementation of an IT tool for comparing and contrasting information in sworn declarations with databases in other available systems.

▪ **GUYANA**

Draft Laws:

- Efforts in progress to review the Integrity Commission Act with regard to enforcement, compliance with reporting after demission from office, publicly available declarations and upgrading the Schedule of public officers and officials who must report.

▪ **HONDURAS**

Actions related to technological systems and tools:

- Use of information technology for the presentation of sworn declarations; and creation of the Integrated Sworn Declarations of Income, Assets, and Liability System (SIDJIAP).

▪ **JAMAICA**

Other legal standards and/or measures:

- Issuing of a Circular of the Office of the Services Commission, drawing the attention of all Permanent Secretaries and Heads of Departments and Chief Executive Officers of the need for all officers in their ministries and Departments to whom the Corruption (Prevention) Act applies to

furnish to the Corruption Prevention Commission a statutory declaration of his/her assets, liabilities and income as set out in the Required Form in the Act for the period specified.

Training actions

- Awareness campaigns by the Office of the Services Commissions and training for the staff on their legal and ethical duty to furnish their statutory declarations.
- Training and education programmes by the Corruption Prevention Commission for Public Agencies focusing on the process of complying with the Provisions of the Corruption (Prevention) Act.

Institutional strengthening actions:

- Meetings with staff and circulars by the Office of the Services Commissions raising awareness the importance of obeying the provisions of The Corruption (Prevention) Act and the Corruption (Prevention) Act regulations.
- Provision to the staff by the Office of the Services Commissions of forms to facilitate the filing of statutory declarations to the Corruption Prevention Commission.

▪ **MEXICO**

Other legal standards and/or measures:

- Adoption of the “Decision establishing the Regulations on the Roster of Persons Required to Submit Declarations of Net Worth in Federal Government Institutions.”

Institutional strengthening actions:

- Assistance to civil servants seeking the services that are available with respect to net worth declarations in which they are required publicly to disclose information about their assets.

Actions related to technological systems and tools:

- Modification of all three kinds of electronic net-worth declaration forms (initial, amendment, and closing) by the inclusion in them of a section inviting the declaring civil servant to publicly disclose their data.
- Implementation of a Warning System on Declarations of Net Worth of Civil Servants of the Federal Public Administration, so that the areas of the entity with punitive powers have access to information enabling them to take the necessary steps to impose administrative penalties and, as appropriate, criminal ones, upon detecting discrepancies in declarations of net worth.

▪ **NICARAGUA**

Actions related to technological systems and tools:

- Procurement by the CGR of IT and audiovisual media to support the process of verification of declarations of net worth of public servants.

- Establishment by the CGR of a new on-line declaration of net worth system, which will facilitate the filing of opening and closing declarations.

▪ **PERU**

Draft Laws:

- Presentation of a draft law proposing the inclusion in sworn declarations of the possibility of the obligated person providing express permission for the obligated person to disclose confidential banking, tax-related, and identity information.

Actions related to technological systems and tools:

- Development of an online sworn declarations registration system by the Office of the Comptroller General, making it possible to access and search for information on any civil servant who has submitted a sworn declaration (<http://goo.gl/kRc4X>).

▪ **TRINIDAD AND TOBAGO**

Actions related to technological systems and tools:

- Steps taken to implement a system for the electronic processing of declarations of incomes, assets and liabilities, by the Integrity Commission.

▪ **URUGUAY**

Other legal standards and/or measures:

- Adoption of three resolutions by the Transparency and Public Ethics Board that increase the range of persons required to present a declaration, including: 1. Persons who work at private companies belonging to public-sector agencies; 2. alternate municipal councilpersons; and, 3. the incumbents of around 10 specific posts.

Draft Laws:

- Draft Strengthening of Public Transparency Law introduced to the legislature, which envisages, *inter alia*, the requirement that obligated persons declare all of their assets, liabilities, and income on the cover of the envelope containing the declaration, which shall be made available upon request to any interested authority of higher rank, in addition to the publication of the sworn declarations of the president and vice president of the Republic.

▪ **VENEZUELA**

Laws:

- Adoption of the Organizational Law on Emoluments, Pensions, and Retirement of Senior Officials of the National Assembly.

Other legal standards and/or measures:

- Adoption of the Staff Rules of the Office of the Comptroller General



Adoption of a CGR resolution requesting the presentation of updated sworn declarations of net worth to personnel of the Public Prosecution Service, the staff, employees, and workers who perform permanent, temporary, paid, or free, services as a result of an appointment or contract granted by the competent authority.

Adoption of a CGR resolution requesting police personnel at the national, state, and municipal level to submit updated sworn declarations of net worth between January 1 and 31, 2013.

- Adoption of two judgments by the Criminal Cassation Chamber on measures concerning assets for preparation of damages to public property

- Adoption of precautionary measures by the Political and Administrative Chamber of the Supreme Court of Justice

- Publication by the Ministry of People's Power for Planning and Finance of a list of public accounting principles and standards for measuring and monitoring economic activity in the public administration.

- Adoption of an order by the Ministry of People's Power for Culture concerning the Cultural Heritage Institute, issuing instructions governing the procedure for the transfer of assets that constitute movable cultural property belonging to the Bank Deposits Social Protection Fund and banking institutions, or related enterprises subject to administrative liquidation

- Adoption of an order by the Ministry of People's Power for Culture establishing that all movable and real cultural property of all state institutions, privately owned movable and real property that has been declared national a monument, and church-owned movable or real property that has or is declared a national monument, as catalogued by this Institute, be digitally registered for inclusion in the Virtual Museum of Latin America and the Caribbean with the aim of disseminating and promoting it, and protecting it from illicit trafficking.

- Adoption of an order by the Ministry of People's Power for Planning and Finance authorizing the transfer to the Bolivarian Republic of Venezuela or any public entity of goods belonging to or owned by banking institutions or related enterprises subject to administrative liquidation by any means of property transfer, whether for consideration of free of charge, without the need to be offered up for public sale

- Adoption of an order by the Cultural Heritage Institute issuing the standards and Procedures on Archaeological and Paleontological Activities

- Adoption of an order by the Superintendency of Public Property establishing the obligation to obtain permission from the Committee on the Sale of Public Property in order to sell property owned by the national public sector.

- Adoption of a resolution by the Ministry of People's Power for Housing and Habitat expressly prohibiting national and international companies, community councils, technical departments, cooperatives, or any other organization that executes works for the Housing Venezuela Great Mission with resources from the public purse, from selling, assigning, donating, or exchanging construction materials to or with other persons, be they individuals or corporations.

- Adoption of a resolution by the Ministry of people's power for housing and habitat expressly prohibiting- Adoption of a resolution by the Ministry of People's Power for Housing and Habitat expressly prohibiting national and international companies, community councils, technical departments, cooperatives, or any other organization that executes works for the Housing Venezuela Great Mission with resources from the public purse, from selling, assigning, donating, or exchanging materials classified as junk to or with other persons, be they individuals or corporations.

Institutional strengthening actions:

- Publication of preliminary reports containing the findings of net worth verification procedures carried out by the CGR.

3. Oversight bodies for the selected provisions (Article III, paragraphs 1, 2, 4 and 11, of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 45 actions regarding the implementation of the recommendations related to oversight bodies.

These comprehensive actions pertain to: the issuance of laws (3); the adoption of other legal standards and/or measures (9); the preparation and processing of draft laws (2); the execution of training activities (10); the execution of institutional strengthening activities (16); and the adoption or implementation of technological systems or tools (5).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **CHILE**

Other legal standards and/or measures:

- Issuance of a note from the National Prosecutor containing a directive to all prosecutors in the Public Prosecution Service to inform the State Defense Council (CDE) about all investigations in which, based on a preliminary examination of the evidence, the presence is suspected of a corruption-related offense; an e-mail address has been set up for that purpose. The note also makes it a rule that the CDE be informed whenever the prosecutor's office adopts a decision to provisionally archive a case or invokes its prerogative not to open an investigation in the above criminal offenses, enabling the CDE might overturn that decision by filing a criminal complaint.

Institutional strengthening actions:

- Implementation by the Office of the Comptroller General, the Public Prosecution Service, and the State Defense Council of the Project "Shared Use of Information to Improve the Fight Against Corruption in Chile," the objectives of which are to encourage these three entities to share online, in an effective and timely manner, information on investigations of acts of corruption in the civil service that generate criminal and administrative liability; to facilitate access for members of the public to information about the investigation of alleged offenses and administrative faults, or the outcome of investigations thereon; and to strengthen the technical capacities of the three entities involved to investigate and prosecute corruption-related crimes and administrative faults in the civil service.

Actions related to technological systems and tools:

- Inclusion on the website of the Office of the Comptroller General of a banner for access to and communication with the internal audit or control units of the country's public sector entities that includes an interactive forum for resolving doubts and queries based on existing administrative jurisprudence and for disseminating best practices within those units.

▪ **COLOMBIA**

Laws:

- Adoption of the new Anticorruption Statute, which, on the government's initiative was jointly prepared, with the participation of the Office of the Prosecutor General, the Office of the Attorney General, the Office of the Comptroller General, the Office of the Auditor General, and civil society organizations, among others, in order that it might reflect the commitment, not only of the Government, but of the State as a whole to the fight against corruption. The law equips disciplinary and oversight organs with innovative tools for fighting corruption.

Other legal standards and/or measures:

- The National Development Plan recognizes the importance of strengthening oversight bodies and includes, to that end, guidelines for measures that the government will adopt to support the performance of those entities in the fight against corruption, while respecting their autonomy and independence.

▪ **COSTA RICA**

Institutional strengthening actions:

Implementation by the Office of the Comptroller General of a Service Panel based on recommendations from the Information Technology Infrastructure Library; review of the General Framework for Quality Management in Information and Communication Technologies; development by the Office of Public Ethics (PEP) of a system for recording information on processing of administrative complaints and criminal proceedings for offenses involving breach of official duties in which the PEP is involved; implementation by the Ombudsman of a project on documentation and improvement of processes for implementing a quality management system.

Actions related to technological systems and tools:

- Development by the PEP of a system for recording information on processing of administrative complaints and criminal proceedings for offenses involving breach of official duties in which the PEP is involved.

▪ **DOMINICAN REPUBLIC**

Laws:

- Adoption of a decree creating the Government Ethics and Integrity Bureau (DIGIEG), which has the power to issue rules on prevention of corruption and to open administrative investigations of alleged corruption.

▪ **ECUADOR**

Institutional strengthening actions:

- Adoption by the Coordinating Authority for Transparency and Societal Oversight of the National Plan for Prevention and Fight against Corruption.

▪ **GUYANA**

Draft Laws:

- Efforts in progress to review the Integrity Commission Act with regard to enforcement, compliance with reporting after demission from office, publicly available declarations and upgrading the Schedule of public officers and officials who must report.

▪ **NICARAGUA**

Other legal standards and/or measures:

- Amendments and additions made to the Internal Control Technical Standards (NTCI)
- Publication of the Government Procurement System Assessment Regulations.
- Publication of the Regulations on Time Limits for Conducting Government Audits.
- Adoption of amendments to the Citizen Complaint Processing Procedure.

Institutional strengthening actions:

- Development of an Institutional Development Strategic Plan (PEDI)
- Design of an automated Planning System (with IDB support)
- Implementation of public sector results-based management for all state institutions
- Establishment of coordination mechanisms between the Office of the Attorney General and Public Prosecution Service to strengthen the work of the CGR.
- Coordination of activities with the Association of Municipalities of Nicaragua (AMUNIC) and its members on strengthening municipalities with a view to implementing the Medium-Term Plan of Action for Effective Development in the Country (PRODEV).

▪ **SURINAME**

Draft laws:

- Kick off in June 2012 of the process of implementing a written and enforceable Code of Ethics for the Judiciary during a workshop of the Management of the Judiciary.

Training actions:

- Courses on a regular basis regarding e.g. actualities in Law.

Institutional strengthening actions:

- Strengthening of the judiciary (Judges and Public prosecutors) by adding more judges and prosecutors.
- Acquiring two new buildings for the judiciary.
- Appointment of a chairman and three new members of the Audit Office

▪ **TRINIDAD AND TOBAGO**

Training actions:

- Seven training sessions held with respect to the role and functions of the various Service Commissions and the conduct of One Man Disciplinary Tribunals by the Legal Unit of the Service Commissions Department.
- Preparation of Draft Training plan for 2013 in the Office of the Director of Public Prosecutions.
- Training Plan put into place for the Office of the Ombudsman, which are aimed at enhancing the work performance of officers to ensure the consistent delivery of a high standards of service to clients and the achievement of the strategic goals of the Office, in particular, the core functions of the Office, that of investigation and resolution of complaints.

Institutional strengthening actions:

- Institutional strengthening activities underway in the Auditor General's Department, with financing from the Inter-American Development Bank, in the areas of: independence and legal Framework; financial audit.; value for money audit; human resources covering Code of Ethics; functional review of the Department covering governance and organization structure; information technology; managing finances, performance and impacts; knowledge finances, performance and impacts; knowledge management and communications; and managing external relations.
- Legal consultant hired to undertake holistic review and redrafting of Public Service Commission Regulations to include case management of disciplinary matters and the use of Alternative Dispute Resolution as part of the disciplinary process.

Actions related to technological systems and tools:

- Steps taken to implement INTRANET to link the Head Office of the Auditor General's Department with the two Branch offices, one in San Fernando, and the other in the island of Tobago.
- Establishment of Process and Technology Committee in the Office of the Director of Public Prosecutions, in order to implement a new software to create a virtually paperless system and facilitate easy, accurate and smooth processing of information. The Committee meets regularly to identify and source appropriate software and computer systems.

- Steps taken to implement a system for the electronic processing of declarations of incomes, assets and liabilities, by the Integrity Commission.

▪ **URUGUAY**

Laws:

- Adoption of a law that, inter alia, strengthens the links between the Transparency and Public Ethics Board and the Court of Auditors. In cases of objected-to resolutions that require urgent consideration by the Court, upon being notified by the Court of the objection the General Assembly or Departmental Board may request specialized advisory services thereon.

▪ **VENEZUELA**

Other legal standards and/or measures:

- Adoption by the CGR of specific guidelines for comptrollers at the state level.

- Adoption of the Manual of Standards and Procedures on Government Audits for Government Oversight Bodies

Adoption of the Manual for the Determination of Administrative Liability and Formulation of Objections for Government Oversight Bodies

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. Mechanisms for access to information

The information reported by the countries in general in their progress reports of March 2013 describes 80 actions regarding the implementation of the recommendations related to mechanisms for access to information.

These comprehensive actions pertain to: the issuance of laws (4); the adoption of other legal standards and/or measures (20); the preparation and processing of draft laws (5); the execution of training activities (17); the execution of international cooperation activities (4); the execution of institutional strengthening activities (11); and the adoption or implementation of technological systems or tools (19).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **ARGENTINA**

Actions related to technological systems and tools:

- Implementation of an Open Government policy in all ministries in the national executive branch through their websites, which actively divulge public information and through which citizens may request assistance or submit applications. The website of the Supreme Court of Justice of the Nation was also developed, featuring a separate "Open Government" link. Furthermore, in the national

legislative branch, the websites of the House of Deputies and the Senate offer a variety of information about their activities.

▪ **BOLIVIA**

Other legal standards and/or measures:

- The "Access to Information Guide", was updated with the inclusion of "institutional" and "citizen" guides on access to information.
- Development of standard public information request and delivery forms.

Draft Laws:

- Steps to promote and expedite adoption of the draft Transparency and Access to Information Law.

Training actions:

- Implementation of a comprehensive youth training program on access-to-information issues.

Actions related to technological systems and tools:

- Improvement, update, standardization, and control of the websites of public-sector entities.

▪ **BRAZIL**

Laws:

- Adoption of the Access to Information Law

Other legal standards and/or measures:

- Enactment of the decree regulating the Law on Access to Information in the Federal Executive Branch.
- The National Council of Justice adopted a resolution requiring the publication--including identification by name--of salaries, per diem, compensations, and other payments made, for whatever reason, to members and employees of the judicial branch, as well as its collaborators.

Training actions:

- Launch of the *Brasil Transparente* Program by the Office of the Comptroller General of the Union (CGU), the purpose of which is to assist states and municipalities in applying the Access to Information Law in their respective jurisdictions, as well as to combine efforts to enhance transparency and the adoption of open government measures.

Actions related to technological systems and tools:

- Launch of the Transparency Map on the *Brasil Transparente* Program website ([www.cgu.gov.br/brasiltransparente](http://www.cgu.gov.br/brasiltransparente)) showing which states and municipalities with populations of more than 100,000 inhabitants have introduced regulations governing the Access to Information Law.

- The judicial branch has had its own transparency portal since December 2010, offering information about its budget execution and expenditure.

▪ **COLOMBIA**

Draft Laws:

- Processing of a draft law on access to information that “is founded on the principle that the citizenry should have access to information without having to request it and that the information be of good quality and couched in language that the common citizen finds accessible and easy to understand.”

Actions related to technological systems and tools:

- Continued promotion of numerous mechanisms that use information technology to provide the citizenry with more information about how the public administration is run. In particular, progress has been made in the areas of “online participation” and “e-government,” among others.

- Progress in implementing the *Gobierno en Línea Territorial* initiative, a subnational e-government program spearheaded by the Ministry of Information and Communication Technologies that, by harnessing ICTs, aims to assist in the construction of more efficient, transparent, and participatory local governments that provide citizens and enterprises with better, more independent services.

▪ **COSTA RICA**

Laws:

- Adoption of the Law Governing the Right to Petition

Draft Laws:

- Preparation of a proposed law that includes a provision defining the main dimensions of the right to information. In addition, the Vice President proposed an initiative for drafting a consensus-based law that realizes the constitutional right of access to public information.

Training actions:

- Holding of two workshops for the staff of service comptroller offices and implementation of the following activities: participation in the World Consumer Day Fair; work meetings with service comptroller offices at the municipal level; preparation of the 2011 work plan; review of the 2011 annual work plans of service comptroller offices; update of the Methodological Guide on preparation of the annual report 2011; work meetings with different service comptroller offices on the preparation of annual reports; holding of the annual evaluation and feedback workshop on the operations of service comptroller offices; and technical assistance and permanent query response services.

▪ **ECUADOR**

Other legal standards and/or measures:

- Adoption of a resolution containing parameters for presenting the updated information that obligated institutions are required to disclose for the annual report on observance of the right of access to public information.



Institutional strengthening actions:

- Issuance by the Ombudsman of parameters for presenting the updated public information that obligated institutions are required to disclose; and preparation of forms to facilitate reporting.

▪ **EL SALVADOR**

Laws:

- Adoption of the Access to Public Information Law, the purpose of which is to ensure the right of access to public information for all, in order to enhance transparency in the activities at State institutions.

Other legal standards and/or measures:

- Adoption of the Implementing Regulations on the Access to Public Information Law.

- Adoption of Judgment No. 13-2012, which rules that Articles 2, 29, and 73 of the Implementing Regulations on the Access to Public Information Law are unconstitutional. The decision definitively does away with the recommendation that only the categories of confidential information envisaged in the Access to Public Information Law are applicable.

Institutional strengthening actions:

Creation of the Access to Public Information Institute, which is tasked with monitoring the correct application of the Access to Public Information Law.

▪ **GUATEMALA**

Actions related to technological systems and tools:

- Presentation of an annotated version of the Access to Public Information Law aimed at facilitating its use by the general public and public-sector institutions. A follow-up mechanism was established that includes the Indicator on Compliance with the Access to Public Information Law in the Executive Branch. In addition, a web portal was developed to enable citizens to submit on-line requests for public information.

▪ **JAMAICA**

Training actions

- Organization of expos and workshops by the Office of the Services Commissions to help civil servants understand how to access information.

- Implementation by the Access to Information Unit (AIU) of public education programs targeted at various stakeholder groups and interests, ranging from senior citizens to young people in rural and urban communities.

- Development and implementation by the AIU of training programs for public servants.

Institutional strengthening actions:

- Ongoing guidance by the AIU to individual access officers with regard to local and international best practices and responding to requests in the timeframes requested.
- Design of a support program, by the AIU, to assist new Access Officers in carrying out their duties under the Act.
- Implementation of a new monitoring framework of the status of the requests, as well as reporting standards and forms.
- Improving of the AIU complaints review and 'follow up' procedures with public authorities by e-mail and telephone.

Actions related to technological systems and tools:

- Utilization of the AIU website and online social networking sites to promote access to information.
- Utilization of public authority websites to promote mechanisms for public access to information and proactive disclosure of information.

▪ **MEXICO**

Laws:

- Adoption of the Federal Archives Law, which governs, inter alia, the organization and conservation of the institutional archive system for obligated entities, to ensure that the latter's archives are kept updated and that the information they contain with respect to their management indicators and use of public resources as well as of any other information that might be of high value to society can be published on line.

Other legal standards and/or measures:

The Federal Office on Access to Information (IFAI) adopted compliance guidelines for transparency obligations, access to government information, and accountability, including the organization and conservation of files, with respect to federal funds transferred to the new federal administration.

- The IFAI signed six partnership agreements with various agencies and entities aimed at laying the groundwork and introducing mechanisms for coordinating the implementation of different strategies aimed at providing assistance to obligated persons with respect to access to information, fostering a culture of transparency in government activities, and encouraging accountability.

Training actions:

- The IFAI has developed a series of systematic, continuous training programs on the various topics covered by the Federal Law on Transparency and Access to Public Government Information (LFTAIPG), as well as on public ethics and document administration.
- Training was provided to 201 obligated persons on topics connected with reporting and updating of the transparency obligations published on the Transparency Obligations Portal.

International cooperation actions:

- Participation in a variety of international forums, including the Open Government Partnership, the International Conference of Information Commissioners, the International Conference of Privacy and Data Protection Authorities, the Transparency and Access to Information Network, the Ibero-American Data Protection Network, the Ibero-American Forum on Records Evaluation, and the Asia-Pacific Privacy Authorities Forum, which promote best practices for the exercise of both rights.
- Participation as a guest country in National Transparency Week (the participating countries were: Chile, Canada and the United Kingdom).

Institutional strengthening actions:

- Adoption of the Universal Management Handbook on Transparency with standard procedures for prioritizing maximum disclosure and strengthening institutional capacities for promptly identifying socially useful or targeted information.
- Update of the Transparency Manual for establishing provisions, measures, procedures, and methods with respect to archive management that agencies and entities of the federal public administration are required to observe.
- Adoption of a guide to facilitate identification, selection, and publication of information as well as to standardize, using clear and simple language, the sections on transparency of the websites of agencies of the federal public administration.

Actions related to technological systems and tools:

- Launch of a new IFAI Virtual Training Center offering online training for public servants, as a private and civil society initiative.
- Implementation in all federal government agencies of a transparency micro-site for consulting socially useful information on more than 725 topics of interest.
- Establishment of a warning system (traffic lights) for time limits for updating information on the Transparency Obligations Portal.
- Establishment of the “Government Transition Team” section on the Transparency Obligations Portal.
- Creation of the Automated Integration System for Archive Consultation and Tracking Tools with a view to developing a computerized archive consultation and tracking solution in keeping with the General Guidelines on Archive Organization and Conservation for federal public administration agencies.

▪ **NICARAGUA**

Institutional strengthening actions:

- Establishment of the Access to Public Information Office (OAIP) and its Information Classification Committee

Actions related to technological systems and tools:

- Publication on the website of the Parliamentary Assembly of a special section promoting citizen participation.

▪ **PANAMA**

Draft Laws:

- Introduction of a draft law for the creation of a National Transparency and Access to Information Authority, as an independent and autonomous body whose principal objective is to monitor compliance with the Transparency and Access to Public Information Law in Panama, as a means to circumvent the difficulties in which efforts to implement the latter law have been ensnared since its adoption 10 years ago.

International cooperation actions:

- Formal expression of intent by the Government of Panama on December 12, 2012, to join the Open Government Partnership (OGP).

▪ **PERU**

International cooperation actions:

- Adoption of the Open Government Plan of Action by resolution of the Presidency of the Council of Ministers. The Plan sets out concrete commitments on transparency and access to public information, public sector integrity, citizen participation, and e-government for improving services to the public.

▪ **SURINAME**

Actions related to technological systems and tools:

- Launching of the Government website ([www.gov.sr](http://www.gov.sr)), with links to all the different departments (Ministries).

▪ **VENEZUELA**

Other legal standards and/or measures:

- Resolution creating the Citizen Assistance Office, attached to the General Public Defender Office

- Introduction of access guidelines to be observed by organs and entities of the national public administration in website development, implementation, and launch.

- Resolution of the Ministry of People's Power for Transport and Communications activating the Citizen Assistance Office

Resolution adopting the organizational and operating structure of the Autonomous Registries and Notary Offices Service (SAREN)

- Decision of the Venezuelan Social Security Institute (IVSS) announcing that all payment authorizations that it issues on the basis of mandatory social security contributions will be done exclusively via the website indicated in the decision.
- Administrative decision issuing the Internal Regulations of the Superintendency of Insurance
- Decision of the Supreme Court of Justice adopting the Organizational and Operating Rules of the Judicial Disciplinary Jurisdiction
- Publication of the Operating Standards of the National Securities Registry
- Publication of the Rules on securities listing, trading, and redemption on the Bicentennial Public Stock Market
- Implementation of the Electricity Sector Consolidated Information System
- Adoption of the Standards governing the implementation conditions for the Police Strategic Information and Transparency System (SIETPOL).

#### Training actions

- Training activities carried out by the National Electoral Council
- Training activities carried out by the National Integrated Customs and Tax Administration Service (SENIAT).

#### Actions related to technological systems and tools:

- Activation of the Twitter account of the Office of the Comptroller General

#### 4.2. Mechanisms for consultation

The information reported by the countries in general in their progress reports of March 2013 describes 93 actions regarding the implementation of the recommendations related to consultation mechanisms.

These comprehensive actions pertain to: the issuance of laws (1); the adoption of other legal standards and/or measures (11); the preparation and processing of draft laws (1); the execution of training activities (24); the execution of international cooperation activities (4); the execution of institutional strengthening activities; (48); and the adoption or implementation of technological systems or tools (4).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **ARGENTINA**

Actions related to technological systems and tools:

- The Supreme Court of Justice of the nation made available to the public the necessary digital tools (including social networking sites, such as Facebook and Twitter) to submit queries, suggestions, and opinions to the various areas involved in the administration of justice.

The inclusion in all ministries of the national executive branch of mechanisms on their websites enabling citizens to express their opinions and actively monitor the conduct of public affairs.

▪ **BELIZE**

Draft Laws:

-Preparation of the Revised Public Service Regulations 2013.

▪ **CHILE**

Other legal standards and/or measures:

- Approval of the Rules of Procedure of the Consultative Council of the Ministry of the Environment and of the Regional Environmental Consultative Councils.

- The Ministry of the Environment held 19 citizen participation proceedings.

▪ **COLOMBIA**

Other legal standards and/or measures:

- Inclusion in the National Development Plan of a chapter with the following provision: “Participation and good governance are mutually complementary in the pursuit of interaction between citizens and the State for identifying future horizons and in the design, execution follow-up and societal oversight of public policy at the national and subnational level (...). Participation takes shape in the exercise of the civil and political rights associated with participation in bodies of consultation, deliberation and decision-making on public affairs, in the free formation of social organizations, and in the daily interaction of individuals”

▪ **ECUADOR**

Other legal standards and/or measures:

- Adoption by the Citizen Participation and Societal Oversight Council (CPCCS) of a resolution that sets the timetable for carrying out the accountability processes and the subsequent delivery of accountability reports to entities required to present them; adoption by the CPCCS of the “standard ordinance” that governs the Citizen Participation and Societal Oversight System in decentralized autonomous governments, in order to promote, form, and introduce rules on the workings of the system.

Training actions:

- Implementation of 22 regional consultation workshops with members of the public, social organization, and others.

Institutional strengthening actions:

- Implementation of two citizen participation mechanisms: the Citizen Assembly and the Public Hearing; formation of 46 citizen watchdogs in different sectors; and design of guidelines for accountability reporting and compliance with the annual report on the right of access to public information.

Actions related to technological systems and tools:

- Entry, registration and design of a database containing all accountability reports received, and monthly update of the website of the Citizen Participation and Societal Oversight Council.

▪ **NICARAGUA**

Training actions

- Training activities implemented by the Office of Public Ethics (MVP) for university students, including workshops on business ethics and on ethics and the environment, with the aim of educating future professionals with a social conscience; training events for the organized population that promote the exercise of societal oversight of the conduct of public affairs; and talks on the importance of societal oversight of the conduct of public affairs for secondary school students and the organized population in District II in Managua.
- Training activities implemented by the National Police, which has organized citizen discussion workshops to evaluate the quality, courtesy, and efficiency in the provision of police services and the ethical behavior of police personnel.

Institutional strengthening actions:

- Promotion by the OEP, as of March 2011, of the introduction of complaints and suggestion boxes at executive branch institutions.
- Social audits conducted by the OEP at various ministries and public sector institutions

Implementation by the National Police of the Preventive, Proactive, and Community Policing Model, a systematic process that obtains feedback and allows citizen participation in societal oversight and good police management.

▪ **PERU**

Laws:

- Promulgation of the Law on the Right to Consultation of Indigenous or Native Peoples, which develops the content, principles, and procedure for these peoples to invoke their right to prior consultation on legislative or administrative measures that directly affect them.

International cooperation actions:

- Adoption of the Open Government Plan of Action by resolution of the Presidency of the Council of Ministers. The Plan sets out concrete commitments on transparency and access to public information, public sector integrity, citizen participation, and e-government for improving services to the public.

▪ **VENEZUELA**

Other legal standards and/or measures:

- Adoption of a resolution ordering a public consultation process to be initiated with a view to issuing the Partial Regulations on the Organizational Law on Science, Technology, and Innovation concerning contributions, financing and its results, and ethics in technological research and innovation

- Adoption of a resolution ordering a public consultation process to be initiated with a view to issuing the Resolution on the National Registration of Companies that Provide Mail Services

- Adoption of a resolution by the Ministry of People's Power for Tourism, establishing the Standards and Specifications on the Use of the Suggestions and Complaints Book

- Adoption of a national assembly resolution issuing the Internal Rules of Procedure of the "Carlos Escarrá Malavé" Training School

- Adoption of a resolution by the Ministry of People's Power for Health ordering a public consultation process to be initiated with a view to issuing the Ministerial Resolution establishing the Standards on the Management of Embryos and Stillborn Children at Health Facilities

- Adoption of a resolution ordering a public consultation process to be initiated with a view to issuing the Rules on the Opening of an Auxiliary Account for the Registration of Obligatory Postage Charges in favor of the Postal Telegraphic Institute of Venezuela (IPOSTEL) received by private postal operators.

4.3. Mechanisms to encourage participation in public administration

The information reported by the countries in general in their progress reports of March 2013 describes 51 actions regarding the implementation of the recommendations related to mechanisms to encourage participation in public administration.

These comprehensive actions pertain to: the issuance of laws (9); the adoption of other legal standards and/or measures (12); the execution of training activities (15); the execution of international cooperation activities (4); the execution of institutional strengthening activities (10); and the adoption or implementation of technological systems or tools (1).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)



▪ **BELIZE**

Institutional strengthening actions:

- 2011 Report submitted by the Good Governance Committee to the executive branch for consideration.
- Creation of a liaison office within the Office of the Prime Minister to act as a link between the private sector and the central government; and establishment of the Prime Minister's Forum as an annual event for dialogue on matters of national importance.

▪ **BOLIVIA**

Laws:

- Adoption of the Participation and Societal Oversight Law.

Training actions:

- Implementation of the *Caravana de la Transparencia* [Transparency Caravan], a national initiative to stimulate and raise awareness, both among the youth and the general public, about the importance of education, values, and participation in transparency and the fight against corruption.

▪ **CHILE**

Laws:

- Promulgation of the Law on Associations and Citizen Participation in the Conduct of Public Affairs, by which the State recognizes the right of individuals to participate in the policies, plans, programs, and actions of the State.

Other legal standards and/or measures:

- Adoption of the "Citizen participation policy in the framework of co-responsibility," which is the government's roadmap on citizen participation for the 2010-2014 period. The policy's three strategic objectives are: to strengthen civil society organizations, to promote and guide citizen participation measures toward improving the efficiency and effectiveness of public policies, and to improve and strengthen information and public opinion channels and forums, promoting a quality and timely response on the part of state administration bodies.
- Adoption of a presidential order with the following citizen participation objectives: to strengthen civil society organizations, to promote and guide citizen participation measures toward improving the efficiency and effectiveness of public policies, to improve and strengthen information and public opinion channels and forums, and to promote citizen oversight of the activities of public-sector agencies.
- Adoption and implementation at the Ministry of the Environment of an exempt resolution that issues instructions on citizen participation and public accountability reporting, in keeping with the Law on Associations and Citizen Participation in the Conduct of Public Affairs.

Training actions:

- Implementation of a series of workshops to train persons responsible for citizen participation in the use of software to monitor and follow up on the Citizen Participation Standards.
- Holding of a training workshop for officials at the national level on citizen participation processes being implemented by the Ministry of the Environment.

Actions related to technological systems and tools:

- Follow-up System on the Citizen Participation Standards implemented by the Social Organizations Division (DOS), the purpose of which is to monitor progress in the citizen participation commitments set out in its General Rules. The System will provide regular information on the state of citizen participation in State bodies and generate inputs for the Public Report on Citizen Participation, in keeping with the Law on Associations and Citizen Participation in the Conduct of Public Affairs.

- **COLOMBIA**

International cooperation actions:

- Entry to the Open Government Partnership (OGP), committing itself at the international level to continuing its initiatives with respect to disclosure of public information to the citizenry and civil society, and to opening up opportunities for citizen participation under the president's current policy based on the principles of good governance: efficiency, effectiveness, transparency, fight against corruption, and accountability.

- **ECUADOR**

Training actions:

- Training activities for members of the public, civil servants, and youth in citizen participation, societal oversight, and accountability; coordination of training activities for community-based reporters and journalists in participation rights and mechanisms, societal oversight, transparency, and the fight against corruption; and training for public servants on participation rights and mechanisms, and intercultural and plurinational awareness; training for local government representatives in societal oversight issues.

Institutional strengthening actions:

- Design of a training program for community police; signing of a cooperation agreement with UN Women on capacity building in women's social organizations; methodology design, proposal, and selection of civil servants who participated in the Train-the-Trainer Program for Decentralized Autonomous Governments at the *parroquia* level (the smallest administrative/territorial division); design of training materials and contents.

- **EL SALVADOR**

Laws:

- Adoption of the Government Ethics Law.

▪ **MEXICO**

Institutional strengthening actions:

- Development by the Federal Regulatory Improvement Commission of qualitative indicators to measure the impact of citizen participation on the rulemaking process.

▪ **NICARAGUA**

Training actions

- Training activities carried out on such subjects as Ethics and Values in the Public Administration, Internal Control in the Public Administration, Risk Assessment in the Public Administration, Legal Bases of the Civil Servant's Duties, Ethics and Human Rights in the Public Administration, Civil Service Code of Ethics (Decree 35-2009), Ethics and Values in Private Business vis-a-vis Society, Societal Oversight of the Conduct of Public Affairs, Organization and Methodology in Promoting Values and Public Ethics, Organization and Methodology for Social Auditing of the Conduct of Public Affairs.

- Conferences for university students held on the subjects of Business Ethics, Environmental Ethics, Good Governance, and Societal Oversight of the Conduct of Public Affairs

- Training workshops with municipalities on the above topics

- A forum held on the National Strategy for the Integral Development of Good Governance

- Coaching and logistical support provided to the agency CIET INTERNACIONAL at regional events for disclosure of the results of the V Social Auditing Cycle on the Public's Perception of Corruption in the Public Administration.

- Implementation of awareness raising workshops and workshops on societal oversight of the conduct of public affairs for secondary school students, university students, and the organized population

Institutional strengthening actions:

- Administration, follow-up and monitoring of complaints and suggestion boxes set up at different executive branch institutions

- Promotion of social audits conducted by the organized population on services provided by executive branch institutions

▪ **PANAMA**

Laws:

- Adoption of a law governing e-government procedures, whose regulations establish the principles and validity of the country's online procedures, guaranteeing a solid basis and a valuable frame of reference for effective and transparent management of e-government procedures.

International cooperation actions:

- Formal expression of intent by the Government of Panama to join the Open Government Partnership (OGP).

▪ **PERU**

International cooperation actions:

- Adoption of the Open Government Plan of Action by resolution of the Presidency of the Council of Ministers. The Plan sets out concrete commitments on transparency and access to public information, public sector integrity, citizen participation, and e-government for improving services to the public.

▪ **URUGUAY**

Other legal standards and/or measures:

- Adoption of two decrees by which the executive branch has underscored the need to link the government to the citizenry by encouraging the latter's participation on the basis of transparency and accountability and by means of digital tools. One decree concerned the so-called "Uruguay Digital Agenda." The other decree adopted the Uruguay Open Government Plan of Action 2012 and acceded to the Open Government Partnership's September 2011 Declaration on Open Government.

International cooperation actions:

- Adoption of the Uruguay Open Government Plan of Action 2012, which accedes to the Open Government Partnership's September 2011 Declaration on Open Government.

▪ **VENEZUELA**

Laws:

- Adoption by the National Assembly of the Organizational Law on People's Power.

- Adoption by the National Assembly of the Organizational Law on Societal Oversight

– Adoption by the National Assembly of the Law Impartially Reforming the The Organic Law of the Office of the Comptroller General and the National Government Oversight System

- Adoption by the National Assembly of the Organizational Law Partially Reforming Municipal Public Power.

– Adoption by the National Assembly of the Law Impartially Reforming the The Organic Law of the Office of the Comptroller General and the National Government Oversight System

Other legal standards and/or measures:

- Adoption by the CGR of guidelines on citizen and societal oversight.

- Adoption of the Standards on the Registration of Legal Persons That the Form External Audits on Institutions in the Banking Sector

- Resolution of the Government Federal Council establishing that all subnational political entities and people's power grassroots organizations are required to put up signs facilitating the identification of works projects approved by the Secretariat of the Government Federal Council and financed with resources provided by the Interterritorial Compensation Fund for societal oversight purposes.
- Adoption of the Rules on the Promotion of Citizen Committees for Police Oversight
- Adoption of the Partial Reform of the Organizational Regulations of the Secretariat of the Government Federal Council and Interterritorial Compensation Fund
- Adoption of the directive on the procedure for registration of collective coverage programs and projects implemented by regional, national, and international organizations with the National Council on Children's Rights Autonomous Institute
- Adoption of the directive on the formulation, execution, evaluation, follow-up, and societal oversight of comprehensive protection programs and projects for children and their families to be financed or co-financed with resources from the protection funds at the national and municipal level

raining actions

- Training activity carried out by the Supreme Court of Justice
- Training activity carried out by the National Electoral Council

4.4. Mechanisms for participation in the follow-up of public administration

The information reported by the countries in general in their progress reports of March 2013 describes 18 actions regarding the implementation of the recommendations related to mechanisms for the follow-up of public administration.

These comprehensive actions pertain to: the issuance of laws (2); the adoption of other legal standards and/or measures (5); the execution of training activities (5); the execution of international cooperation activities (1); the execution of institutional strengthening activities (3); and the adoption or implementation of technological systems or tools (2).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **BELIZE**

Institutional strengthening actions:

- Meetings by the Government with representatives of civil society and of nongovernmental organizations.

▪ **BOLIVIA**

Training actions:

The MTILCC imparted a specialized course for social organizations entitled *La Transparencia y Lucha contra la Corrupción desde el Estado y el Poder Social Comunitario* [Transparency and the Fight against Corruption by the State and Community-Based Social Power]

▪ **CHILE**

Actions related to technological systems and tools:

- Establishment of the *Portal Contraloría y Ciudadano* [Comptroller and Citizen Portal], the objective of which is to strengthen individual participation in the preservation of probity and public assets by creating an effective channel of communication that involves members of the public in the oversight efforts of the CGR. On the website, the banner titled *Contraloría y Ciudadano* [Comptroller and Citizen] allows users to submit oversight suggestions and complaints on-line using forms specifically designed for those purposes.

- Every month the Office of the Comptroller General publishes on its website the status of compliance by all municipalities in the country with their monthly obligation to send budgetary and accounting information to the oversight body. This information is made publicly available to the citizenry so that anyone, without having to identify themselves, can select the year and region of the country on which they wish to consult, and an Excel file will open with a row for each of the municipalities that comprise the region selected and the months of the selected year shown in columns.

▪ **COLOMBIA**

Training actions:

- Launch by the Civil Service Administrative Department, in partnership with the Citizen Watchdog Institutional Support Network, of a training program for trainers throughout one of the country's departments so that the latter might in turn educate other civil servants, citizens, and watchdog or societal oversight groups. As a result of the foregoing each of the country's 32 departments has an installed capacity of trained civil servants to whom citizens, watchdogs, and societal oversight groups can turn for education in the exercise of their right to monitor the conduct of public affairs.

- Implementation by the Civil Service Administrative Department through the National Training Plan for Societal Oversight of Public Administration and the National and Subnational Interagency Alliance of the Citizen Watchdog Institutional Support Network of education and training programs that have reached out to 30,472 citizens and 761 watchdogs and societal oversight groups set up across the country. Citizen education has achieved 25% coverage of the country's municipalities with an average of 28 social organizations set up per department.

- Inclusion of a provision in the Anticorruption Statute, according to which “all primary and secondary education facilities shall include in their institutional syllabus, as they deem appropriate, strategies for developing civic skills for peaceful coexistence, participation, and democratic responsibility, and identity and appreciation of diversity, which shall be reflected in activities targeting all members of the educational community. Specifically with respect to participation, activities will focus on building a law-abiding culture and conservation of public property.”

Institutional strengthening actions:

- Creation, through the Anticorruption Statute, of the National Commission for Moralization and the National Citizens Commission against Corruption, on the premise, according to the Statute's explanatory memorandum, that “effectively fighting corruption is only possible if it is understood as a State policy in which civil society is actively engaged.”

▪ **COSTA RICA**

Training actions:

- Talks given by the Public Services Regulatory Authority (ARESEP) to educate users about access to information; talks given and Training actions under the Municipal Strengthening and Decentralization Project (820); fairs held by ARESEP and other public services operators; a training module on the organization and operations of district councils was held by the Municipal Development and Advisory Institute (IFAM) aimed at establishing a dialogue between municipalities and communities (45); holding of a financial and budgetary education workshop; design and dissemination of awareness campaigns promoted by IFAM as part of the Municipal Strengthening and Decentralization Project (FOMUDE).

▪ **URUGUAY**

Other legal standards and/or measures:

- Adoption of two decrees by which the executive branch has underscored the need to link the government to the citizenry by encouraging the latter's participation on the basis of transparency and accountability and by means of digital tools. One decree concerned the so-called "Uruguay Digital Agenda." The other decree adopted the Uruguay Open Government Plan of Action 2012 and acceded to the Open Government Partnership's September 2011 Declaration on Open Government.

International cooperation actions:

- Adoption of the Uruguay Open Government Plan of Action 2012, which accedes to the Open Government Partnership's September 2011 Declaration on Open Government.

▪ **VENEZUELA**

Laws:

- Adoption by the National Assembly of the Special Capital District Stamp Duty Law
- Adoption by the National Assembly of the Law Partially Reforming Local Public Planning Councils Law

Other legal standards and/or measures:

- Adoption of the directive on the formulation, execution, evaluation, follow-up, and societal oversight of comprehensive protection programs and projects for children and their families to be financed or co-financed with resources from the protection funds at the national and municipal level  
Official Gazette

- Adoption of the Standards on the Electricity Service Quality Community Oversight System
- Creation and activation of the authority on community matters to be exercised by the Community Public Defender Offices attached to each Regional Public Defender Unit at the national level.

5. Assistance and cooperation (Article XIV of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 22 actions regarding the implementation of the recommendations related to assistance and cooperation.

These comprehensive actions pertain to: the adoption of other legal standards and/or measures (1); the execution of training activities (4); the execution of international cooperation activities (13); the execution of institutional strengthening activities (3); and the adoption or implementation of technological systems or tools (1).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

- **BRAZIL**

Other legal standards and/or measures:

- Adoption of an interministerial ordinance to facilitate cooperation and processing of letters rogatory and requests made and received for direct legal assistance in civil and criminal matters. The measure, which will be applied in a subsidiary manner in these cases, is designed to make up for an absence of bilateral or multilateral legal cooperation agreements.

- **CHILE**

International cooperation actions:

- Officials from the Public Prosecution Service took part in various international training courses and workshops in order to learn intelligence techniques and analyze comparative experiences in the investigation and prosecution of corruption offenses. Courses included the course “Intelligence in Police Investigations” imparted at the International Police Academy in Panama; workshops on combating corruption and illicit trafficking, and on recent trends in the investigation of corruption offenses, held in Thailand and Honduras. Officials also attended the second meeting of the International Corruption Hunters Alliance in Washington, D.C.

- Officials from the Public Prosecution Service participated in the Triangular Cooperation Program implemented under an agreement between Chile and the United States to enable other countries in Latin America and the Caribbean to benefit from their knowledge and experience in combating corruption, as in the case of the course “Corruption, Legal Framework, Mechanisms for Detection, Investigation, Prosecution, and Trial: The Chilean Experience.”



▪ **GUYANA**

International cooperation actions:

- Work on draft legislation on cybercrime with technical assistance from UNODC.

▪ **NICARAGUA**

Training actions

- Implementation by the National Commission of the Interagency Program on Criminal Matters
- Seminars and a colloquium held by the Office of the Attorney General on topics that include international legal assistance under the CICC, CNUCC, and other international instruments.

International cooperation activities

- Implementation of the Joint Donors Fund against Corruption (FAC) program.
- Implementation of the Good Governance Strengthening Program 2012-2014, with donations from Switzerland, Norway, and the UNDP.
- Collaboration and cooperation by the CGR with oversight entities in the framework of the OLACEFS and other international agencies
- Cooperation activities between the CGR and other Comptroller's Offices, such as those of Cuba and Ecuador, on the operation of specialized internal control guidelines; and with that of Guatemala on the improvement of audits through the use of information technology tools
- Cooperation activities carried out by the National Police in the framework of the Regional Security Strategy (ESCA) of the Central American Integration System (SICA)

International cooperation activities in the framework of the American Police Community (AMERIPOL) and the Commission of Central American, Mexican, Caribbean and Colombian Chiefs of Police (CJPCAMCC)

Institutional strengthening actions:

- Creation of the National Criminal Justice System Interagency Coordination Committee.

▪ **VENEZUELA**

International cooperation activities

- Adoption of an agreement on international electoral monitoring for presidential elections between the National Electoral Council and UNASUR
- Integration of the Supreme Court of Venezuela with the Meeting of Ministers of Justice of the Southern Cone Common Market (MERCOSUR)

Institutional strengthening actions:

- Interagency coordination activities carried out between the CGR and the SUNAI to strengthen the National Government Oversight System
- Interagency coordination activities carried out between the CGR and the administrative and budget areas of the Supreme Court of Justice, Office of the Executive Director of the Magistracy, Ombudsman's Office, and Public Prosecution Service

Actions related to technological systems and tools:

- Implementation of a registration, follow-up, and control system on letters rogatory and requests for mutual assistance in criminal matters made (directed abroad) and received (from abroad) designed by the Technology Department of the Anticorruption Division of the Public Prosecution Service.

6. Central authorities (Article XVIII of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 4 actions regarding the implementation of the recommendations related to central authorities.

These comprehensive actions pertain to: the adoption of other legal standards and/or measures (3); and the execution of institutional strengthening activities (1).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

- **CHILE**

Other legal standards and/or measures:

- The Permanent Mission of Chile to the Organization of American States (OAS ) sent a note to the Secretary General of said organization and, through him, to the Department of Legal Cooperation of the Secretariat for Legal Affairs, informing them that the Ministry of Foreign Affairs of Chile had been designated as the central authority for the purposes envisaged in Article XVIII (1) of the Convention.

- **COLOMBIA**

Other legal standards and/or measures:

Designation of the Office of the Attorney General and the Office of the Comptroller General as central authorities in the framework of international conventions, in addition to the Ministry of Justice and the Office of the Prosecutor General.

- **NICARAGUA**

Institutional strengthening actions:

- Budget increase for the Office of the Prosecutor General

## **5.2.2. Second Round of Review**

### **1. Systems of government hiring (Article III, paragraph 5 of the Convention)**

The information reported by the countries in general in their progress reports of March 2013 describes 64 actions regarding the implementation of the recommendations related to systems of government hiring.

These comprehensive actions pertain to: the issuance of laws (7); the adoption of other legal standards and/or measures (22); the preparation and processing of draft laws (3); the execution of training activities (5); the execution of institutional strengthening activities (22); and the adoption or implementation of technological systems or tools (5).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

#### **▪ ARGENTINA**

##### Other legal standards and/or measures:

- The announcements under administrative decision 506/2009 of public competitions to fill a variety of vacancies in the national public administration published on the website of the National Office of Public Employment (ONEP).

#### **▪ BELIZE**

##### Draft Laws:

-Preparation of the Revised Public Service Regulations 2013.

##### Institutional strengthening actions:

- Issuance of a circular on priority training areas; establishment of a Post Classification Unit in the Ministry of the Public Service.

#### **▪ BOLIVIA**

##### Laws:

- Adoption of the Organizational Law of the Public Prosecution Service, which introduces new forms of appointment of public servants in the Public Prosecution Service and institutionalizes the prosecutorial career.

##### Draft Laws:

- Preparation of the new draft internal staff rules of the legislative branch, which are in the process of harmonization at the Department of Government Standards of the Ministry of Economy and Public Finance.

▪ **COSTA RICA**

Laws:

Amendment of the Law protecting citizens from excessive administrative rules and procedures.

Other legal standards and/or measures:

- Preparation and publication by the Civil Service Directorate of the Applicants Guide (competitions for positions in the Administrative Career and Artistic Regime); and release of a circular introducing a new recruitment, selection, and appointment model for vacancies in the judicial branch.

Actions related to technological systems and tools:

- Update of the Post Description Manual of the Office of the Comptroller General.

▪ **ECUADOR**

Other legal standards and/or measures:

- Adoption of resolutions by the Judicature Council: one contains the Replacement Rules on Competitions, Citizen Challenges and Societal Oversight in Judicial Branch Hiring Processes; the other the Instructions on Competitions, Citizen Challenges and Societal Oversight in Hiring Processes for the Office of the Prosecutor General.

▪ **HAITI**

Institutional strengthening actions:

- Initiated the establishment of interdepartmental networks in administrative modernization for implementing new policies for managing human resources in the public function, as part of the reform of the State by the Office of Human Resources Management.

▪ **MEXICO**

Other legal standards and/or measures:

- General guidelines drafted for designing the work programs of internal control organs in order to enhance control and evaluation of the career professional service.

- Update of the “Decision adopting the provisions on Human Resources Planning, Organization and Management and the Generally Applicable Administrative Manual” on the Federal Public Administration Career Professional Service.

- Inclusion of provisions on professionalization in the Regulations of the House of Deputies for the career service.

Training actions:

- Training session for human resources personnel in federal public administration agencies in order to clarify regulatory aspects mentioned in the human resources manual.

Institutional strengthening actions:

- Publication of a book containing 40 best human resources practices in the public sector.
- Regularization, including career appointment, of the positions of 97% of the public servants who were hired before the Career Professional Service Law was enacted.
- Diagnostic assessment of all federal public administration institutions to verify progress in implementing the standards contained in the Human Resources Manual and, as a result of that process, preparation of work plans within institutions to correct shortcomings pinpointed in that implementation, identification of training opportunities and needs, and advisory services to assist them in carrying out those work plans.
- The federal public administration annually conducts an organizational climate and culture survey (ECCO) of federal public institutions, *inter alia*, to assess the Professional Career System's operations and perception.

Actions related to technological systems and tools:

- Update of the RHnet system's functionalities in each of the the modules of the Professional Career System.

▪ **NICARAGUA**

Other legal standards and/or measures:

- The Minister of Finance and Public Credit sent out a circular setting out the provisions on personnel hiring, by source of funding.

Creation by the Office of the Director General of the Judicial Career of a procedure for determining the terms and conditions for judicial career entrance competitions.

Training actions

- Training activities for public servants carried out by various institutions of the public administration through the training program on the Legal Framework of the Nicaraguan Civil Service.
- Training activities carried out on implementation of the Civil Service System in state and government institutions.
- Postgraduate courses on Public Management and Labor Law imparted and certified by universities, through cooperation provided by the Spanish Agency for International Development Cooperation (AECID)
- Training activities carried out for strengthening principles and values in public servants of the DIGEFUP in coordination with the Office of Public Ethics and the Office of the Director General of the Civil Service.

Institutional strengthening actions:

- Preparation of nine positions manuals for a total of 58 institutions within the framework of the Civil Service Law and the Administrative Career.
- Consolidation of the office of the Director General of the Civil Service, institutional human resources departments, and the Civil Service Appeals Commission
- Conclusion of the confirmation process for members of the National Civil Service Commission
- Creation of the Office of the Director General of the Judicial Career
- Preparation of job descriptions for departments of the Ombudsman's Office, Judicial Support Office, and Procedural Support Office in Managua
- Update of the judicial career staff organizational chart at the national level in coordination with the department offices
- Update of the job descriptions of judicial career staff that work in the judiciary

Actions related to technological systems and tools:

- Replacement of the Civil Service Information System (SISEC) with a new human resources information system model as part of the Integrated Financial and Administrative Management System (SIGAF)
- Publication on the judicial branch website of vacancy announcements and the results of each competition

- **PERU**

Draft Laws:

- Presentation to Congress of a draft Civil Service Law. The draft recognizes principles of meritocracy and equality. It also describes, among other things, the civil service hiring process, the rights and obligations of civil service employees, training, the disciplinary regime, and punitive procedures.

- **SAINT VINCENT AND THE GRENADINES**

Other legal standards and/or measures:

- Progress in standardization of public service job descriptions.

- **SURINAME**

Laws:

- Publication on 06/10/12 of the procurement rules for (public) works and the execution conditions

Actions related to technological systems and tools:

- Publication of Public Tenders on the website of the Cabinet of the Vice President (who is chair of the Council of Ministers).

▪ **URUGUAY**

Laws:

- Adoption of a law that contains, on one hand, rules for government hiring under certain types of contract and, on the other, systems of recruitment and selection of State employees.

- Adoption of a law that introduces a series of changes to the administrative contracting system, which were set down in the new Accountancy and Financial Administration Law (TOCAF), Article 33 of which provides that contracting shall be done by public tender or another expressly envisaged competitive procedure, in accordance with what best serves their purpose, generally recognized principles of administrative contracting, and the standards in force.

Other legal standards and/or measures:

- Adoption of six decrees to regulate implementation of Law 18719: 1) on hiring of artists; 2) on employment contracts to meet a justified need; 3) on fellowship or internship contracts; 4) on temporary contracts governed by public law; 5) on secondment contracts; and 6) broadening the responsibilities of the National Civil Service Office by assigning it, *inter alia*, the tasks of implementation and management of a personnel recruitment and selection system. This system links the *Uruguay Concurso* employment unit of the ONSC (a one-stop-shop vacancy announcement system) and the human resources areas or units that perform the same function in each ministry.

▪ **VENEZUELA**

Other legal standards and/or measures:

- Adoption of a resolution by the Office of the Comptroller General enacting the Regulations on Registration of Auditors, Consultants, and Independent Oversight Professionals

- Adoption of a resolution by the Office of the Comptroller General enacting the Registration System for Auditors, Consultants, and Independent Oversight Professionals

- Adoption of a resolution by the Office of the Comptroller General issuing the instructions on the formalization and receipt of applications for inclusion in the Register of Auditors, Consultants, and Independent Oversight Professionals

- Adoption of a resolution by the Office of the Comptroller General enacting the Standards on Execution of Work and Presentation of Results by Auditors, Consultants, Independent Professionals, and Firms of Auditors That Provide Oversight Services

- Adoption of a resolution by the National Assembly setting the monthly emolument amounts for senior and management staff of the National Assembly

- Adoption of a decree enacting the National Public Administration Employee Remuneration System

Adoption of a decree enacting the National Public Administration Laborers Remuneration System

Actions related to technological systems and tools:

- Inclusion on the CGR website of certificates issued by the Office of the Comptroller General in the Register of Auditors, Consultants, and Independent Oversight Professionals

2. Systems of government procurement of goods and services (Article III, paragraph 5 of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 48 actions regarding the implementation of the recommendations related to systems of government procurement of goods and services.

These comprehensive actions pertain to: the issuance of laws (4); the adoption of other legal standards and/or measures (25); the preparation and processing of draft laws (1); the execution of training activities (7); the execution of international cooperation activities (1); the execution of institutional strengthening activities; (8); and the adoption or implementation of technological systems or tools (2).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **ARGENTINA**

Institutional strengthening actions:

- Continued provision by the Anticorruption Office of technical assistance as well as its involvement in various procurement processes with the aim of generating and implementing transparency mechanisms to ensure the correct and efficient use of public funds.

▪ **BOLIVIA**

Other legal standards and/or measures:

- Adoption of an executive decree that establishes the consolidated register of providers as part of the State Procurement System and centralizes information on State providers in order to expedite and ensure thrift in procurement processes.

▪ **BRAZIL**

Laws:

- Adoption of the Access to Information Law, which provides that all public procurement processes should be transparent, making the process open and facilitating citizen participation.

Other legal standards and/or measures:

- Adoption of a decree regulating the Price Registry System referred to in Article 15 of the Tenders Law. According to the above decree, the registered prices, along with the identities of the respective



providers, shall be posted on the Federal Government Procurement Portal and be available for as long as the price registration memorandum remains valid, with a view to forming a reserve cadaster.

Training actions:

- The Office of the Comptroller General of the Union (CGU) in partnership with the Embassy of the United Kingdom offered a distance-training course on “Administrative Tenders and Contracts” through the CGU’s Virtual School. The course is intended for civil servants responsible for public procurement processes. The 11th such course was held in May-June 2013 and provided training to 600 civil servants. From 2008 to 2012, 2539 civil servants received training.
- A distance-training course offered through *ComprasNet* to train auctioneers; in addition, electronic auction implementation manuals and a tutorial on the subject.
- Production by the Office of the Comptroller General (CGU) of a leaflet entitled *Administrative Tenders and Contracts: Questions and Answers*, which explains the basic concepts of public competitive bidding and the specific terminology used.

Institutional strengthening actions:

- Appointment of 259 new employees of the CGU who were hired through an open public competition.
- Holding of public competitions in 2011 and 2012 to fill more than 100 external control positions in the Court of Auditors of the Union (TCU).
- Budget increase for the CGU and TCU.

- **COSTA RICA**

Other legal standards and/or measures:

- Adoption and publication of the Rules of Procedure for the Oral Hearings Procedure in Administrative Contracting by the Office of the Comptroller General of the Republic.

- **HAITI**

Other legal standards and/or measures:

- Enactment of Decree of 25 May 2012, which sets the thresholds for public procurement of works, contracts, supply of services and intellectual services and for the intervention of the National Commission on Government Procurement, depending on the nature of the procurement.

Training actions:

- Several training sessions were organized by the National Commission on Government Procurement between August 2012 and January 2013 for public servants, on the application of the law on public procurement. Training was also provided online from the website of this Commission ([www.cnmp.gouv.ht](http://www.cnmp.gouv.ht)).

Institutional strengthening actions:

- The Anti-Corruption Unit of Haiti is currently undertaking discussions to enter into an integrity agreement with the private sector.

▪ **JAMAICA**

Other legal standards and/or measures:

- Update of the Government of Jamaica Handbook of Public Sector Procurement Procedures.

▪ **MEXICO**

Other legal standards and/or measures:

- Adoption of a decision establishing the provisions to be met by government agencies as well as providers and contractors when using *CompraNet*, the government's electronic public information system.

- Adoption of a decision introducing various mechanisms allowing the participation of societal monitors in federal judicial branch tender processes.

Actions related to technological systems and tools:

- Update and inclusion of new procurement modalities and tools in the *CompraNet* system, all of which can be conducted on line.

▪ **NICARAGUA**

Laws:

- Adoption of Law No. 801 (Municipal Administrative Procurement Law)

Other legal standards and/or measures:

- Publication on the website of the Government's General Procurement Directorate of a Contract Administration Manual to be adopted by all public-sector entities and agencies

Training actions

- Training events held for public-sector officials, mayors offices, and the municipal sector on the subject of the Electronic Administrative Procurement System (SISCA).

- Training activities carried out by the DGCE on the subject of Contract Administration

International cooperation activities

Talks held between the MHCP/DGCE and the National Government Procurement Institute (INCOP) of the Republic of Ecuador with a view to entering into a cooperation agreement for the supply of, and technical assistance on, a framework agreement operational module and its electronic catalog.

Institutional strengthening actions:

- Development of a strategic plan for accreditation by competencies of government contractors, with the support of the Inter-American Development Bank (IDB)
- Approval of a municipal strengthening project targeting mayors offices and municipal small and medium size enterprises (SMEs) with the support of the IDB/Multilateral Investment Fund (MIF).

Actions related to technological systems and tools:

- Establishment of the Electronic Administrative Procurement System (SISCAE)

- **PERU**

Laws:

- Amendment of the State Contracting Law by a norm making it mandatory each month to register all small contracts in the State Electronic Procurement System (SEACE), ensuring transparency and disclosure in those processes.

Other legal standards and/or measures:

- Adoption of the directive “Provisions on Information to be Recorded in the State Electronic Procurement System (SEACE).” The provisions are mandatory for all entities of the Peruvian State.
- Adoption by the Regional Government of Piura of a regional ordinance creating citizen watchdogs. The object of these bodies is to enable members of the public to exercise their right of societal monitoring and oversight of the conduct of public affairs by the region’s officials and authorities.

Training actions:

- Launch and implementation of the *Proyecto Auditores Juveniles* [Youth Auditors Project] as part of the Program on Ethics, Citizenship and Social Commitment for faculty and 4th and 5th grade students in secondary schools throughout Peru.

- **TRINIDAD AND TOBAGO**

Draft Laws:

- Presentation of the Bill on Public Procurement and the Disposal of Public Property and the Repeal and Replacement of the Central Tenders Board Act, which is before the Legislative Review Committee, a sub committee of Parliament. The purpose of the Bill is to foster efficient, effective and transparent procurement system which would reflect value for money, transparency and public accountability through legislation and to foster procurement laws and regulations and promote open and good governance.

▪ **URUGUAY**

Other legal standards and/or measures:

- Adoption of a new consolidated text of the Accountancy and Financial Administration Law (TOCAF) by a decree that, inter alia, requires persons who organize expenditure, advisers, civil servants, and anyone who performs a public function or has an employment relationship of any kind with the public administration to refrain from taking part in a procurement process when the offeror or procurer has a kinship relationship to them up to the fourth degree of consanguinity or the third degree of affinity.

▪ **VENEZUELA**

Laws:

- Adoption of the Law partially Reforming the Organizational Law on Telecommunications.

Other legal standards and/or measures:

- Adoption of the Standards on Entry to Police Career Positions in Police Forces

- Adoption of the Standards to Determine Compliance with the Rules on Morality and Ethics in Banking

- Adoption of the CGR Regulations for Registration, Rating, Selection, and Hiring of Auditors, Consultants, and Independent Oversight Professionals

- Adoption of the Standards on Rules on Police Performance Evaluation

- Adoption by the MP of the Rules on the Second Public Competition of Credentials and Merits for Entry to the Prosecutorial Career, as well as the Assessment Scale and Agenda

- Adoption of the Standards to Determine Compliance with the Rules on Morality and Ethics in Banking

- Adoption of a Public Prosecution Service resolution establishing the scale to be used in the Public Competition of Credentials and Merits for Entry to the Prosecutorial Career

- Adoption of a Public Prosecution Service resolution establishing the agenda to be used in the Public Competition of Credentials and Merits for Entry to the Prosecutorial Career

- Adoption of the Rules on Public Competitions of Credentials and Merits for Entry to the Prosecutorial Career

- Appointment by resolution of the Members of the Strategy Body of the National Committee for Public Recruitment and Promotion Competitions for Faculty Members at Technology Institutes and Universities

- Appointment by resolution of the Members of the Special Procedure Organizing Committee for Public Recruitment and Promotion Competitions for Faculty Members at Technology Institutes and Universities

- Adoption of the Standards of the Human Resources System of the Superintendency of Insurance
- Adoption of the Organizational Law on Employment and Workers
- Adoption of the CGR Staff Rules

3. Systems for Protecting Public Servants and Private Citizens Who, in Good Faith, Report Acts of Corruption (Article III, paragraph 8 of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 26 actions regarding the implementation of the recommendations related to systems for protecting public servants and private citizens who, in good faith, report acts of corruption.

These comprehensive actions pertain to: the issuance of laws (4); the adoption of other legal standards and/or measures (8); the preparation and processing of draft laws (9); the execution of training activities (1); the execution of institutional strengthening activities (1); and the adoption or implementation of technological systems or tools (3).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **BELIZE**

Draft Laws:

- The Government and trade unions reached an agreement on the inclusion of legislation on whistleblower protection as one of the elements of the collective bargaining agreement to be entered upon and the plan to enact legislation in that regard.

▪ **BOLIVIA**

Laws:

- Adoption of the Organizational Law of the Office of the Public Prosecution Service which recognizes protection for whistleblowers overall.

Draft Laws:

- Preparation of the first draft law on the National Corruption Whistleblower and Witness System in accordance with Law No. 004.

▪ **BRAZIL**

Laws:

- The adoption of the Access to Information Law, adding Article 126-A to Law 8.112/90, which provides that, “no official may be held to liability under civil, criminal, or administrative proceedings for informing a superior authority or, in the event of suspicions that the latter is involved, another authority competent to verify information regarding the commission of crimes or faults that come to their attention, even if it be in the performance of their official public duties or functions.”

Draft Laws:

- Presentation of a preliminary draft law that envisages protection measures for persons who contribute to the investigation of irregularities in the federal public administration as part of the National Strategy to Combat Corruption and Money Laundering (ENCCLA).
- Formulation of recommendations and suggestions for future measures under ENCCLA/2013, with the aim of overhauling the protection system for victims and witnesses in criminal proceedings in Brazil, in line with the reforms to Law 9.807/99 and the rules of other agencies envisaged in criminal laws and the code of criminal procedure.

- **COSTA RICA**

Draft Laws:

Bill to amend the Law against Corruption and Illicit Enrichment

- **GUATEMALA**

Actions related to technological systems and tools:

- Creation of a complaints hotline (complaints can be submitted anonymously). The Presidential Commission on Transparency and Electronic Government (COPRET) developed an institutional web portal that provides access to an on-line reporting platform where citizens can report cases of corruption. The same complaints link appears on the websites of different executive branch institutions.

- **MEXICO**

Laws:

- Adoption of the Federal Law on Persons Involved in Criminal Proceedings, which amends Article 31 of the Federal Law on Transparency and Access to Public Information in the Possession of the Government, establishing the measures and procedures for providing protection and assistance to persons involved in criminal proceedings who are at risk or in danger owing to their participation or as a result of said proceedings.

Draft Laws:

- Preparation of a draft decree reforming and adding various provisions to the Federal Law on Administrative Liabilities of Public Servants, the basic aim of which is to protect whistleblowers and persons who provide information in the proceedings envisaged in that law.
- Preparation of draft amendments to various articles in the Constitution with a view to the creation of a national anticorruption committee and a national public ethics council, as well as to provide greater powers to Congress for enacting laws to combat corruption, among other aspects.
- Preparation of a draft decree that adds certain provisions to the Federal Code of Criminal Procedure with the aim of classifying crimes committed by public servants as serious in order to allow reparation of the injury and restitution of public funds.

▪ **NICARAGUA**

Other legal standards and/or measures:

- For the establishment of anonymous reporting mechanisms at the Office of the Attorney General, its facilities and departmental and regional offices.

▪ **PARAGUAY**

- Adoption of the law that establishes the “Witness and Victim Protection Program in Criminal Proceedings,” the implementation of which is the responsibility of the Public Prosecutor of Paraguay.

▪ **PERU**

Other legal standards and/or measures:

- Adoption of an executive decree approving the regulations on the Whistleblower Protection Law in administrative proceedings and on plea-bargain agreements with the authorities in criminal proceedings

Training actions:

- Training implemented by the Office of the Prosecutor General under the National Victim and Witness Assistance Program with the aim of strengthening the capacities of personnel who work in this program nationwide.

Institutional strengthening actions:

- Creation of the Victim and Witness Assistance Program by the Office of the Prosecutor General, the basic aim of which is to support the work of prosecutors by providing victims and witnesses with legal, psychological, and social assistance, in order to protect their testimony from interference and ensure that they do not withdraw it as a result of risk factors beyond their control.

▪ **URUGUAY**

Draft Laws:

- Drafting and introduction to the legislature of a draft Public Transparency Strengthening Law, the explanatory memorandum of which refers to the creation of confidential settings for presenting complaints in various public-sector agencies with the aim of protecting the person making the complaint by keeping their identity secret in addition to providing appropriate administrative protection and job stability, without prejudice to liabilities that whistleblowing civil servants might incur from false or unfounded accusations. Article 10 of the draft law, therefore, calls for the creation of the pertinent areas to investigate charges of this type, offering guarantees so that the whistleblowing civil servant does not have injurious unjustified administrative measures imposed on them.

▪ **VENEZUELA**

Laws:

- Adoption of the Law partially Reforming the Organizational Law on Telecommunications.

Other legal standards and/or measures:

- Adoption of general standards on Tenders for the Sale and Swap of Public Property
- Adoption of a resolution by the Ministry of People's Power for the Environment defining the functions of the ministry's staff with respect to ex ante administrative acts
- Adoption of a ruling by the National Procurement Service setting the rates that the National Procurement Service will charge to state organs and entities, as well as to individuals or corporations for the provision of its services, publications, or available information indicated therein.
- Adoption of a ruling by the Superintendency of Public Property establishing that the purchase of real property by organs of the national public sector requires a favorable opinion from the Superintendency of Public Property
- Adoption of a ruling by the Superintendency of Public Property appointing expert appraisers for different real estate operations in which public sector organs and entities are involved
- Adoption of a ruling by the Office of the Vice President Central Planning Committee establishing the legal, technical, and financial requirements to be met by individuals and legal persons interested in registration or updating their information on the National Contractors Roster (RNC)

Actions related to technological systems and tools:

- Implementation of the electronic performance evaluation system implemented on the website of the National Procurement Service for uploading contractors' activity or performance reports with respect to contracts
- Adoption of a resolution by the Ministry of People's Power for Planning and Finance incorporating dematerialized processes and procedures in payment authorizations, consistent with the electronic signature mechanisms applied to the payment authorizations module of the Integrated Public Finances Management and Control System (SIGECOF).

4. Acts of corruption (Article VI of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 9 actions regarding the implementation of the recommendations related to the criminalization of acts of corruption.

These comprehensive actions pertain to: the issuance of laws (1); the adoption of other legal standards and/or measures (4); the preparation and processing of draft laws (3); and the adoption or implementation of technological systems or tools (1).



What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **CHILE**

Other legal standards and/or measures:

- Instructions in an official note from the National Prosecutor of the Public Prosecution Service updating the criteria for bringing criminal actions in cases of corruption; and the investigation of three cases of bribery of foreign government officials.

▪ **GUATEMALA**

Laws:

- Adoption of the Anticorruption Law, which amends the Criminal Code by regulating crimes such as misuse of information, abuse of authority, breach of duties, failure to submit a sworn declaration of net worth, submission of a false declaration of net worth, disobedience, illegal appointments, illegal assumption of functions, bribery in this different forms, embezzlement in this different forms, misappropriation, illicit enrichment, establishment of dummy corporations, influence peddling, fraud, illegal collection of fees, illegal exaction, improper collection, obstruction of criminal proceedings, illegal representation, obstruction of justice, and denial of justice.

▪ **PANAMA**

Draft Laws:

- Presentation by the National Council for Transparency Against Corruption of the recommendations in this regard contained in the report on the Third Round of Review of MESICIC, by means of a note to the Ministry of the Interior. In addition, officials from both institutions met on September 17, 2012 to discuss the recommendations, which are currently under evaluation by the Interior Ministry.

▪ **PERU**

Draft Laws:

- Presentation of a draft law entitled “Law harmonizing the crimes against the public administration contained in the Criminal Code with the international conventions against corruption as well as in improving their classification.” This draft law proposes the amendment of various provisions in the Criminal Code in order to make them consistent with Article VI (1) of the Inter-American Convention against Corruption.

- Introduction to Congress of a draft law modifying the definition of “public official” contained in Article 425 of the Criminal Code. The draft law specifies that a public official or public servant acquires their status as such as of their appointment or their proclamation by the appropriate electoral authority for the performance of activities or functions in the name or in the service of the State or entities thereof.

Actions related to technological systems and tools:

- Publication of judgments, decisions, and binding precedents by the Supreme Court on a variety of matters on the judicial branch website.

**5.2.3. Third Round of Review**

1. Denial or prevention of favorable tax treatment for expenditures made in violation of the anticorruption Laws: (Article III, paragraph 7 of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 26 actions regarding the implementation of the recommendations related to denial or prevention of favorable tax treatment for expenditures made in violation of the anticorruption laws.

These comprehensive actions pertain to: the issuance of laws (2); the adoption of other legal standards and/or measures (9); the execution of training activities (6); the execution of international cooperation activities (1); the execution of institutional strengthening activities (2); and the adoption or implementation of technological systems or tools (6).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **COSTA RICA**

Laws:

- Adoption of the Law on Compliance with the Fiscal Transparency Standard.

Other legal standards and/or measures:

- Adoption by the *Dirección General de Tributación*, the tax authority, of a resolution on sharing tax information at the national level.

▪ **MEXICO**

Other legal standards and/or measures:

- Adoption of the regulatory principle that “gifts to public servants are not income-tax deductible,” confirming that bribes paid to public servants are not deductible for tax purposes.

- Update of the Strategies to Detect Bribery of National and International Officials based on the *OECD Bribery Awareness Guidelines for Tax Examiners*.

Training actions:

- Training workshops on the technical tools contained in the Strategies to Detect Bribery of National and International Officials and on the duty to report the crime of bribery of officials imparted by the *Servicio de Administración Tributaria*, the Tax Authority.

- A training course on “Detection of Bribery of National and International Officials” for all audit personnel, including new recruits, imparted annually by the General Administration of the Federal Tax Auditor’s Office as part of the Comprehensive Training Program.
- A course on "General and Significant Aspects of Tax Offenses,” imparted to personnel of the General Administration of Large Taxpayers, enabling course participants to identify the conceptual platform of tax crimes and tax fraud, the different stages of federal criminal proceedings, and the jurisdiction of the authorities that take part in criminal proceedings involving tax offenses.

Institutional strengthening actions:

- Creation of the Ethics Committee of the *Servicio de Administración Tributaria* (the Tax Authority) as a specialized consultative and advisory body, which assisted in the adoption of the new Code of Conduct.

▪ **NICARAGUA**

Laws:

- Adoption of the Tax Harmonization Law

Other legal standards and/or measures: (# 2)

- Adoption of the Procedural Guidelines for Income Tax, Sales Tax, and Withholdings Audits
- Adoption of an internal administrative provision creating the Refund Committee, one of the functions of which is to analyze and approve refund applications presented by taxpayers (previously analyzed by the Oversight Division).

Training actions

- Training activities on the Procedural Guidelines for Income Tax, Sales Tax, and Withholdings Audits

Institutional strengthening actions:

- Use of the SIDEV system to compare information presented by taxpayers

Actions related to technological systems and tools:

- Implementation of the Refund System (SIDEV).
- Implementation of the Case Selection System (SSC).
- Preparation of the conceptual framework and design of the Exemptions System (pending implementation).

▪ **PERU**

Other legal standards and/or measures:

- Adoption of three legislative decrees aimed at fighting corruption and improving tax control: (1) modifying the Amended Consolidated Text of the Tax Code; (2) modifying the Tax Offenses Law; and (3) introducing measures to strengthen the Tax Court.

▪ **SURINAME**

Actions related to technological systems and tools:

- Updating of the website of the Office of Tax Administration.  
- Publication online of the Tax legislation (11 acts) ([www.dna.sr](http://www.dna.sr) Geldende tekst (tot 2005) › Belasting)

▪ **VENEZUELA**

Other legal standards and/or measures:

- Adoption of an administrative ruling by the National Integrated Customs and Tax Administration Service (SENIAT) governing the filing of sworn declarations of investments and the amount of income tax exemption for agricultural, forestry, livestock, poultry, fishing, aquaculture, and pisciculture activities

Training actions

- Training activities by the Office of the Attorney General for career officials on investigative and regulatory powers against corruption  
- Training activities carried out by the SENIAT

International cooperation activities

- Implementation of the Partial Trade Agreement between Venezuela and Colombia through the SENIAT

Actions related to technological systems and tools:

- Use of the Sidunea World electronic platform by different government agencies

2. Prevention of bribery of domestic and foreign government officials (Article III, paragraph 10 of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 38 actions regarding the implementation of the recommendations related to prevention of bribery of domestic and foreign government officials.

These comprehensive actions pertain to: the issuance of laws (3); the adoption of other legal standards and/or measures (14); the preparation and processing of draft laws (2); the execution of

training activities (11); the execution of institutional strengthening activities (5); and the adoption or implementation of technological systems or tools (3).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **BRAZIL**

Institutional strengthening actions:

- Partnership with the Ethos Institute to promote the National Survey of Enterprises Committed to Ethics and Integrity (Pro-Ethics Enterprise Survey) which assesses and disseminates the names of enterprises that voluntarily commit to building an environment of integrity and trust in business relations, including enterprises connected with the public sector.

Actions related to technological systems and tools:

- Creation and continuous updating on the transparency portal of the National Survey of Ineligible and Suspended Enterprises (CEIS).

▪ **COSTA RICA**

Training actions:

- The College of Public Accountants of Costa Rica held talks to mark "Public Accountancy Week"; a talk for accountancy students on legal functions and responsibilities, rules and requirements of professional practice, ethics, and obligations of certified public accountants; and 105 training courses imparted by the *Dirección General de Tributación* (the Tax Authority) of the Ministry of Finance.

▪ **MEXICO**

Laws:

- Adoption of the Federal Government Contracting Anticorruption Law, the purpose of which is to punish national or foreign, private citizens who commit acts of corruption in federal procurement procedures.

Training actions:

- Holding of a "Business Integrity Workshop" organized by the Civil Service Secretariat in conjunction with the *Barra Mexicana Colegio de Abogados* (Mexican Bar Association), *Asociación Nacional de Abogados de Empresa* (National Association of Corporate Attorneys), the office in Mexico of the United Nations Global Compact, the Mexican Chapter of the International Chamber of Commerce, and the National Committee on Productivity and Technological Innovation (COMPITE).

- Creation of a free on-line business integrity course for small and medium size enterprises on national and international anticorruption instruments, as well as step-by-step guidelines for implementing an anticorruption program.

- Holding of more than 10 events for the private enterprise sector to provide information about the Civil Service Secretariat's anticorruption strategy and raise awareness of the importance of the joint-responsibility approach.

Institutional strengthening actions:

- Launch in 2012 of the Fight against Corruption Module on the website of the Mexican Enterprise Information System (SIEM) to provide information and raise awareness about international conventions against corruption.

- **NICARAGUA**

Laws:

- Adoption of the Tax Harmonization Law

Draft laws:

- Preparation of a proposed law updating the Commercial Code

Training actions

- Seminars held by the College of Public Accountants on the existence and application of the SME Financial Reporting Standards, International Audit Standards (IAS), internal control standards, and the Code of Ethics for Accountants.
- Orientations on financial reporting requirements held by the Ministry of the Interior for accountants of associations
- Training activities offered by the Customs Services Bureau to its staff
- Training courses on internal control offered by the CGR to officials.

Institutional strengthening actions:

Implementation of the Oversight and Services Plan (FISE) for the 2012-2016 period

Actions related to technological systems and tools:

Implementation of the SIGFA, an integrated financial information and management system to which the CGR has unrestricted access for verifying the monthly accountability reports presented by all state entities.

- **PANAMA**

Draft Laws:

- Presentation by the National Council for Transparency Against Corruption of the recommendations in this regard contained in the report on the Third Round of Review of MESICIC, by means of a note to the Ministry of the Interior. In addition, officials from both institutions met on September 17, 2012 to discuss the recommendations, which are currently under evaluation by the Interior Ministry.

▪ **PERU**

Other legal standards and/or measures:

- Adoption, by superintendency resolution, of the rules of procedure for external auditors, Article 13 of which requires audit firms inform the Superintendency of Banking, Insurance, and Private Pension Funds (SBS) in writing of any significant facts that they detect in the performance of audits on companies, without prejudice to their inclusion in the relevant reports.
- Adoption of a resolution by the National Superintendency of Customs and Tax Administration setting out provisions on the use of certain books and electronic records in connection with tax-related matters.
- Adoption of a superintendency resolution creating the electronic registry system for sales and income as well as for on-line purchases on the SUNAT (tax authority) website

Institutional strengthening actions:

- Signing of the "Commitment to Integrity between the Corporate Sector and the Government." The Commitment describes the main accords between the Government and the business sector for promoting transparency, ethics, probity, and fair and honest competition.
- Signing of the "Specific Commitment to Integrity in the Health Sector." This Commitment includes a monitoring and societal oversight mechanism to guard against infringements of the agreements it adopts.

▪ **SAINT VINCENT AND THE GRENADINES**

Other legal standards and/or measures:

- Modernization of the legal and regulatory framework on administration of public finance as part of the overall strategy to improve the national budget preparation process.

Training actions:

- Training activities implemented for civil servants with responsibilities in the area of tax collection.

▪ **SURINAME**

Actions related to technological systems and tools:

- Publication online of the Financial - economical acts (www.dna.sr › Geldende tekst (tot 2005) › Financial Economisch)

▪ **VENEZUELA**

Laws:

- Adoption by the National Assembly of the Contraband Law

Other legal standards and/or measures:

- Adoption of rules on risk management and supervision in connection with the crimes of money laundering and terrorist financing, applicable to institutions regulated by the National Securities Superintendency
- Adoption of an administrative ruling creating the Office of Money Laundering Prevention and Control of the National Integrated Customs and Tax Administration Service (SENIAT)
- Adoption of the Standards on Prevention, Control, and Oversight of the Crimes of Money Laundering and Terrorist Financing in the Insurance Sector
- Modification of the accountancy manual for the National Mutual Guarantee System for Small and Medium Enterprises
- Adoption of the Partial Reform of the Regulations of the Electronic Clearing System

Adoption of the Standards on Execution of Work and Presentation of Results by Auditors, Consultants, Independent Professionals, and Firms of Auditors That Provide Oversight Services

- Establishment of the Equity Accounts Plan applicable to the Republic and its functionally nonprofit decentralized entities
- Adoption of the Rules on the Registration of Public Accountants in Independent Professional Practice
- Adoption of the rules governing foreign currency accounts in the national financial system

Amendment of the Accountancy Manual for Banks, Other Financial Institutions, and Savings And Loan Entities

3. Transnational bribery (Article VIII of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 7 actions regarding the implementation of the recommendations related to transnational bribery.

These comprehensive actions pertain to: the issuance of laws (1); the preparation and processing of draft laws (4); the execution of institutional strengthening activities (1); and the adoption or implementation of technological systems or tools (1).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **CANADA**

Draft Laws:

- Introduced Bill S-14, the *Fighting Foreign Corruption Act*, which seeks to amend the *Corruption of Foreign Public Officials Act*. The proposed amendments to the act address the following: 1) national



jurisdiction – allow the Government of Canada to exercise jurisdiction over persons or companies that have Canadian nationality, regardless where the alleged bribery has taken place; 2) eventual elimination of facilitation payments; 3) provide exclusive authority to the Royal Canadian Mounted Police to lay charges under the Act; 4) eliminate the words ‘for profit’ in the definition of a business to ensure the Act applies to all business regardless whether a profit is made; 5) increases the maximum penalty under the Act from 5 years of imprisonment to 14 years; 6) add a new books and records of account offence into the Act with respect to bribery of foreign public officials or hiding such conduct, punishable by a maximum of imprisonment of 14 years.

▪ **NICARAGUA**

Institutional strengthening actions:

- Implementation of coordination and prevention activities with state institutions and the private businesses

Actions related to technological systems and tools:

- Creation and implementation of the Interagency Anticorruption System (SAI).

▪ **PANAMA**

Draft Laws:

- Presentation by the National Council for Transparency Against Corruption of the recommendations in this regard contained in the report on the Third Round of Review of MESICIC, by means of a note to the Ministry of the Interior. In addition, officials from both institutions met on September 17, 2012 to discuss the recommendations, which are currently under evaluation by the Interior Ministry.

▪ **PERU**

Laws:

- Adoption of a law that incorporates the crime of “acceptance of bribes from a foreign government official” in the Peruvian Criminal Code (Article 393-A).

Draft Laws:

- Presentation of a draft law entitled “Law harmonizing the crimes against the public administration contained in the Criminal Code with the international conventions against corruption as well as in improving their classification.” This draft law proposes the amendment of various provisions in the Criminal Code in order to make them consistent with Article VI (1) of the Inter-American Convention against Corruption.

▪ **URUGUAY**

Draft Laws:

- Draft Strengthening of Public Transparency Law introduced to the legislature, widening and more precisely defining the crime of transnational bribery, including the receipt of other, not strictly economic, benefits as a motive for the crime.

#### 4. Illicit enrichment (Article IX of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 6 actions regarding the implementation of the recommendations related to illicit enrichment.

These comprehensive actions pertain to: the preparation and processing of draft laws (4); the execution of institutional strengthening activities; (1); and the adoption or implementation of technological systems or tools (1).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

##### ▪ **BRAZIL**

###### Draft Laws:

- Presentation of a draft law reforming the Criminal Code and criminalizing illicit enrichment by public officials.

##### ▪ **NICARAGUA**

###### Actions related to technological systems and tools:

- Implementation of the Interagency Anticorruption System (SAI) on a web platform facilitating reporting.

##### ▪ **PANAMA**

###### Draft Laws:

- Presentation by the National Council for Transparency Against Corruption of the recommendations in this regard contained in the report on the Third Round of Review of MESICIC, by means of a note to the Ministry of the Interior. In addition, officials from both institutions met on September 17, 2012 to discuss the recommendations, which are currently under evaluation by the Interior Ministry.

##### ▪ **PERU**

###### Draft Laws:

- Presentation of a draft law entitled “Law harmonizing the crimes against the public administration contained in the Criminal Code with the international conventions against corruption as well as in improving their classification.” This draft law proposes the amendment of various provisions in the Criminal Code in order to make them consistent with Article VI (1) of the Inter-American Convention against Corruption.

▪ **URUGUAY**

Draft Laws:

- Draft Strengthening of Public Transparency Law introduced to the legislature proposing the criminalization of illicit enrichment.

▪ **VENEZUELA**

Institutional strengthening actions:

- A poll was carried out in which the viability was proposed of considering the reports of net worth audit reports carried out by the Department of Sworn Declarations of Net Worth of the office of the Comptroller General that disclose unjustified disproportionate enrichment as sufficient evidence to present a charge of illicit enrichment as recognized in Article 46 of the Anticorruption Law.

5. Extradition (Article XIII of the Convention)

The information reported by the countries in general in their progress reports of March 2013 describes 9 actions regarding the implementation of the recommendations related to extradition.

These comprehensive actions pertain to: the adoption of other legal standards and/or measures (2); and the execution of training activities (7).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **ARGENTINA**

Training actions:

- Participation by the Ministry of Foreign Affairs and Worship in numerous awareness-raising and training activities particularly with regard to the obligations regarding legal cooperation in criminal matters and extradition under multilateral conventions.

- Publication of a book containing the standards in force on legal cooperation in criminal matters, including the Inter-American Convention against Corruption.

- Implementation of a training program for judges and prosecutors, including a specific module on legal cooperation under multilateral conventions. In the context of that program, two activities have been carried out in Buenos Aires, one in Salta, and one in Córdoba.

▪ **NICARAGUA**

Training actions

Training activities carried out by the Public Prosecution Service for prosecutors and officials from other state institutions

▪ **VENEZUELA**

Other legal standards and/or measures:

- Adoption of two judgments by the Criminal Cassation Chamber

**VI. SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON OTHER PROGRESS IN IMPLEMENTING THE CONVENTION**

This section of the report summarizes the information reported by the countries as a whole in their progress reports of March 2013 regarding progress with implementation of the Convention not specifically related to the recommendations formulated to them in connection with the provisions analyzed during the first three rounds.

6.1. Comprehensive progress regarding the Convention provisions as a whole

The information reported by the countries in general in their progress reports of March 2013 describes the implementation of 25 comprehensive actions related in a cross-cutting fashion to the implementation of the Convention provisions considered as a whole.

These comprehensive actions pertain to: the issuance of laws (1); the adoption of other legal standards and/or measures (18); the preparation and processing of draft laws (1); the execution of training activities (2); and the execution of institutional strengthening activities (3).

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

▪ **CHILE**

Other legal standards and/or measures:

- Entry to the Open Government Partnership and presentation of the Plan of Action of the Government of Chile, for which a public consultation was held to canvas opinions.

▪ **COSTA RICA**

Other legal standards and/or measures:

- Adoption of the following norms: Code of Ethics of Personnel of the Costa Rican Tourism Bureau (*Instituto Costarricense de Turismo*); Professional Code of Ethics of the Internal Audit Department of the National Bureau for Cooperative Development (*Instituto Nacional de Fomento Cooperativo*); Ethical guidelines for personnel of the Comprehensive Agricultural Marketing Program; Code of Ethics of the Municipality of Orotina; Professional Code of Ethics of the Internal Audit Department of the Agrarian Development Bureau (*Instituto de Desarrollo Agrario*); Code of Conduct to Strengthen Public Ethics in Institutional Processes, Municipal Rules of Procedure, Municipality of Alajuela; Code of Ethics and Conduct of the Agrarian Development Bureau; Comprehensive Reform of the Code of Conduct of the Banco Nacional de Costa Rica Conglomerate; Code of Ethics of the Ministry of Public Works and Transport (MOPT); Resolution issued by the Office of the Director General of the Civil Service on the Procedures Manual for holding competitions under Article 15 of

the Implementing Regulations of the Civil Service Statute; Circular establishing the new model for recruitment, selection, and the appointment of vacant positions in the judicial branch; Supreme Decree on the Implementing Regulations of the Law on Inclusion and Labor Protection for Persons with Disabilities in the Public Sector.

Draft Laws:

- Preparation of a draft law amending preventive regime contained in the Law against Corruption and Illicit Enrichment in Public Administration.

▪ **UNITED STATES**

Other legal standards and/or measures:

- Adoption by the U.S. Department of Commerce's Bureau of Industry and Security of the "Compliance Guidelines: How to Develop an Effective Export Management and Compliance Program and Manual."

Institutional strengthening actions:

- The efforts to promote domestic transparency in the natural resources sector through cooperation with private sector partners, including, for example, the United States' commitment to join the Extractive Industries Transparency Initiative (EITI) as part of its Open Government Partnership National Action Plan. In addition, the United States Department of Interior is currently working with members of the industry, as well as with civil society, on implementation, and recently announced the establishment of a national committee to guide and oversee implementation of EITI.

▪ **GUATEMALA**

Laws:

- Adoption of the Termination of Ownership Law, the purpose of which is for the state of Guatemala to become the proprietor of assets, both movable and immovable, of illicit provenance, including those that proceed from crimes against the public administration. This law amends Article 108 of the Commercial Code of Guatemala (Registered and Bearer Shares), leaving only registered shares.

Other legal standards and/or measures:

- Adoption of the Open Government Declaration in 2011 In 2012, the State of Guatemala presented its plan of action for meeting its commitments under the Initiative. It has since adopted an expanded and updated version of the plan, which it began to implement in November 2012.

- Institutionalization of a reporting mechanism for alleged acts of corruption, which is currently the responsibility of the Presidential Commission on Transparency and Electronic Government (COPRET).

- Creation by the executive branch of a public spending monitoring system: A review of budgetary and accounting operations, of financial and administrative information, and of infrastructure and other works was carried out in April 2012. The review, which was under the coordination of the Secretariat

for Control and Transparency of the Office of the President of the Republic, was designed to verify transparency in the management of executive branch agencies.

Training actions:

- Creation of the Induction and Training Program for the National E-Government Strategy with a focus on Transparency and Combating Corruption in the framework of an agreement between the National Public Administration Institute (INAP) and the Secretariat for Control and Transparency of the Office of the President of the Republic (SECYT). The program applies to all government officials and civil servants in the Republic of Guatemala.

Institutional strengthening actions:

- Adoption of the World Bank's Extractive Industries Transparency Initiative (EITI) for which the National Commission on Employment, a multisectoral grouping, has received the first reconciliation report: "CoST," in which the multisectoral group has released two assurance reports and will shortly issue a third; and "STAR," under which, in 2012, oversight bodies received training in stolen asset recovery.

- Preparation by the Presidential Commission on Transparency and Electronic Government (COPRET) of "Transparency Indicator Guidelines," which were presented to the corporate sector and civil society for validation. The guidelines will first be applied to the websites of executive branch institutions, starting with 14 ministries. The object of the guidelines is to orient the information provided by ministries toward citizens' needs.

▪ **GUYANA**

Training actions:

- There have been many open debates in the media on the fight against corruption and the Government has raised awareness on the Inter-American Convention Against Corruption, the MESICIC and its website. This has created greater public awareness and sensitization of public officers on the UN Convention against Corruption and the IACAC and the importance of Guyana's efforts and reports to bring it into compliance with these treaties.

▪ **SURINAME**

Institutional strengthening actions:

- Government announcement of "a crusade against corruption" in its Policy Statement 2010-2015

6.2. Specific progress regarding certain provisions of the Convention different from those reviewed in the first three rounds of review

The information reported by the countries in general in their progress reports of March 2013, describes the implementation of 1 action related to progress in implementation of Convention provisions other than those examined in the first three rounds.

This comprehensive action pertains to the execution of institutional strengthening activities.

What follows is a highly condensed overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned date, which their complete description can be found: [http://www.oas.org/juridico/english/mec\\_rep\\_progress21.htm](http://www.oas.org/juridico/english/mec_rep_progress21.htm)

Article III, paragraph 6 of the Convention, concerning government revenue collection and control systems that deter corruption:

- **HAITI**

Institutional strengthening actions:

The Haitian government has put into place the Inter-institutional Committee for the fight against smuggling, tax evasion, money laundering and corruption. This committee consists of the following institutions: the General Administration of Customs, the Directorate General of Taxes, the Central Financial Intelligence Unit, the Anti-Corruption Unit, and the public prosecutors of the Republic, and the National Police of Haiti. The committee's actions have helped the Haitian government to recover 48,572,144.06 gourdes, during the period of July 2012 to January 2013.

**C. PART THREE: SUMMARY OF INFORMATION FURNISHED BY THE COUNTRIES ON DIFFICULTIES IN IMPLEMENTING THE RECOMMENDATIONS FROM THE FIRST THREE ROUNDS**

In the progress reports of March 2013, four countries (Bolivia, Guatemala, Guyana, and Mexico) reported difficulties in implementing recommendations made to them in the first three rounds.

General difficulties:

Two countries reported difficulties related to circumstances that have had a general impact on the recommendation implementation process; these are summarized in the following paragraphs:

- **GUATEMALA**

- Internal resistance in certain political sectors in the legislative branch blocked the process of debate and adoption of the anticorruption law. However, thanks to pressure from various Guatemalan civil society organizations the law was finally passed.

- **GUYANA**

- Budget cuts in 2012 and political obstacles faced by the Government, which has not had a parliamentary majority since the November 2011 elections.

Difficulties with the implementation of recommendations related to specific provisions of the Convention

Three countries reported difficulties related to circumstances having a specific impact on the process of implementing recommendations of certain Convention provisions; these are summarized in the following paragraphs:

▪ **BOLIVIA**

In connection with Article III, paragraph 1, of the Convention, related to standards of conduct for preventing conflicts of interest:

- Getting civil servants accustomed to the new approach to public ethics following the adoption of the “Plurinational Policy on Decolonization of Public Ethics and Revolution in the Conduct of Civil Servants.”

In connection with Article III, paragraph 1, of the Convention, related to standards of conduct for ensuring the conservation and proper use of resources entrusted to public officials in the course of their official duties:

- Encouraging the improvement of processes within public-sector entities so as to increasingly enhance the effectiveness of their controls and make public servants more aware of the need to strengthen internal control systems.

In connection with Article III, paragraph 1, of the Convention, related to measures and systems requiring public officials to report acts of corruption in the performance of public functions of which they are aware to the appropriate authorities:

- Fear of reprisals, despite the fact that Law 004 protects the identities of whistleblowers.

In connection with Article III, paragraph 4, of the Convention, related to systems for registering income, assets and liabilities:

- Shortcomings, errors or flaws in declaration forms.

- The lingering culture of secrecy makes it difficult to obtain information without subjecting its disclosure to greater formalities; the budget issue also remains a problem.

In connection with Article III, paragraph 11, of the Convention, related to mechanisms for access to information:

- Delay in adoption of the draft Transparency and Access to Information Law.

- Insufficient time and human resources to keep institutional websites permanently fully updated.

- Maintaining the results of training because its dynamic nature very often precludes follow-up that would make it possible to ensure the sustainability of results over time.

In connection with Article III, paragraph 11, of the Convention, related to mechanisms to encourage participation in public administration:

- Making social organizations aware that they have a central role to play in the public sphere.

- Leadership and organizational difficulties of social organizations.

- Reaching consensus owing to the number and diversity of social organizations in the country.

In connection with Article VIII of the Convention, related to transnational bribery:



- Creation of susceptibilities, in particular among foreign government officials who regarded the definition of the offense of acceptance of bribes as a threat following its criminalization.

▪ **GUATEMALA**

In connection with Article III, paragraph 8 of the Convention, related to systems for protecting public servants and private citizens who report acts of corruption:

- Article 297 of the Code of Criminal Procedure requires disclosure of the accuser's identity.

In connection with Article XIII of the Convention, related to extradition, as regards the recommendation to develop procedures and indicators, when appropriate and where they do not yet exist, by which to present information on the use of the Inter-American Convention against Corruption as the legal basis for extradition requests presented to other states parties and to support decisions on requests that it has received from said states:

- Expectations created by citizen services not identified.

▪ **JAMAICA**

In connection with Article III, paragraph 11 of the Convention related to mechanisms to encourage participation by civil society and nongovernmental organizations in efforts to prevent corruption

- Grant Funding for real-time electronic tracking systems to monitor how [access to information] requests are being treated is needed in this area.

▪ **MEXICO**

In connection with Article III, paragraph 1, of the Convention, related to standards of conduct for preventing conflicts of interest:

- Lack of training for public servants involved in the management of these issues.

- Need for a revision of legal instruments in this area, in particular, the Federal Law on Administrative Liabilities of Public Servants and the Code of Ethics of the Federal Public Administration in order to update their contents to the present-day situation in Mexican society and bring them into line with international recommendations, such as the introduction of provisions to prevent conflict of interest, the inclusion of more precise provisions on the "revolving door" phenomenon, and enhanced protection for whistleblowers.

- At the same time, mechanisms for coordinating activities in this area need to be established across all the three branches and levels of government. In the eyes of the citizen the Government is monolithic and the efforts made at one level or by one branch do little to stimulate public trust and participation, nor are they reinforced by similar measures in other branches or levels of government.

In connection with Article III, paragraph 1, of the Convention, related to standards of conduct for ensuring the conservation and proper use of resources entrusted to public officials in the course of their official duties:

- Lack of training for public servants involved in the management of these issues.

- It is important to make sure from the outset that there are institutional mechanisms in place beyond those contained in the "Integrity and Ethics Guidelines" that both encourage and reward conduct consistent with the framework of ethics on the part of public servants, including penalties as well as positive incentives. Providing guidance and training to public servants on public ethics, integrity and a law-abiding culture is a necessary task; however, the impact of such measures will be undermined if the institutional context is overlooked.

- Although the agencies of the Federal Public Administration carry out an annual assessment to verify compliance with their codes of conduct in keeping with the "Integrity and Ethics Guidelines," making a great effort and very often succeeding in measuring the effects of measures implemented in this area, it is necessary to find scientifically tested methodologies to appraise the impact of actions on the conduct of public servants. A universal assessment methodology for all agencies and entities in this area would enable greater comparison and more easily identify best practices.

In connection with Article III, paragraph 10 of the Convention, related to prevention of bribery of domestic and foreign government officials:

- The Federal Government Contracting Anticorruption Law was recently adopted. In light of this situation, therefore, and the new changes in the federal public administration, our only observation is that a comprehensive public policy is needed within the private sector for preventing corruption in government contracting, where prevention measures and penalties are linked to a single comprehensive public policy; in other words, so that the measures that a company adopted for preventing corruption could have an effect on such penalties as might be imposed on it.

- This law does not provide for the legal liability of corporations. Therefore, it should be reviewed to determine if it is sufficient for taking firm steps in that regard.

- Promoting the implementation of integrity programs in companies is an indispensable tool; however, as with public ethics, any training and education efforts in this area will be undermined without an institutional environment that encourages and rewards integrity on the part of enterprises, at least in the short term. In this regard it is essential to bear in mind the concrete reality of small and medium-size enterprises.

Another challenge to overcome is adequate coordination of all departments and entities with the aim of corralling under a single public policy measures that have a direct or indirect impact in terms of preventing corruption in the business sector. A variety of institutions have responsibilities in this area: SFP, COFECO, SAT, PGR, etc. Coordinating their activities would improve results and help to achieve a coherent comprehensive framework for preventing corruption in enterprises.

In connection with Article VIII of the Convention, related to transnational bribery:

- As regards cases against Mexican officials for accepting bribes from foreign companies, the Mexican Government has received little information in response to its requests via international legal assistance channels, which has delayed the respective investigations.

- The Specialized Investigation Unit for Crimes Committed by Public Servants and against the Administration of Justice does not have a sufficient allocation of human and financial resources to enable it to provide more personnel to the Special Prosecution Unit for Combating Corruption in the Federal Civil Service or for paying the honoraria of expert instructors to provide the necessary training in that regard; however, in targeting its resources, the Specialized Unit gives priority to

strengthening the Prosecution Unit. At present work is underway on the implementation of an internal training program and suitable mechanisms and agreements are being sought for providing specific training on bribery of public servants abroad.

In connection with Article IX of the Convention, related to illicit enrichment:

- The number of preliminary inquiries that has resulted in criminal prosecutions for illicit enrichment is significantly lower than the number of cases initially opened. The main reason for this is that the classification of the offense requires the public servant themselves to clarify the legitimacy of the increase in their net worth or the legality of the origin of assets that could prove illicit enrichment.

#### **D. PART FOUR: MAIN PROGRESS REPORTED BY THE COUNTRIES REGARDING THE IMPLEMENTATION OF THE RECOMMENDATIONS AND OTHER MEASURES PROVIDED FOR IN THE CONVENTION**

This section of the report provides a complete transcription of the information reported by each of the countries in their introductions to their March 2013 progress reports, indicating what they consider their main achievements in the period from December 18, 2010 to March 17, 2013, with implementing both the recommendations and measures suggested by the Committee in the first three rounds and with other measures provided for in the Convention.

#### **ARGENTINA**

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1. In January 2011, the Anticorruption Office began implementing the Sworn Declarations Regime Strengthening Plan, the purpose of which is to enhance controls on the evolution of civil servants' wealth. The plan includes a review of the standards and procedures with a view to making controls more stringent, training for the areas responsible for its management throughout the public administration, the design and application of new mechanisms to monitor compliance, and standing for the Anticorruption Office to sue in cases of noncompliance. For more information, see *Informe de Gestión Anual 2012* [Annual Management Report 2011] available at [www.anticorrupcion.gov.ar](http://www.anticorrupcion.gov.ar), clicking on the tab “*informes de gestión*.”

2. As part of the Sworn Declarations Regime Strengthening Plan, on December 7, 2011, the Government Attorney for Administrative Oversight issued Resolution 009/2011, which contains regulations on the suspension of pay for civil servants who failed to comply with the obligation to submit initial or annual sworn declarations. The resolution is available at [http://www.anticorrupcion.gov.ar/PDF/Res%20OA%202011-9%20\(Disp%20inc\).pdf](http://www.anticorrupcion.gov.ar/PDF/Res%20OA%202011-9%20(Disp%20inc).pdf)

3. The Anticorruption Office's Digital Newsletter - Since April 2011, the Anticorruption Office has published a monthly digital newsletter with a round-up of all the agency's activities. Each edition includes activities directed at the private sector. Public officials as well as representatives of the private sector and mass media outlets receive them.

4. - In 2012, the Anticorruption Office has linked up regularly with subnational governments, national public agencies, higher-education institutions, and professional associations with the aim of working in partnership and making direct contact with stakeholders on public ethics issues.<sup>9</sup> For more

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9. In the framework of the Anticorruption Office's Institutional Strengthening Project, with support provided by the United Nations Development Programme (UNDP) - “Education in Values” Component.

information about each of these activities, see *Informe de Gestión Anual 2012* [Annual Management Report 2011] available at [www.anticorruccion.gov.ar](http://www.anticorruccion.gov.ar), clicking on the tab “*informes de gestión*.”

5. Argentina joined the Open Government Partnership (OGP). In October 2012, by means of a note from the Chief of the Cabinets of Ministers, Dr. Juan Manuel Abal Medina, the Argentine Republic formally applied to join the Partnership. Its admission was formally announced at the Partnership’s Regional Meeting held in January 2013 in Santiago, Chile.

## **BELIZE**

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1. This report highlights some of the actions undertaken and measures adopted by Belize during the period December 18, 2010 to March 17, 2013, pursuant to its obligations under the Inter-American Convention against Corruption. During this period, Belize continued to manifest its firm commitment to fight corruption by continuing to implement existing frameworks that have proven to be adequate and by reviewing some of those that need revision or strengthening.

2. One example is the revision of the Public Service Regulations 2001. The revision exercise in itself is a success story of consultation and cooperation between the public and private sectors, including civil society organizations and the trade/workers’ Union. These draft regulations seek to establish a strengthened and transparent framework for the recruitment of persons into the system, their training, and their discipline. These are strengthened and complemented by improved provisions on preventing conflicts of interest.

3. During the period under revision, focus was also placed on the training of public officers. A number of workshops are planned and some of these have been implemented. The Ministry of the Public Service teamed with the University of the West Indies to offer Certificate Courses to Middle and Senior Managers within the Government System.

4. Consultation and collaboration systems were developed with the establishment of a Liaison Office within the Prime Minister’s Office and the establishment of the Prime Minister’s Forum as an annual event. Both of these initiatives seek to provide public and private sector consultations and closer collaboration.

## **BOLIVIA**

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1. Measures and mechanisms with respect to standards of conduct for the correct, honorable and proper fulfillment of public functions.

Although the law requires all entities to have codes of ethics, the Ministry of Transparency noted that this instrument was not having a positive impact on the conduct of public servants. Accordingly, a summit of transparency units was held, giving rise to a Manifesto on Decolonization of Public Ethics, whose basic philosophy seeks to do away with the individualistic and paternalist civil service and replace it with one consistent with the challenges of the process underway in our country. Subsequently, the need was noted to transform this manifesto into a much more important document, which led to the design of the Policy on Decolonization of Public Ethics or Revolution in the Conduct of Civil Servants of the Plurinational State of Bolivia, which was adopted by Biministerial Resolution 01/12 of August 22, 2012.

## 2. Systems for registering income, assets, and liabilities

The sworn declaration system already having been consolidated in the country, Executive Decree 1233 of May 16, 2012 was adopted for the purpose of introducing regulations on sworn declarations of assets and income, and the functions under this obligation for civil servants, public-sector entities, and the Office of the Comptroller General. Both this decree and Law 004 refer to the verification of sworn declarations, and therefore, in the 2011-2012 term the Ministry of Transparency implemented a sworn declarations verification pilot plan as a product of the Integrated System on Anticorruption Information and Recovery of Government Property. The pilot is currently conducting the 2012-2013 verification of sworn declarations of strategic enterprises, starting with Yacimientos Petrolíferos Fiscales Bolivianos (a state-owned oil and gas company)

## 3. Civil society participation

February 5, 2013, saw the enactment of the Participation and Societal Oversight Law, which establishes the general framework for societal oversight and participation, as well as defining its purposes, governing principles, functions, rights, obligations (and how they should be exercised), in accordance with Articles 241 and 242 of the Constitution. The mechanism for civil society participation is accountability reporting. In 2010, there were 195 public accountability reporting processes in ministries and entities under their direction. In 2011 there were 418 such processes, including ministries and entities that report to them, as well as entities of other state organs, regional governments, and municipalities. In 2012, such entities presented 458 accountability reports. As for organizations that engage in societal oversight, 303 social organizations participated effectively in societal oversight in 2010, with 394 doing so in 2011 and 571 in 2012.

## 4. Mechanisms for access to information

The Transparency and Access to Information Law was newly consensualized and is currently before the Plurinational Legislative Assembly with a view to its adoption.

Ministry websites were standardized in order to make them more useful as tools for the public to access information. The website standardization guide was prepared in 2010. In 2011, four pilot ministries standardized their websites, with 13 doing so in 2012. To date in 2013, 16 ministries have standardized their websites.

## 5. Consultation mechanisms

February 10, 2012 saw the adoption of the Law on Consultation of the Indigenous Peoples of the Isiboro Sécore Indigenous Territory and National Park - TIPNIS No. 222, which invites the Indigenous Peoples of the Isiboro Sécore Indigenous Territory and National Park (TIPNIS) to take part in a free and informed prior consultation process and establishes the content and procedures of that process.

A draft prior consultation law is also under development and discussion with the aim of establishing a framework for prior consultations in the country.

## 6. Systems for government procurement of goods and services

Executive Decree 1497 of February 20, 2013, created the Consolidated Register of Government Suppliers (RUPE) in order to: have information on potential suppliers that already hold

or are interested in bidding for government contracts; centralize information on government suppliers; simplify and expedite contracting procedures; d) make it easier for suppliers to bid for government contracts; and provide suppliers with information on government contracts.

7. Systems to protect public servants and private citizens who in good faith report acts of corruption (Article III, paragraph 8 of the Convention)

The Ministry for Institutional Transparency and Combating Corruption prepared the Whistleblower and Witness Protection System Law; the System was created by Law 004.

## **BRAZIL**

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1. Holding of the First National Conference on Transparency and Societal Oversight (CONSOCIAL): The Conference involved 2,750 municipalities in the country's states and Federal District (including all the capitals), mobilizing around 1 million Brazilians, with more than 153,000 people taking part in the discussions.

2. Publication of Law 12.527/2011, which regulates access to public information, a right recognized in Brazil's Federal Constitution.

3. Implementation of the Law on Access to Information in the Federal Executive Branch: creation of a consolidated digital application system (e-SIC) and publication of Regulating Decree 7.724/2012.

4. Participation in the Open Government Partnership (OGP) and implementation of the first Brazilian Plan of Action in the context of the Partnership.

5. Holding of the 15th International Anti-Corruption Conference (IACC), which brought together government representatives, civil society organizations, scholars, and journalists from more than 140 countries.

6. Adoption by the House of Deputies of Proposed Law 7.528/2006 on conflict of interest. The bill is currently before the Federal Senate for approval.

## **CANADA**

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On February 5, 2013, the Minister of Foreign Affairs introduced Bill S-14, the *Fighting Foreign Corruption Act*, which seeks to amend the *Corruption of Foreign Public Officials Act*.

The proposed amendments to the Act include the following:

1. Nationality jurisdiction: This amendment would make it easier for Canada to prosecute Canadians or Canadian companies for bribery in other countries, insofar as it would allow the Government of Canada to exercise jurisdiction over persons or companies that have Canadian nationality, regardless of where the alleged bribery has taken place.

2. Eventual elimination of facilitation payments: The Act currently states that payments made to expedite or secure the performance by a foreign public official of any act of a routine nature that is part of the foreign public official's duties or functions do not constitute bribes. This amendment

would eliminate the exception for facilitation payments and would come into effect at a later date to be set by the Governor in Council.

3. Exclusive ability to lay charges: This amendment would provide exclusive authority to the Royal Canadian Mounted Police to lay charges under the Act.

4. Clarifying the definition of “business”: This amendment would remove the words “for profit” in the definition of business to ensure that the Act applies to all business, regardless of whether profit is made.

5. Increasing the maximum penalty: Under the Act, the foreign bribery offence is currently punishable by a maximum of five years imprisonment. The amendment would increase the maximum penalty of imprisonment to 14 years.

6. Books and records offence: This amendment would add a new books and records of account offence into the Act that is restricted in scope to the bribery of foreign public officials or hiding such bribery. This offence would be punishable by a maximum period of imprisonment of 14 years.

A copy of the bill is available at the following link:

<http://www.parl.gc.ca/LEGISInfo/BillDetails.aspx?Language=E&Mode=1&billId=5960855>

## CHILE

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1. Law on Associations and Citizen Participation in the Conduct of Public Affairs (Law 20.500 of February 16, 2011), by which the State recognizes the right of individuals to participate in the policies, plans, programs, and actions of the State.

2. Project “Shared Use of Information to Improve the Fight Against Corruption in Chile.”<sup>10</sup> The Office of the Comptroller General, the Public Prosecution Service, and the State Defense Council began work on an on-line information sharing project with financing provided by the Inter-American Development Bank (IDB).<sup>11</sup>

3. The policy on citizen participation in a joint responsibility framework constitutes the Government's citizen participation roadmap for the 2010-2014 period. The following three strategic objectives guide the Government's lines of action:

3.1. Strengthen civil society organizations by promoting a culture of joint responsibility.

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<sup>10</sup> The objectives are to: strengthen civil society organizations; promote and guide citizen participation measures toward improving the efficiency and effectiveness of public policies; and improve and strengthen information and public opinion channels and forums, promoting a quality and timely response on the part of state administration bodies.

<sup>11</sup> Project objectives: To encourage the three entities to share online, in an effective and timely manner, information on investigations of acts of corruption in the civil service that generate criminal and administrative liability; to facilitate access for members of the public to information about the investigation of alleged offenses and administrative faults, or the outcome of investigations thereon; and to strengthen the technical capacities of the three entities involved to investigate and prosecute corruption-related crimes and administrative faults in the civil service.

3.2. Promote and guide citizen participation measures toward improving the efficiency and effectiveness of public policies.

3.3 Improve and strengthen information and public opinion channels and forums, promoting a quality and timely response on the part of state administration bodies.

4. - Adoption of Presidential Order No. 2 of 2011, which has the following citizen participation objectives: to strengthen civil society organizations, to promote and guide citizen participation measures toward improving the efficiency and effectiveness of public policies, to improve and strengthen information and public opinion channels and forums, and to promote citizen oversight of the activities of public-sector agencies.

5. Respect to environmental matters, adoption and implementation at the Ministry of the Environment of Exempt Resolution No. 962 of August 16, 2011, which issues instructions on citizen participation and public accountability reporting, in keeping with Law 20.500.

## **COLOMBIA**

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### 1. Formulation of a Comprehensive State Policy to Fight Corruption

The government established in the National Development Plan the commitment to shape and implement a comprehensive government policy to fight corruption that involves the private sector and civil society, and envisages evaluation and follow-up mechanisms on that policy, for which institutional and social actors from 13 of the country's regions were consulted.

This policy defines strategies for prevention, control, and investigation and punishment of corruption. The following five core objectives were identified for implementing the strategies 1. Improve access to and the quality of public information for preventing corruption; 2. Improve public administration tools for preventing corruption; 3. Increase the impact of societal oversight in preventing corruption; 4. Promote integrity and a culture of legality in the State and society; 5. Reduce the impunity of acts of corruption.

### 2. Adoption of a new Anticorruption Statute

Colombia reformed its Anticorruption Statute by adopting Law 1474 of 2011, which envisages numerous measures, including the following: Prohibition of the so-called "revolving door" between the public and private sectors; restrictions on political campaign contributions by government contractors; greater liabilities for tax inspectors; new ways of electing directors of internal control offices to ensure greater independence; new criminal classifications, including private corruption and transnational bribery; elimination of correctional benefits for corruption-related offenses; administrative and criminal measures for tackling health-sector fraud; more suitable oral proceedings in trials involving fiscal and disciplinary liability; and reform of the procurement system in such areas as the obligation to use fiduciary accounts for managing prepayments.



### 3. Strengthening institutions for fighting corruption

In order to strengthen the fight against corruption, the design of the institutional framework for this issue was strengthened with the creation of the Secretariat for Transparency, the National and Regional Commissions for Moralization (*Comisiones Nacional y Regionales de Moralización*), and the Citizen Committee to Fight Corruption. In addition, the Office of the Attorney General and the Office of the Comptroller General were designated as the central authorities for international cooperation on investigation, punishment, and asset recovery in cases of corruption.

### 4. Anticorruption Observatory

The Anticorruption Observatory is a tool adopted by the Colombian State, through the National Commission for Moralization, for managing information and exchanges among entities, citizens, and public and private organizations at the national and subnational level with the aim of preventing risks and acts of corruption and boosting integrity in the conduct of public affairs. Under its first phase, this tool shows the number of criminal, disciplinary, and fiscal penalties imposed by municipalities and departments. It is also possible to cross-reference information for comparison purposes.

### 5. State reform under innovation and efficiency criteria

In order to ensure greater efficiency in the provision of public services, coherent organization and functioning of the public administration, and greater social good from the use of public resources, the President of the Republic put the Office of the High Presidential Advisor on Good Governance and Administrative Efficiency in charge of coordinating the reform process under the Special Powers Law. This led to the creation of the Strategic Reform Committee composed of the Administrative Department of the Civil Service, the Ministry of Finance and Public Credit, and the Legal Secretariat of the Office of the President.

The work of this committee with each sector of the administration made it possible to implement this reform, which, in the words of the president, seeks a "state that is more efficient, more effective, more transparent, and accountable to the citizenry."

### 6. Elimination and streamlining of formalities

With the authority of the Congress a widespread consultation was held through the "Glass Urn" and the call center of the Colombian State Portal, in which citizens were asked which formalities should be eliminated, which were most prone to corruption, which were the most time-consuming, and which should be carried out online. People were also able to vote on proposals put by other citizens. Through this initiative, the Government received more than 901 proposals and over 70,000 votes. In addition, town hall meetings and focus groups were held with members of the public, businessmen and their representative associations were consulted, and public-sector entities involved.

As a result of this strategy, more than 70,000 suggestions were received from citizens in addition to 901 proposals for inclusion in the Decree Law; 300 proposals were submitted by associations; 150 meetings were held with entities, associations, and focus groups; and more than 1,200 communications were issued. The foregoing gave rise to the preparation and enactment of

Decree Law 019 of 2012 “Issuing rules for the elimination or reform of unnecessary regulations, procedures, and formalities in the public administration.”

## **COSTA RICA**

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1. Adoption of Laws: Law 9093 amends the Law on Corruption and Illicit Enrichment of Public Servants (Law 8422), increasing the list of public officials who are required to disclose their financial position, including judges and government prosecutors (both acting and regular), as well as all officials responsible for granting authorizations or permissions to private citizens or for oversight of public works or services execution.

The enactment of the Compliance with the Fiscal Transparency Standard Law (Law 9068) added several provisions to the Tax Rules and Procedures Code (Law 4755) of May 1971, in particular, Article 115 bis, which allows the Tax Administration to release or use any necessary information required by the regular courts or the tax administrations of other countries or jurisdictions with which Costa Rica has an international treaty that envisages the exchange of tax-related information. In addition to the foregoing, an amendment was made to Article 615 of the Commercial Code (Law 3284) of April 13, 1964, which recognizes bank secrecy in the Costa Rican system, in order to allow an exception for the intervention of the General Superintendency of Financial Entities or the Taxation Bureau in the performance of their functions, when so authorized.

2. Preparation and processing of draft laws: The Technical Committee composed of representatives of the Office of the Comptroller General (CGR), Office of the Attorney General (PGR), Public Prosecution Service (MP) and Costa Rican Institute on Drugs (ICD), which was set up to identify needs for improving the legal framework for combating corruption, prepared Proposed Law 18348 amending the Law against Corruption and Illicit Enrichment in the Civil Service (Law 8422), which is currently before the legislature. The purpose of the bill is to strengthen the Law’s preventive dimension by introducing amendments to the process for handling complaints, additional protections for whistleblowers, legal recognition of the main scope of the right of access to public information, and enhanced rules on conflict of interest. It also aims to consolidate the system of sworn declarations as an enhanced tool for preventing and detecting acts of corruption. Lastly, it aimed to make improvements to the punitive framework.

3. Institutional strengthening actions:- Development of a strategic partnership between the CGR, MP, ICD, and the PGR with the fundamental aim of coordinating interagency assistance and cooperation for enhancing and implementing investigation, analysis, control, and oversight activities carried out in the framework of the responsibilities of the parties involved, with a view to tackling corruption. An interagency committee has been set up with a representative from each body to hold monthly meetings, pursue a common agenda, and liaise on the coordination of concrete measures.

4. Adoption or implementation of technological systems or tools.- The Project on Oral Proceedings and Modern Management of Judicial Offices in the Lower Criminal Court and the Criminal Tribunal of the San Jose Second Judicial Circuit, which are responsible for the Treasury and Civil Service Criminal Jurisdiction, implemented new working procedures consistent with the oral hearings system, dematerialization of physical records through the adaptation and implementation of information technology tools, reorganization of personnel activities and functions, and new procedural management processes for ensuring sustained improvement. The changes implemented in the judicial offices’ working system show that it is

possible to drastically reduce case backlogs, cut case settlement times, improve user perception, strengthen control of procedural management, balance workloads, humanize justice, expedite access to justice, and settle cases within statutory deadlines.

## **DOMINICAN REPUBLIC**

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1. August 2012 – Code of Ethics. The first measure adopted by the Government of President Danilo Medina shortly after he assumed office was the implementation of the Code of Ethics, which consists of a declaration that the holders of positions in all public sector institutions who have been appointed by decree are required to sign, undertaking always to abide by the Constitution and the ethical and disciplinary regime contained in the Civil Service Law, properly manage the public funds under their administration, present a sworn declaration of assets within the statutory time limits, and ensure that all procurement processes within their institutions are conducted in accordance to law. More information is available on the website:

<http://www.creditopublico.gov.do/transparencia/Comite%20Etica/Código%20de%20Pautas%20Eticas.pdf>

2. The DIGEIG. Another of the initial measures adopted by the government of President Danilo Medina was the creation of the Government Ethics and Integrity Bureau (DIGEIG), replacing the National Ethics and Anticorruption Commission. In addition to continuing the functions performed by the erstwhile commission (promotion of ethics and transparency in the public administration as well as preparation of public policies on prevention of corruption), the DIGEIG was issued a broad remit described in Presidential Decree 486-12. Noteworthy among its main powers are the following: To promote ethics in the public administration through the public ethics committees established in each central government institution; to conduct administrative investigations into allegations of corruption and violations of the ethical and disciplinary regime contained in the Civil Service Law; to function as the governing authority on freedom of access to public information; and to monitor compliance with the obligations of the State under the international conventions against corruption of which it is a signatory and their respective review mechanisms.

## **ECUADOR**

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1. Model resolution and ordinance regulating the Citizen Participation and Societal Oversight System of decentralized autonomous governments.

2. Formation of citizens assemblies, management committees for forming citizens assemblies and participation systems.

3. Implementation of grant funds for citizen participation proposals and projects.

4. Formation of citizen watchdog bodies.

5. Methodology and tools for the formation of citizen observatories.

6. Implementation of international monitoring of the reform of the judicial system in Ecuador.

7. Guidelines for accountability reporting and compliance with the annual report on the right of access to public information.

8. Creation of a database of accountability reports received by the CPCCS.
9. Training activities on citizen participation, societal oversight, and accountability.
10. Training for community-based reporters and journalists in participation rights and mechanisms, societal oversight, transparency, and the fight against corruption.
11. Training for public servants on participation rights and mechanisms, and intercultural and plurinational awareness.
12. Training for local government representatives in societal oversight issues at the national level.
13. Training program for community police, training agenda, training program materials, program presentation workshop.
14. Cooperation agreement with UN Women on capacity-building in women's social organizations for public advocacy and eradication of gender discrimination.
15. Methodology design, proposal, and selection of civil servants who participated in the Train-the-Trainer Program for Decentralized Autonomous Governments at the *parroquia* level (the smallest administrative/territorial division).
16. Design of training materials and contents on citizen participation, transparency, and the fight against corruption
17. Inclusion of the Attorney General's Office in the judiciary and submission to the general standards on hiring applicable to the judicial branch.
18. Replacement Rules on Competitions, citizen challenges and societal oversight in judicial branch hiring processes.
19. Instructions on Competitions, citizen challenges and societal oversight in hiring processes for the Office of the Prosecutor General.

## **GUATEMALA**

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1. The Government of Guatemala adopted the World Bank's Extractive Industries Transparency Initiative (EITI) for which the National Commission on Employment, a multisectoral grouping, has received the first reconciliation report: "CoST," in which the multisectoral group has released two assurance reports and will issue a third report in April 2013; and "STAR," under which, in 2012, oversight bodies received training in stolen asset recovery.
2. The Congress adopted the Termination of Ownership Law, the purpose of which is for the state of Guatemala to become the proprietor of assets, both movable and immovable, of illicit provenance, including those that proceed from crimes against the public administration. The

Termination of Ownership Law amends Article 108 of the Commercial Code of Guatemala (Registered and Bearer Shares), leaving only registered shares.

3. Guatemala adopted the Open Government Declaration in July 27, 2011. In April 2012, the State of Guatemala presented its plan of action for meeting its commitments under the Initiative. It has since adopted an expanded and updated version of the plan, which it began to implement in November 2012, after holding the first meeting of the Technical Forum with the Private Sector. In February and March its continued with the follow-up on the civil sector forums and proposed to hold a forum with the academic sector and an interagency forum in mid- and end-March 2013.

4. A reporting mechanism for alleged acts of corruption was institutionalized in April 2012 with the creation of the Secretariat for Control and Transparency (SECYT). After the SECYT was closed, the mechanism was transferred to COPRET, where it remains to date.

5. October 2012 saw the creation of the Induction and Training Program for the National E-Government Strategy with a focus on Transparency and Combating Corruption in the framework of an agreement between the National Public Administration Institute (INAP) and the Secretariat for Control and Transparency of the Office of the President of the Republic (SECYT). The program applies to all government officials and civil servants in the Republic of Guatemala.

6. Annotated Law on Access to Public Information December 2012 saw the presentation of an annotated version of the Access to Public Information Law aimed at facilitating its use by the general public and public-sector institutions. A follow-up mechanism was established that includes the Indicator on Compliance with the Access to Public Information Law in the Executive Branch. In addition, a web portal was developed to enable citizens to submit on-line requests for public information.

7. In December 2012 a draft national policy on transparency and combating corruption was formulated and draft Indicator Guidelines were prepared and presented to the open government technical forums for discussion and validation.

8. Creation by the executive branch of a public spending monitoring system: A review of budgetary and accounting operations, of financial and administrative information, and of infrastructure and other works was carried out in April 2012. The review, which was under the coordination of the SECYT, was designed to verify transparency in the management of executive branch agencies.

## **GUYANA**

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In contrast to what was Guyana's cautiously optimistic progress report of December 2010 and the Third Round Report of March 2012 with regard to developments and efforts to comply with its treaty obligations under the IACAC, Guyana today has to bring to the MESICIC's attention the tremendous difficulties and threats that Guyana has faced since the November 28, 2011 general and regional elections.

Since then, Guyana has had to formally approach the OAS Permanent Council to brief it on August 22, 2012 with regard to July-August 2012 disturbances which split the country literally into two sections and the radical change in the political situation. It warned in its briefing of the threat to

parliamentary democracy and called on the Permanent Council to monitor the unfolding events in the country.

On November 28, 2012, a year after the elections, the Government again submitted a formal briefing to the OAS Secretariat, the Commonwealth Secretariat, the CARICOM Secretariat and the CARICOM member states and their Legislatures with regard to increasing threats to parliamentary democracy.

The 2011 elections produced one party with the single largest bloc of votes which assumed the Presidency and the Executive in accordance with the Guyana Constitution with 32 seats, one seat short to hold the majority in the Legislature. The two opposition parties, separately received 26 and 7 seats respectively, and therefore together hold the majority of one in the National Assembly. The November 28, 2012 briefing of the Government describes how the constitution, parliamentary standing orders, practices and norms are being undermined, violated and overthrown.

In the 2012 Budget debate two political parties voted to reduce the budget by GY \$ 20 Billion (approx \$ USD 100 M) ,and, subsequently have voted down a number of supplementary financial papers, motions and bills. In contrast, they have brought bills that have violated the constitution and attempted to amend the constitution by a simple majority when it calls for a two-thirds majority. They have brought bills and passed bills that amend financial laws which if assented to by the President would be in conflict with the Constitution.

As a result of the July-August 2012 disturbances, a Commission of Inquiry was established in September 2012 through a government-opposition agreement comprised of 3 CARICOM and 2 Guyanese Commissioners. This Commission reported its findings on February 28, 2013.

The Government has been forced to approach the High Court on several occasions in the last year to interpret, advice and rule on actions taken in the Parliament on the reduction of the Budget 2012, on the gagging of a Member of Parliament and the constitution and statutes.

The last 15 months have posed enormous challenges to the government to be able to focus its energies and efforts to execute many of its programmes, to maintain political and economic stability, and to take action with regard to many of the recommendations of the Third Round Review.

Most recently, March 14, 2013, the two opposition parties defeated a bill brought by the government to bring Guyana into compliance with its treaty obligations with regard to the trafficking of weapons and their components.

In the 2007-2011 period 140 bills were enacted, in the last year 12 have been enacted.

The parliamentary committees which oversight government performance commenced functioning a year after the new parliament was established. The Opposition parties control both the Speaker and the Deputy Speaker and chair all the parliamentary committees except 3, but, they hold the majority in all.

Efforts at bi-partisan dialogue led by the President have produced little but these efforts continue.

Whilst allegations of corruption have been a major platform of the opposition and the media in this period, there has been little interest in such review processes such as the MESICIC and its recommendations, and, or, working towards genuine efforts to improve and strengthen the fight against corruption.

Guyana has taken its obligations to the IACAC and the MESICIC very seriously and therefore feels obligated to indicate to the Committee that this period has not seen significant movement on the recommendations made in the Final Report on Guyana at the Third Round Review in March 25, 2012.

## **HONDURAS**

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1. 2012.- With the support of the World Bank project “Enhancing government oversight by improving citizen participation and the capacities of oversight entities” and the participation of the civil society organizations National Anticorruption Council (CNA), Association of Municipalities of Honduras (AMHON) and FONAC, an electronic project called the “National Accountability Agenda” was implemented on the website of the Superior Court of Auditors with the aim of allowing citizens to submit proposals and institutions to reach out to the citizenry on accountability in order to adequately address society's needs. (See: <http://www.tsc.gob.hn/agenda/preguntas.html> )

2. The Government adopted the Plan on Transparency and Fight against Corruption 2011-2014 (<http://www.sdp.gob.hn>)

3. There are several projects underway in the framework of the process of strengthening the transparency and responsibility of public institutions: (a). Access to Public Information Institute (IAIP), whose objectives include: The review and update of the IAIP Strategic Plan, design and development of citizen assistance centers, design and implementation of the electronic information system of Honduras, etc. ([www.tsc.gob.hn/agenda/preguntas.html](http://www.tsc.gob.hn/agenda/preguntas.html))

4. The National Office for Comprehensive Internal Control of Public Sector Institutions (ONADICI) was launched at the beginning of 2011. In connection with the foregoing, Executive Decision No. Zero 38-2010 was published in *La Gaceta*, the Official Gazette, setting out the government’s policy on institutional internal control.

This is one of the best anticorruption strategies in this field. All of foregoing is part of the National System for Public Resources Oversight (SINACORP). (See: [www.tsc.gob.hn](http://www.tsc.gob.hn))

5. One fact that we consider significant is the appointment of the internal auditors of public administration institutions, who are selected as part of an independent process in each institution conducted by ONADICI, with the approval of the Superior Court of Auditors (TSC), which requires institutions to choose or select the internal auditor from a shortlist of three candidates proposed by said institutions.

6. Decree 134-2011 of August 16, 2011 introduced, *inter alia*, the following reforms to the Organizational Law of the Superior Court of Auditors: (1) Sworn declarations of income, assets, and liabilities verified by the TSC shall have the character of pre-constituted proof; (2) Increased powers of the TSC to examine and investigate the operations of taxpayers on which action lapses after 10 years; (3) Stiffer penalties. Furthermore, new regulations were adopted for the above law and published in the Official Gazette on September 22, 2011.

7. Honduras' accession to the Extractive Industries Transparency Initiative (EITI-Honduras) was published in the Official Gazette on December 29, 2012.

8. In coordination with authorities of the judicial branch, National Human Rights Commission, Access to Public Information Institute, Public Prosecution Service, Superior Court of Auditors, Office of the Attorney General, and National Anticorruption Council a proposed Comprehensive Anticorruption Policy Law was presented ("as a state policy").

## **JAMAICA**

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During the period December 2010 to March 2013, a number of steps have been taken by Jamaica to comply with the recommendations of the Commission. These include:

1. The adoption of the *Financial Administration and Audit Act, Financial Management Regulations 2011*, which outline in greater detail the precise timelines which must be met in the delivery by government agencies of appropriation accounts to the Auditor General. The regulations establish clear sanctions for breaches of these timelines.

2. The passage of the Protected Disclosures (Whistleblower) Act in 2011. The Act, establishes reporting obligations for those public officials and employees who were not previously required to report to appropriate authorities, acts of corruption in the performance of public functions of which they are aware. The Act also establishes measures of protection for public officials who report acts of corruption in good faith in order to protect them from the threats or reprisals that they may be subject to as a result of carrying out this obligation.

3. Both the Office of the Services Commission and the Corruption prevention Commission have taken active steps to intensify awareness campaigns and provide training for public officials on their legal and ethical duty to furnish their declarations of income, assets and liabilities.

4. The Access to Information Unit has also implemented public education programmes targeted at various stakeholder groups and interests, ranging from senior citizens to young people in rural and urban communities in connection with their right to access information from public bodies under the Access to Information Act. The Access to Information Unit has utilized electronic media such as its website: [www.ati.gov.jm](http://www.ati.gov.jm) and its YOUTUBE Channel: atiunitjamaica and Twitter: atiunitjamaica account to communicate with all stakeholders and has provided information on access to information locally, regionally and globally. The Unit also developed and implemented training programmes for public servants.

## **MEXICO**

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Mexico has undertaken to implement and follow up on the Inter-American Convention against Corruption. It has, therefore, taking steps to strengthen the commitments that it adopted upon ratifying the Convention.

With regard to transparency and access to information, in 2010 it issued the Universal Management Handbook on Transparency and Archives, a regulatory instrument that has enabled every institution in the federal public administration to disclose increasingly more socially useful information that helps citizens to improve their decision-making.



Similarly, in 2011, the Federal Institute for Access to Information and Data Protection (IFAI) lobbied for the adoption of a proposed Federal Archives Law (LFA) , which passed on December 8, 2011, and was published in the Official Gazette of the Federation on January 23, 2012. One of the purposes of the above law is to govern the organization and conservation of the institutional archive system for obligated entities, to ensure that the latter's archives are kept updated and that the information they contain with respect to their management indicators and use of public resources as well as of any other information that might be of high value to society can be published on line.

As regards the issue of ethics and integrity, on March 6, 2012, general guidelines were adopted for the introduction of permanent measures to ensure integrity and ethical conduct on the part of public servants in the performance of their official work, duties, or missions (Integrity and Ethics Guidelines), including the obligation for offices and entities of the federal public administration to prepare or update their own codes of conduct in line with the Federal Public Administration Code of Ethics, having consideration to each institution's specific activities.

As regards combating corruption, on June 11, 2012, the Federal Government Contracting Anticorruption Law was adopted, one purpose of which is to punish national or foreign individuals and corporations that commit acts of corruption in government procurement procedures, including significant penalties as a deterrent against corruption by companies Article 33 of this law recognizes self-regulation mechanisms that companies may adopt, such as a corporate integrity program and internal controls.

Finally, the SAT (tax authority), carried out a large-scale nationwide training campaign in 2010, covering 1,994 civil servants, on detection of bribery of national and foreign government officials. The purpose of the training campaign was to present tax examiners with the technical tools contained in the Strategies to Detect Bribery of National and International Officials in the exercise of their verification duties, and to promote the duty to report the crime of bribery of officials to the justice authorities. Reinforcing that training, a further 3,545 officials received the same training in 2011, as did another 2,212 in 2012.

## NICARAGUA

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Since 2007, the State of Nicaragua has been implementing a policy of zero tolerance against corruption through its National Human Development Plan, by means of strategic measures on good governance, including Strategic Guideline III.7 Participatory Public Management and Direct Democracy: *“The Government of National Unity and Reconciliation, aware of the need for an effective, efficient, and transparent public administration in keeping with domestic law and international treaties, conventions, and instruments, continues to combat all forms of corruption in the performance of public functions, as well as acts of corruption specifically connected with such performance. In so doing, it promotes and strengthens measures to more effectively and efficiently prevent and combat that scourge.”*<sup>12</sup>The foregoing facilitates implementing the recommendations, measures, and actions recommended by the Committee of Experts.

In that connection, the national anticorruption policy was finalized on July 9, 2012, with the official adoption of the National Strategy for the Integral Development of Good Governance, whose objective is "to establish lines of action by which the State of Nicaragua may ensure the integral

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<sup>12</sup> Preliminary Version of the National Human Development Plan 2012-2016, p. 69, paragraph 321.

development of good governance in the delivery of quality, humane, efficient, and transparent services that address the interests of the population.”

A number of basic structures were created for its implementation, including, the National Committee for the Integral Development of Good Governance (CNDIBGP) and working subcommittees (Subcommittee on promotion of and education in values, Subcommittee on societal oversight and examination of the conduct of public affairs, Subcommittee on the application of laws, Subcommittee on promotion of the investigation and repression of crimes against the public administration),<sup>13</sup> and the Technical Secretariat, which is the technical coordination body that implements the operational, organizational, logistical, and administrative processes of the National Committee for the Integral Development of Good Governance.

In this context, on July 9, 2012, official approval was given for the Good Governance Strengthening Program which enjoys the staunch commitment of the Government of National Unity and Reconciliation (GRUN) and the backing of international cooperation agencies, which support the implementation of the National Strategy and the execution of such key activities as: The National System of Transparency and Good Governance Indicators and the updating of the Plan of Action on the recommendations of the MESICIC prepared by the State in 2006, in order to have in place a dynamic, streamlined instrument for daily use in implementing the recommendations and clearly identifying institutional responsibilities in keeping with the functions and responsibilities in the recommendations from the first, second, and third rounds of review made by the State Nicaragua.

The State has also made progress with modernizing the government and now has a Governmental Management Information System (SIGRUN), which consists of a comprehensive strategic follow-up system managed and coordinated by the Technical Secretariat of the Office of the President of the Republic, which serves to process information on the activities contained in institutional plans

The System is a computerized platform in which all 52 institutional operational plans have been automated. It is equipped with a follow-up system that generates early warnings on fulfillment of the indicators it contains, using a balanced scorecard methodology for monitoring and internal follow-up on annual operating plans, facilitating timely decision-making on aspects such as international recommendations applied to institutional plans in the executive branch.

In the period covered by this report a number of important laws that strengthen the fight against corruption have been adopted, including:

- Law 745, Law on Enforcement, Benefits, and Jurisdictional Control of Criminal Sentencing, published in Official Gazette No. 16 of January 26, 2011.
- Law 739, Law Creating the Financial Analysis Unit, published in Official Gazette No. 117 of June 22, 2012.

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13 The Committee is composed of representatives of the Supreme Court of Justice, National Assembly, Supreme Electoral Council, Office of the Comptroller General, Private Secretary for National Policies of the Office of the President, Office of the Attorney General, Human Rights Ombudsman, Office of Public Ethics, National Police, Public Prosecution Service, Ministry of the Interior, Ministry of Foreign Affairs, Ministry of Education, Ministry of the Family and Children, Ministry of Natural Resources and the Environment, Ministry of Health, Association of Municipalities, Association of Civil Society Organizations, Association of Organizations of the Social Coordination Agency, and Superior Private Business Council.

- Law 882, Tax Consensualization Law, published in Official Gazette No. 241 of Monday, December 17, 2012.
- Law 49, Law Reforming the Amparo Law, published in Official Gazette No. 35 of February 22, 2013.
- Law 735, Law on Prevention, Investigation, and Prosecution of Organized Crime and Administration of Seized, Confiscated, and Abandoned Assets, published in Official Gazette No. 199 of October 19, 2010.
- Law 737, Law on Public-Sector Administrative Procurement, published in Official Gazette No. 213 of November 8, 2010.
- Decree 75-2010, General Regulations on the Law on Public-Sector Administrative Procurement, published in Official Gazette No. 239 of December 15, 2010.
- Decree 70-2010, Regulations on the Law on Prevention, Investigation, and Prosecution of Organized Crime and Administration of Seized, Confiscated, and Abandoned Assets, published in Official Gazette No. 223, of November 22, 2010.
- Decree 007-2013, Regulations on the Financial Analysis Unit, published in Official Gazette No. 15 of February 8, 2013.
- Resolution UAF-DIR 001/2013, Rules on Registration of Obligated Persons, published in Official Gazette No. 30 of February 15, 2012.
- Decision 193 of September 12, 2011, of the Supreme Court of Justice, approving the Code of Ethics for Public Servants in the Judicial Branch.
- Executive Decree 51-2012, Disciplinary Regulations of the National Police issued by the President of the Republic, which will enter into force in June 2013.
- Presidential Decision 227-2010, calling for the formation of the National Committee for the Integral Development of Good Governance, published in Official Gazette No. 185 of September 29, 2010.
- Presidential Decision 02-2013, Appointment of the Private Secretary for National Policies of the Secretariat of the Office of the President to the National Committee for the Integral Development of Good Governance, published in Official Gazette No. 5 of January 11, 2013.
- Decision to Reform the Citizen Complaint Processing Procedure, published in Official Gazette No. 1 of January 7, 2013.

## **PANAMA**

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1. National Authority on Transparency and Access to Information (2013): On the initiative of the National Transparency Council, the process is underway for the enactment of a law creating an independent and autonomous authority. The proposed law contains 52 articles and its principal

objective is to monitor compliance with the Transparency and Access to Public Information Law in Panama, as a means to circumvent the difficulties in which efforts to implement the latter law have been ensnared since its adoption 10 years ago. In addition to enhancing transparency in the conduct of public affairs, the bill also intends that the authority review administrative steps adopted to increase transparency, prevent and punish acts of corruption in state entities, and become one of the governing bodies for implementing the recommendations made in the evaluation processes under the various international commitments that the Republic of Panama is required to fulfill

2. Regional Anticorruption Academy (ARAC). The Academy is an initiative presented by the government of Panama through the executive Secretariat of the National Council for Transparency against Corruption at the first session of the Implementation Review Group of the United Nations Convention against Corruption held in Vienna, Austria, from June 28 to July 2, 2010.

3. The Academy offers specialized courses to equip all civil servants with skills to prevent, detect and deal with corruption. The training program has held courses with national and international lecturers. To date, the Academy has provided training to 450 people with 12 courses imparted by international lecturers, each addressing a different topic related to the fight against corruption.

4. Open Government Partnership (2012): On January 12, 2012, the Government formally announced to the Department of State of the United States its intention to join the Open Government Partnership (OGP), an initiative aimed at creating a more transparent, participatory, and responsible government through follow-up on plans of action. In its first plan the Government undertook to implement an on-line citizen consultation and participation mechanism with the aim of enabling all state entities to consult the public about the issues required under the Transparency Law as well as about the policies and programs that they carry out on which they are required to consult the citizenry.

5. Regulation of E-Government Procedures (2012): Based on a bill introduced by the President of the Republic, on November 9, 2012, the Panamanian Congress passed Law 83, whose regulations establish the principles and validity of the country's online procedures, guaranteeing a solid basis and a valuable frame of reference for effective and transparent management of e-government procedures.

6. State Multi-Services Telecommunications Network: Decree 519 of August 9, 2012 This program provides voice, data, Internet, and video services to state institutions over a redundant network contract out to local operators, bringing an improvement in state communications, reducing costs, and allowing procedural interoperability among different agencies.

7. National Internet Network (2010): Panama has become the first country in the world to offer free border to border Internet access, with a coverage of approximately 84 percent of the population. Under this project, the Government aims to use information technologies to bring about citizen inclusion, in particular, students, as well as enabling small and medium-sized enterprises and producers to broaden their commercial horizons.

## **PERU**

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1. As regards strengthening the system of government hiring, on January 4, 2013, the executive branch introduced Bill 1846/12-PE “Civil Service Law.” The bill proposes that the civil service recruitment process be based on the principles of meritocracy and equality; it also describes the rights and obligations of civil service employees, training, the disciplinary regime, and punitive procedures.

2. The following improvements implemented in the system of procurement of goods and services are worth noting: expansion of the use of the State Electronic Procurement System (SEACE) following the adoption of Directive 007-2012-OSCE/CD, which governs the mandatory registration by entities in the SEACE of all facts connected with tender procedures that they hold, the contracts that they sign, and the performance thereof; mandatory monthly disclosure in the SEACE of all small contracts, in accordance with Law 29873 promulgated on June 1, 2012; and implementation of citizen watchdogs by the regional government of Piura under Regional Ordinance 229-2011/GRP-CR of November 14, 2011.

3. The Peruvian State has also made progress in implementing measures to protect public servants and private citizens who in good faith report acts of corruption. In that regard, on April 22, 2011, Executive Decree zero 38-2011-PCM was adopted enacting rules applicable to Law 29542 (Law on Protection of Whistleblowers in Administrative Proceedings and Plea Bargaining in Criminal Proceedings)

4. As for criminalizing acts of corruption in keeping with the convention, on March 5, 2013 the executive branch introduced to Congress Bill 01978/2012-PE modifying the definition of “public official” contained in Article 425 of the Criminal Code. The draft law specifies that a public official or public servant acquires their status as such upon their appointment or their proclamation by the appropriate electoral authority.

5. In the area of tax, in July 2012 three legislative decrees were adopted aimed at fighting corruption and improving tax control: Legislative Decree 1113 modifying the Amended Consolidated Text of the Tax Code; Legislative Decree 1114 modifying the Tax Offenses Law; and Legislative Decree 1115 introducing measures to strengthen the Tax Court. These amendments recognize, inter alia, the following acts as tax offenses: presentation of false information in the registration or modification of data in the taxpayers registry, unlawful printing of invoices, bills of sale, and credit or debit notes.

6. As to the adoption of measures for prevention of bribery of national or foreign government officials, on June 10, 2011, Peru enacted Law 29703 recognizing “acceptance of bribes by international government officials” as a criminal offense.

7. Finally, it is worth noting, that Executive Decree 119-2012-PCM was passed, adopting the National Plan for Combating Corruption (2012-2016). The Plan contains five specific objectives, 15 strategies, and 55 measures to be implemented nationwide. The plan includes measures for both preventing and combating corruption.

## **SURINAME**

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During the three rounds of review, several developments in Suriname regarding the fight against corruption, in relation to the Convention were discussed. In consequence, there were

numerous recommendations to Suriname. Although Suriname haven't reached the point where we can say that all the recommended measures are now in force, significant steps forward were made in this process. It good to emphasize that the current concept of the anti-corruption law and the adaptation of the Criminal Code (July 2012), is now significantly focused on the recommendations done by the committee, compared to the previous concept.

Furthermore, the Government has stressed a "crusade against corruption" in their Government statement 2010 – 2015. The non-governmental organization, Projekta, which is mentioned in the interim report, has selected a large part of the existing legislation, as part of their trainings regarding (anti) corruption for (among others) Government officials and members of the Parliament. At the request of the National Assembly (The Parliament) and the UNDP Suriname, this NGO is currently working on a compilation of legislation in order to prevent or fight corruption. It is intended that this collection is being made in consultation with various stakeholders. Of the most important legislation in this respect there will be given an explanation in plain clear - to the average citizen understandable – language. In this context, inter alia the measures against improper use of state property, improper land allocation, contracting of public works and access to information with regard to the different departments and their duties (and requirements when a specific service is needed) are so far seemed to consider as important.

The MESICIC recommendations include:

- Consider strengthening and updating systems of control and use of resources within the public administration.

- Consider strengthening the functions of, and where appropriate, create oversight bodies that enforce compliance with the matters covered by the selected provisions of the Convention and provide them with the necessary resources to enable them to carry out their functions in full.

- Establish a requirement that all government entities, to the extent practicable publicize their procedures, results, and other relevant information.

- Design and implement, where appropriate, training programs for public servants responsible for application of the systems, standards, measures, and mechanisms.

- Strengthen systems for the procurement of services by the government.

- Modify and/or complement the Criminal Code, in order to expand the coverage to meet the requirements of Article VI.1 of the Inter-American Convention against Corruption.

- Publish Suriname's tax legislation and commercial Code and all related information, through official portals, so that it is freely available in order to facilitate its consultation, application, and dissemination.

With regard to the above mentioned recommendations, the following developments are being mentioned:

- Introduction of a detailed mission report form. Upon return to the country, the representative of Suriname to any international meeting/ activity must complete an extensive

questionnaire (A more than fifty questions counting document). Prior to the mission, a commitment to this form of report is signed.

- Introduction of a system by the Government within the different departments, through which improper telephone usage by officials (e.g. for private purposes) should be avoided or eliminated and the telephone costs should be lower. Each Department/ Ministry has access to an x-number of phone lines and phones, within which calls can be made back and forth.

- Strengthening of the judiciary (Judges and Public prosecutors) in 2011 with seven judges and in 2013 with 8 prosecutors. These officers reflected on a published application for people with a master's degree in law. After a selection procedure they were selected and trained during a five year course. The selection takes place under the supervision of the Council for Recruitment and training of Magistrates. At the moment a group of eight law graduates, are in there fourth year of the (five year during) training to become judges.

- Two new buildings for the judiciary, from which one will be taken into use within short term.

- Kick off in June 2012 of the process of implementing a written and enforceable Code of Ethics for the Judiciary during a workshop of the Management of the Judiciary.

- Courses on a regular basis, regarding e.g. actualities in Law.

- Strengthening of the Audit Office in April 2012, by lifting the understaffing through appointment of a chairman and three new members. This institute operated some years without a chairman.

- Launching of the Government website ( [www.gov.sr](http://www.gov.sr) ), with links to all the different departments (Ministries). On the website the public can find among others, permit conditions, procedures, requirements. On most of the links of the Ministries/ departments, it is possible to file a complaint.

- All Ministries have an information program on television, in which developments and information related to this department are discussed.

- Weekly issue of "The Government Newspaper" in which information regarding the departments is published. E.g. the Ministry responsible for issuing domain land - which includes decisions concerning procurement - publishes a list with the names of people who were allocated Domain land.

- On behalf of the Ministry of Justice and police, Government employees were trained on (anti)corruption issues by a NGO about August 2012.

- The same NGO provided the members of Parliament with information in relation to their role in the fight against corruption.

- Publication on the website of the Cabinet of the Vice President (who is chair of the Council of Ministers) Public Tenders.

- Publication and entry into force on 06/10/12 of the procurement rules for (public) works and the execution conditions.

- In accordance with the recommendations in the second round, a revised draft Anti Corruption Law and additions to the Criminal Code (concept 24 July 2012), were produced.

- The Office of Tax Administration has an updated website.

- Tax legislation (11 acts) is published on a website ([www.dna.sr](http://www.dna.sr) › Geldende tekst (tot 2005) › Belasting)

- Financial - economical acts are published on a website ([www.dna.sr](http://www.dna.sr) › Geldende tekst (tot 2005) › Financial Economisch)

## **TRINIDAD AND TOBAGO**

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1. A Bill on Public Procurement and the Disposal of Public Property and the Repeal and Replacement of the Central Tenders Board Act is currently before the Legislative Review Committee, a subcommittee of Parliament. The purpose of the Bill is to foster efficient, effective and transparent procurement system which would reflect value for money, transparency and public accountability through legislation and to foster procurement laws and regulations and promote open and good governance.

2. With respect to training, seven training sessions were held with respect to the role and functions of the various Service Commissions and the conduct of One Man Disciplinary Tribunals by the Legal Unit of the Service Commissions Department. Education seminars were also held by the Integrity Commission on the code of conduct as outlined in the Integrity in Public Life Act. The Office of the Director of Public Prosecutions has drafted a training plan for 2013 as well as the Office of the Ombudsman. The training plan by the Office of the Ombudsman is aimed at enhancing the work performance of officers to ensure the consistent delivery of a high standards of service to clients and the achievement of the strategic goals of the Office, in particular, the core functions of the Office, that of investigation and resolution of complaints.

3. The Auditor General Department has taken steps to strengthen its work in the following areas: independence and legal framework; financial audit.; value for money audit; human resources covering Code of Ethics; functional review of the Department covering governance and organization structure; information technology; managing finances, performance and impacts; knowledge finances, performance and impacts; knowledge management and communications; and managing external relations. This institutional strengthening is being undertaken with financial assistance from the Inter-American Development Bank.

4. The Public Service Commission has hired a Legal consultant to undertake a holistic review and redrafting of the Public Service Commission Regulations to include case management of disciplinary matters and the use of Alternative Dispute Resolution as part of the disciplinary process.

5. With respect to the implementation and use of electronic tools, the Auditor General Department has implemented an INTRANET to link the Head Office with the two Branch offices, one in San Fernando, and the other in the island of Tobago; the Office of the Director of Public



Prosecutions has established a Process and Technology Committee, in order to implement new software to create a virtually paperless system and facilitate easy, accurate and smooth processing of information; and the Integrity Commission has taken steps to implement a system for the electronic processing of declarations of incomes, assets and liabilities.

## **URUGUAY**

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There are three areas of progress particularly worth underscoring in the period covered by the report

The first and most important measure is the Draft Law on Strengthening Public Transparency, which on the initiative of JUTEP was presented by the executive branch to the General Assembly on February 23, 2011.

Many of the measures suggested for implementing the recommendations of the committee of experts in the first three rounds inspired the provisions contained in this draft law.

As regards standards of conduct, the prohibition on relations with controlled activities was extended for civil servants required to submit declarations of assets and income to one year after leaving the position on which the prohibition exists. The draft law provides for the creation of authorities to receive complaints of acts of corruption committed in public-sector agencies, as well as appropriate administrative and workplace protection for whistleblowing civil servants (identity protection, job stability);

As regards criminal provisions, the “crimes of transnational bribery” and “illicit enrichment” are recognized, thus creating two new classifications expressly cited in the Convention that were not previously envisaged in our system of laws.

With regards to sworn declarations of assets and income, obligated persons are required to write on the face of the envelope containing the declaration a summary of the average monthly income for the previous 12 months and of their total assets and liabilities. The list of organs with authority to require the opening of declarations was extended to include the Tribunal for Contentious-Administrative Disputes, among other measures.

The second most important measure was the dissemination of the standards of conduct and the training on those standards that various public sector entities [Transparency and Public Ethics Board (JUTEP), National Civil Service Office (ONSC), and Court of Auditors of the Republic (TCR)] propose and have carried out. - The plans cover topics such as public ethics, national and international anticorruption standards, prevention of conflict of interest, the sworn declaration of assets and income system, and other related issues.

Various municipalities in the country were able to access this training through courses imparted by JUTEP instructors. In addition, similar courses were given by the Court of Auditors (through its Government Audit School) and by ENAP, notwithstanding the existence of agreements between those entities and between them and international agencies (for example, between JUTEP and the UNDP). A distance-learning program is expected to be implemented soon through the information technology tool.

These activities are important from a prevention point of view: Broad dissemination of rules and training for officials on those rules tends to deter irregular conduct and avert conflict of interest.

The third measure worth noting is the progress made with the assets and income disclosure system. Two JUTEP resolutions (Nos. 3555/2011 and 3785/2012): The first increases the range of persons required to present a declaration to those who work at private companies belonging to public-sector agencies; the second puts to rest the doubts as to whether or not this obligation applied to alternate municipal councilpersons by providing that they have the same obligations as regular council member in that respect. Another resolution (No. 3752/12) included an additional 10 positions to the list of obligated persons. As a result of these three resolutions, among other factors, the number of persons required to submit a declaration rose by 6.6% between 2011 and 2012.

However, the software was updated, significantly improving the management system and enabling better and easier access to information by obligated persons. This process involved the AGESIC through a project that was carried out in 2011. In the framework of the Agency's so-called grant funds, JUTEP acquired a new sworn declaration management system that includes a module that can be accessed on line and enables the contact persons at each agency to transfer the information reported by obligated persons directly to the database.

A project is planned for implementing an electronic sworn declaration system, which will benefit obligated persons who do not reside in the capital, as well as affording greater system security. The project has already been approved by AGESIC and will also be implemented under the Agency's grant fund.

Finally, it should be noted, overall, that various sectors of public activity have become concerned with preventing conflict of interest, which denotes the concern on the part of the executive and legislative branches with the issue. Thus for example, Decree 322/11 of September 16, 2011, that regulates Law 18627, which governs the stock market in Uruguay, assigns the already created Audit and Oversight Committee internal control functions to monitor compliance with laws, regulations, and ethical standards as well as to report any conflict of interest that comes to its attention.

In addition, Law 18996 of November 7, 2011, provides at Article 198 that the National Resources Fund (a parastatal entity) shall require anyone functionally or technically connected to the Fund to declare any conflict of interest that may arise with respect to the bringing to market, production, financing, or use of certain technologies, devices, medical procedures, or medications.

There is certainly strong concern among different public and private actors in the most diverse areas of activity with preventing conflict of interest and quickly rectifying its effects wherever it is unearthed.

## **UNITED STATES**

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In 2011, the United States helped found the Open Government Partnership (OGP)—a multi-stakeholder initiative to promote transparency, enhance accountability, and fight corruption by harnessing new technologies and engaging civil society—and committed to an OGP National Action Plan with 26 initiatives designed to increase public integrity, promote public participation, manage public resources more effectively, and improve public services. Since the establishment of the OGP, the United States has enacted legislation that strengthens protections for federal employees who blow

the whistle on waste, fraud, and abuse in government operations; published guides concerning U.S. enforcement of the Foreign Corrupt Practices Act and U.S. asset recovery tools and procedures; provided assistance in drafting anti-money laundering and anti-corruption statutes compliant with international standards; and provided anti-corruption training to foreign investigators, prosecutors, judges, and private sector participants, including on foreign bribery offenses.

## **VENEZUELA**

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1. A variety of laws were promulgated, most notably the following: the Organizational Law on People's Power, Organizational Law on Societal Comptrollership, Law Partially Reforming the Office of the Comptroller General and the National Fiscal Oversight System, Law Partially Reforming the Organizational Law on Municipal Public Power, Law Partially Reforming Local Public Planning Councils, Law on the Crime of Smuggling, and Organizational Law on Employment and Workers. In addition, standards were adopted on administration and oversight of the risks connected with the crimes of money laundering and financing of terrorism that apply to institutions regulated by the National Superintendency of Securities, as well as with respect to the insurance sector.

2. Standards were adopted on morality and ethics in the banking sector:

2.1. Code of Ethics and Conduct of Employees, Workers, and Contracted Personnel of the Social Protection Fund for Bank Deposits with Regard to Money Laundering Prevention and Control Bank Deposit Guarantee Fund (FOGADE).

2.2. Code of Ethics of Employees of the Superintendency of Insurance

2.3. Code of Ethics of Employees of the Bicentennial Public Stock Market

2.4. Code of Ethics and Conduct of Employees, Workers, and Contracted Personnel of the Social Protection Fund for Bank Deposits

2.5. Standards to determine compliance with the rules on morality and ethics in banking Ministry of People's Power for Planning and Finance

3. A variety of norms and legal measures were adopted, notably the following:

3.1. Staff Rules of the Office of the Comptroller General

3.2. Standards on Ongoing Training and Retraining in the Police

3.3. Creation of a National Coordination Office for the Protection of Victims, Witnesses, and Other Persons in Proceedings Public Prosecution Service

3.4. Request for the presentation of updated sworn declarations of net worth to personnel of the Public Prosecution Service, the staff, employees, and workers who perform permanent, temporary, paid, or free, services as a result of an appointment or contract granted

by the competent authority, and police personnel at the national, state, and municipal level.  
Office of the Comptroller General:

3.5. Access guidelines to be observed by organs and entities of the national public administration in website development, implementation, and launch. Ministry of People's Power for Science, Technology, and Intermediate Industries

3.6. Standards governing the implementation conditions for the Police Strategic Information and Transparency System (SIETPOL).

3.7. Guidelines on citizen and community participation. Office of the Comptroller General:

3.8. Rules on the Promotion of Citizen Committees for Police Oversight Ministry of People's Power for Interior Affairs and Justice

3.9. Rules on Police Performance Evaluation Ministry of People's Power for Interior Affairs and Justice

3.10. Scale to be used in Public Competitions of Credentials and Merits for Entry to the Prosecutorial Career Public Prosecution Service

3.11. Rules on Public Competitions of Credentials and Merits for Entry to the Prosecutorial Career Public Prosecution Service

3.12. Legal, technical, and financial requirements to be met by individuals and legal persons interested in registration or updating their information on the National Contractors Roster (RNC) Office of the Vice President of the Republic

3.13. Use of the electronic performance evaluation system implemented on the website of the National Procurement Service ([www.snc.gob.ve](http://www.snc.gob.ve)) to upload contractors' activity or performance reports with respect to contracts National Procurement Service

3.14. Modification of the accountancy manual for the National Mutual Guarantee System for Small and Medium Enterprises Ministry of People's Power for Planning and Finance

3.15. Rules on the Registration of Public Accountants in Independent Professional Practice Ministry of People's Power for Planning and Finance

3.16. Introduction of rules governing foreign currency accounts in the national financial system Central Bank of Venezuela

3.17. Amendment of the Accountancy Manual for Banks, Other Financial Institutions, and Savings And Loan Entities by the Superintendency of Financial Institutions and Savings And Loan Entities

4. Eight training workshops on strengthening people's power were given by the Office of the Comptroller General in the period from May 2012 to January 2013. The workshops were attended by a total of 457 individuals from different public-sector agencies and entities in the central and decentralized public administration, as well as staff from state and municipal comptroller offices and members of community councils and social organizations.

5. 3,409 people's power representatives received training in dissemination and implementation of people's power laws through the Committee on Mass Media and Citizen Participation of the National Assembly.

6. Training was provided to 489 public administration employees on matters to do with internal control, government audits, government procurement, training, accountability, examination of accounts, and investigative powers by the National Superintendency of Internal Auditing (SUNAI).

7. 808 personnel from the Public Prosecution Service were trained in 2011 on matters to do with money laundering, the anticorruption law, and organized crime.

8. The Office of the Comptroller General Higher Studies Institute (COFAE) provided training to 142 participants in the Sworn Declaration of Net Worth Course; 1,068 in the Investigative Powers and Procedure for Determination of Liability Course; and 2,678 in the Public Procurement Law Course.

9. 9,172 persons received training under the Civic Training and Values Recovery Program of the Republican Morality Council, the body responsible for promoting educational activities on the Constitution of the Bolivarian Republic of Venezuela, love of the fatherland, civic and democratic virtues, the essential values of the fatherland, and observance of human rights.

10. 14,724 people received training in instruction, investigation, and publications at the Human Rights School of the Office of the Ombudsman

11. Creation of the foundation for research, training and development of the social function

12. The registration system for auditors, consultants, and independent oversight professionals was implemented; the regulations for that register were issued; the instructions for formalization and reception of registration applications, and the Standards on Execution of Work and Presentation of Results by Auditors, Consultants, Independent Professionals, and Firms of Auditors That Provide Oversight Services

13. 42 financial audits were carried out in the period covered by this report, in keeping with the procedure for verification of information supplied by public officials at their DJPs.

14. 79 punitive administrative proceedings were conducted, 60 of which were concluded or decided. In 45 of the latter a final decision was adopted at the administrative level for a total amount of US\$3,175,818.75.

15. The Office of the Comptroller General adopted the Manual of Standards and Procedures for Government Audits and the Manual for the Determination of Administrative Liability and Formulation of Objections.

16. In the period covered by the report, the CGR disqualified seven individuals from holding public office, suspended 23 without pay, and found 116 administratively liable, and therefore imposed on them fines commensurate with the seriousness of the fault and the amount of damages caused.

17. In the same period, the CGR intervened in 35 municipal comptroller's offices, five state comptroller's offices, and two internal audit unit's in response to situations that impaired effectiveness and efficiency in the exercise of control, monitoring, and oversight of income, expenditure, and public goods as well as relations in connection therewith.

#### **E. PART FIVE: COMPILATION OF PROGRESS REPORTS**

In compliance with the terms of Article 32 of the Committee's Rules of Procedure, this progress report contains a compilation of the progress reports presented by the countries in March 2013, copies of which were made available at the Anticorruption Portal of the Americas..

#### **F. PART SIX: ACTIVITIES CARRIED OUT IN THE FRAMEWORK OF THE MESICIC**

During the period covered by this progress report – December 18, 2010, to March 17, 2013 – several activities that were of importance for meeting the mechanism's goals took place within the MESICIC framework. The following paragraphs offer a very brief summary of the most notable of these, additional to those already described in the preceding sections of this progress report; the limited information they provide may be expanded upon by exploring the Anti-Corruption Portal of the Americas at the link provided. **PENDING**

##### **1. Adoption of 15 country reports by the MESICIC Committee of Experts:**

These reports, containing the review undertaken and the recommendations formulated to the countries in connection with the Convention provisions selected for each round, along with follow-up of the recommendations formulated in earlier rounds, were adopted by the Committee at the four meetings held during this period, following the order previously established for their review. These were: at the Eighteenth Meeting (March 21 to 25, 2011), the Third Round reports on Canada, United States, and Guyana, Jamaica, Saint Vincent and the Grenadines, and Guatemala; at the Nineteenth Meeting (September 12 to 16, 2011), the Third Round reports on Grenada, Suriname, Brazil, and Belize; at the Twentieth Meeting (September 10 to 14, 2012), the Fourth Round reports on Brazil, El Salvador, Mexico, Bolivia, and Paraguay.

## 2. On-site visits and their preparation:

As was previously noted, in the fourth round of review the Committee was given an important new responsibility with regard to the conduct of on-site visits, which serve to collect information "on the ground" about the steps and measures being taken to implement the Convention and the recommendations of the MESICIC, and during which meetings are held with the appropriate State authorities and with representatives of civil society and the private sector, as well as professional associations, academics, and researchers.

In carrying out the foregoing, the members of the review subgroups on Brazil (composed of the Dominican Republic and Uruguay), El Salvador (made up of St. Vincent and the Grenadines and Venezuela), Mexico (consisting of Canada and Peru), Bolivia (comprising Ecuador and the United States), and Paraguay (composed of Belize and Nicaragua), with the support of the MESICIC Technical Secretariat, made on-site visits to those countries where they collected important information about the legal/institutional framework of their oversight bodies, the results achieved by them, their best practices, obstacles, technical assistance needs, and measures underway in the above countries to implement the recommendations put to them in the first review round and the difficulties mentioned in that endeavor.

Work was also done on the preparations for the above on-site visits and for those corresponding to the second group of countries to be analyzed in the fourth round of review, which comprised Peru, Costa Rica, Argentina, Trinidad and Tobago, and Honduras. In particular, this work entailed the preparation of the draft agendas for the visits and coordination with the respective contact authorities in a bid to ensure that the representatives of the oversight bodies to be examined, as well as those of civil society, the private sector, and professional associations, in addition to the academics and researchers to be interviewed, might in the course of the on-site visit provide the information that was requested of them in a comprehensive and timely manner.

## 3. Topics of collective interest

The three meetings that the Committee held in the period covered by this report addressed different topics of collective interest:

### - Eighteenth Meeting

The delegations of Brazil and Mexico gave presentations on the subject of "Good Practices in Promoting Ethics in the Private Sector and Cooperation among the Public and Private Sectors and in Preventing and Combating Corruption."

### - Nineteenth Meeting

- The delegation of the United States gave a presentation on that country's legal framework for asset recovery.

- The delegation of Costa Rica gave a presentation on the social harm caused by acts of corruption and the recognition of that fact by the country's courts.

- The delegation of Brazil gave a presentation on the Open Government Partnership initiative.

- The delegation of Chile gave a presentation on the open agenda of the Comptroller's Office and on certificates of origin.

- Twentieth Meeting

- The delegations of the United States, Peru, and Colombia gave presentations on the subject of “The Responsibility of the Private Sector in Preventing and Combating Corruption.”
- The delegations of the United States, Brazil, Uruguay, and Mexico, and the Technical Secretariat offered presentations on the subject of “The MESICIC and the Open Government Partnership (OGP).”

4. Events Held:

A) The OAS General Secretariat, through the Department of Legal Cooperation and in collaboration with the Government of Peru, held a workshop in Lima, Peru on April 6 and 7, 2011, to discuss a draft model law on protection of whistleblowers and witnesses of acts of corruption, which was attended by experts on the subject from several Latin American countries.

B) The OAS General Secretariat, through the Department of Legal Cooperation and in collaboration with the Government of Argentina, held a workshop in Buenos Aires, Argentina, on May 31 and June 1, 2011, to discuss a draft model law on declarations of net worth and interests by persons who perform public duties, which was attended by experts on the subject from several Latin American countries.

C) The OAS General Secretariat, through the Department of Legal Cooperation and in collaboration with the Government of Colombia, held the Second Conference on Progress and Challenges in Hemispheric Cooperation against Corruption in Cali, Colombia, on June 21 and 22, 2011. The governmental and civil society experts from all over the region who took part in the event discussed issues such as protection of corruption whistleblowers, declarations of net worth and interests, civil society participation and private-sector responsibility in the fight against corruption, and training initiatives as useful tools for preventing this problem.

D) The Government of Mexico, the OAS General Secretariat, and the Open Government Partnership (OGP) jointly organized in Mexico City on March 20, 2012, an event called "Regional Dialogue for Open Government", which was attended by government officials, representatives of international agencies, academics, and civil society organizations, with the purpose of promoting cooperation and the exchange of information on transparency and accountability for improving delivery of public services, efficient and transparent management of public resources, the right of access to information, and stimulating citizen participation.

E) The government of Colombia, with the support and sponsorship of the OAS General Secretariat (through its Department of Legal Cooperation), OECD, UNDP, EUROsociAL II, and IDB, held in Bogotá, Colombia, on March 7 and 8, 2013, an event titled “Regional Meeting on Private Sector Responsibility in the Fight against Corruption,” which was attended by experts from countries in different regions of the Americas to discuss, *inter alia*, issues connected with corporate liability, whistleblower protection, pro-ethics lists and registries, and international standards on corporate ethics.



#### 5. Participation in other Events:

Attendance at events organized by other international agencies involved in anticorruption efforts, such as the OECD and the UN, and by government agencies in the MESICIC member countries and civil society organizations, including the following:

- Training workshops organized by the Permanent Forum of Prosecution Units for Administrative Investigations and Anticorruption Offices of the Republic of Argentina and held at the Casa de la Provincia de Santa Fe, in Buenos Aires, Argentina, in June 2013.
- The Second Forum of Central America and the Dominican Republic for Transparency, held in San Jose, Costa Rica, in November 2011 and jointly organized by the Government of Costa Rica, Transparency International, the National Democratic Institute for International Affairs, the International Institute for Democracy and Electoral Assistance (International IDEA), the State Program of the Region, and the Foundation for Peace and Democracy (FUNPADEM).
- The first seminar of the Anticorruption Academy of the Ministry of Public Administration of Mexico, held in Cuernavaca, Mexico in November 2011.
- The International Seminar on Probity and Transparency in the National Congress and the Party Political System held at the National Congress of Chile in January 2012.
- The Latin American Meeting: Combating Transnational Corruption, held in Bogotá, Colombia in March 2012, and jointly organized by the Government of Colombia, the OECD, and the United Nations Office on Drugs and Crime (UNDOC)
- The Third Central America and Dominican Republic Forum for Transparency, held in Tegucigalpa, Honduras in October 2012, and jointly organized by the Government of Honduras and Transparency International.
- The fifteenth International Anticorruption Conference (IACC) held in Brasilia, Brazil in November 2012.
- The first International Academic Symposium – Successful Latin American Experiences in Controlling Corruption," held in Quito, Ecuador in December 2012, and jointly organized by the institutions that comprise the Transparency and Social Oversight Function of Ecuador.

#### 6. Preparation of model legislation

The OAS General Secretariat, through the Department of Legal Cooperation of the Secretariat for Legal Affairs, proposed, within the framework of a cooperation program funded by the Government of Spain, to make available to the MESICIC member countries model laws on two important topics that have been analyzed by the Mechanism: (i) Declaration of interests, income, assets, and liabilities by persons who perform public functions; and (ii) Reporting of acts of corruption and protection for whistleblowers and witnesses.

A broadly participatory methodology was adopted for drafting the model laws, under which, to begin with, the Department of Legal Cooperation prepared the first drafts drawing on the professional services of international consultants to that end.

Subsequently, the drafts were discussed at workshops attended by officials from different countries with expertise and direct experience of such matters by virtue of the functions performed by them. The workshop dealing with the first of the above topics was held in Buenos Aires on May 31 and June 1, 2011, and attended by officials from Argentina (as the host country), Brazil, Chile, Colombia, Spain, United States, and Mexico, as well as an expert from the World Bank. The workshop on the second of the aforesaid topics was held in Lima on April 6 and 7, 2011, and attended by officials from Peru (as the host country), Canada, Chile, United States, and Mexico.

The draft model laws were subsequently enriched with opinions put forward by the participants in the above workshops and presented at the Second Conference on Progress and Challenges in Hemispheric Cooperation against Corruption held in Cali, Colombia, on June 21 and 22, 2011, with the collaboration of the government of that country.

Finally, the draft model laws were submitted to the lead experts of the MESICIC member countries and civil society organizations interested in their subject matter, who made valuable contributions to their contents.

































As a result of the above participatory process, the draft model laws were ready for consideration by the plenary of the Committee of Experts of the MESICIC at its meeting in March 2013 and for formal adoption by the OAS General Assembly at its regular session in June 2013.

The text of the Model Law on the Declaration of Interests, Income, Assets and Liabilities of Persons Performing Public Functions contains important provisions regarding obligated persons, definitions, and time limits, contents, and methods for filing declarations, as well as others concerning verification procedures, registry, and preservation and custody of declarations, in addition to administrative and criminal penalties for noncompliance.

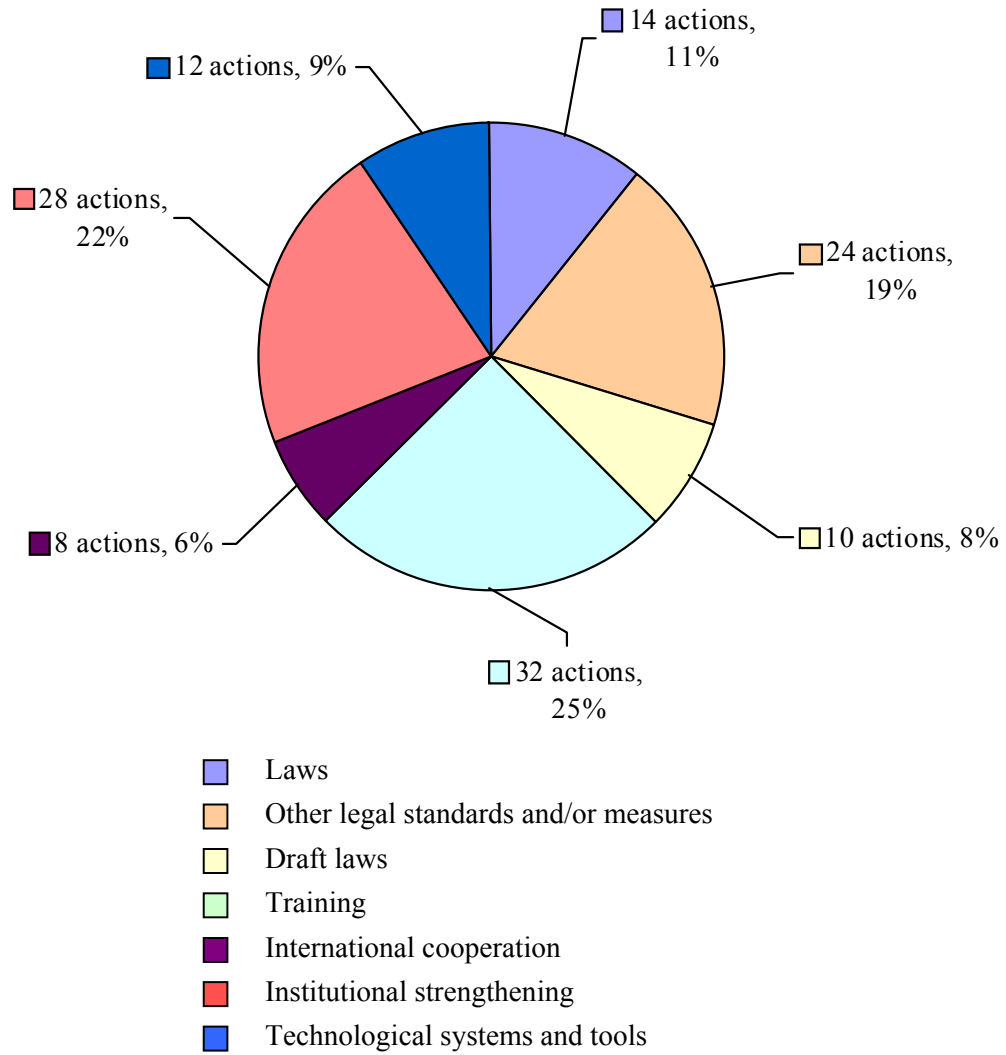
The text of the Model Law to Facilitate and Encourage the Reporting of Acts of Corruption and to Protect Whistleblowers and Witnesses contains important provisions on facilitating and encouraging the reporting of acts of corruption, as well as others on international cooperation for effectively protecting whistleblowers and witnesses with a view to the investigation and prosecution of acts of corruption, and on the creation and operations of government programs to that end.

**G. ANNEXES:**

**ANNEX I**  
**STATES PARTIES TO THE CONVENTION AND TO THE MESICIC**

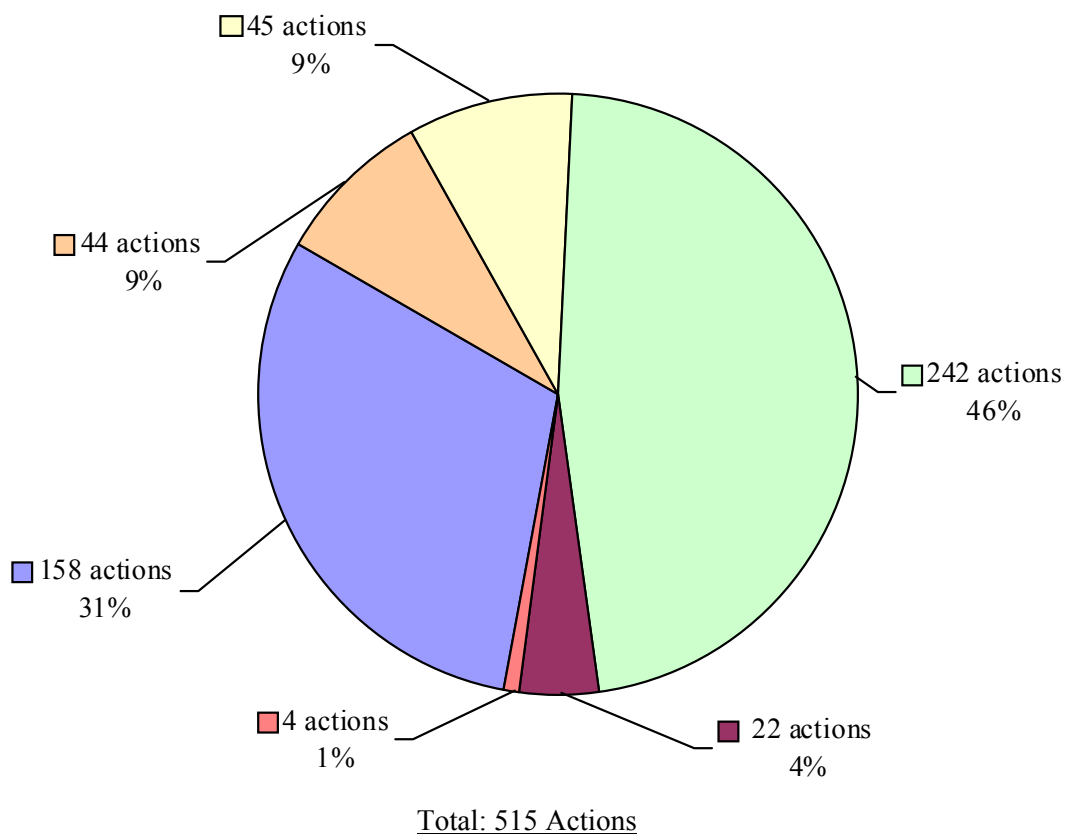
<b>State</b>	<b>Covention</b>	<b>MESICIC</b>
 Antigua and Barbuda	●	●
 Argentina	●	●
 The Bahamas	●	●
 Barbados	/	/
 Belize	●	●
 Bolivia	●	●
 Brazil	●	●
 Canada	●	●
 Chile	●	●
 Colombia	●	●
 Costa Rica	●	●
 Dominica	●	/
 Dominican Republic	●	●
 Ecuador	●	●
 El Salvador	●	●
 Grenada	●	●
 Guatemala	●	●
 Guyana	●	●
 Haiti	●	●
 Honduras	●	●
 Jamaica	●	●
 Mexico	●	●
 Nicaragua	●	●
 Panama	●	●
 Paraguay	●	●
 Peru	●	●
 Saint Kitts and Nevis	●	●
 Saint Lucia	●	/
 Saint Vincent and the Granadines	●	●
 Suriname	●	●
 Trinidad and Tobago	●	●
 United States	●	●
 Uruguay	●	●
 Venezuela	●	●

**ANNEX II**  
**GRAPHIC REPRESENTATION OF THE COMPREHENSIVE PROGRESS ACHIEVED**  
**REGARDING THE RECOMMENDATIONS ON THE PROVISIONS OF THE**  
**CONVENTION REVIEWED IN THE FIRST THREE ROUNDS CONSIDERED AS A**  
**WHOLE**



Total: 128 Actions

**ANNEX III  
GRAPHIC REPRESENTATION OF THE GREATEST PROGRESS ACHIEVED WITH  
RESPECT TO THE RECOMMENDATIONS FORMULATED IN THE FIRST ROUND OF  
REVIEW**

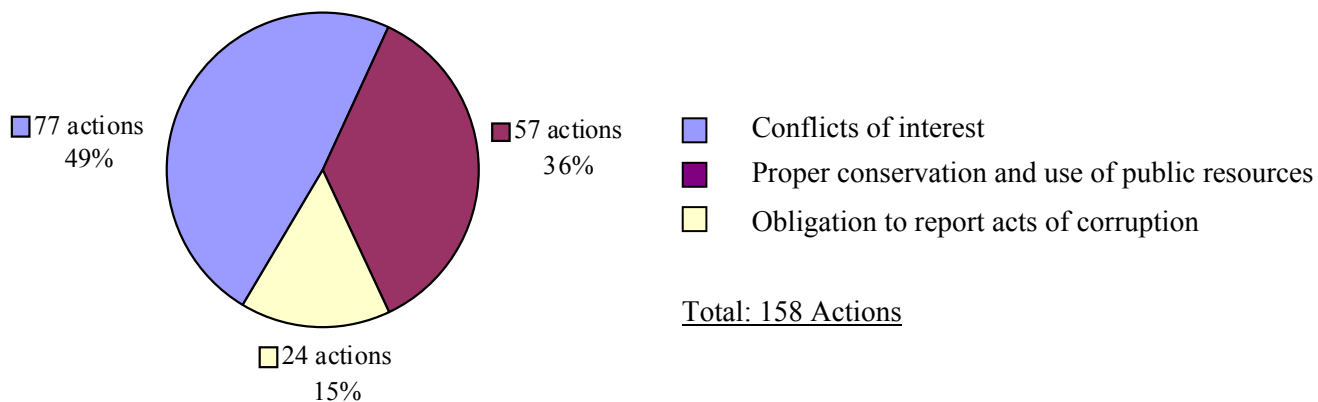


- Standards of conduct
- Declarations of income, assets and liabilities
- Oversight bodies
- Participation mechanisms
- Assistance and cooperation
- Central Authorities

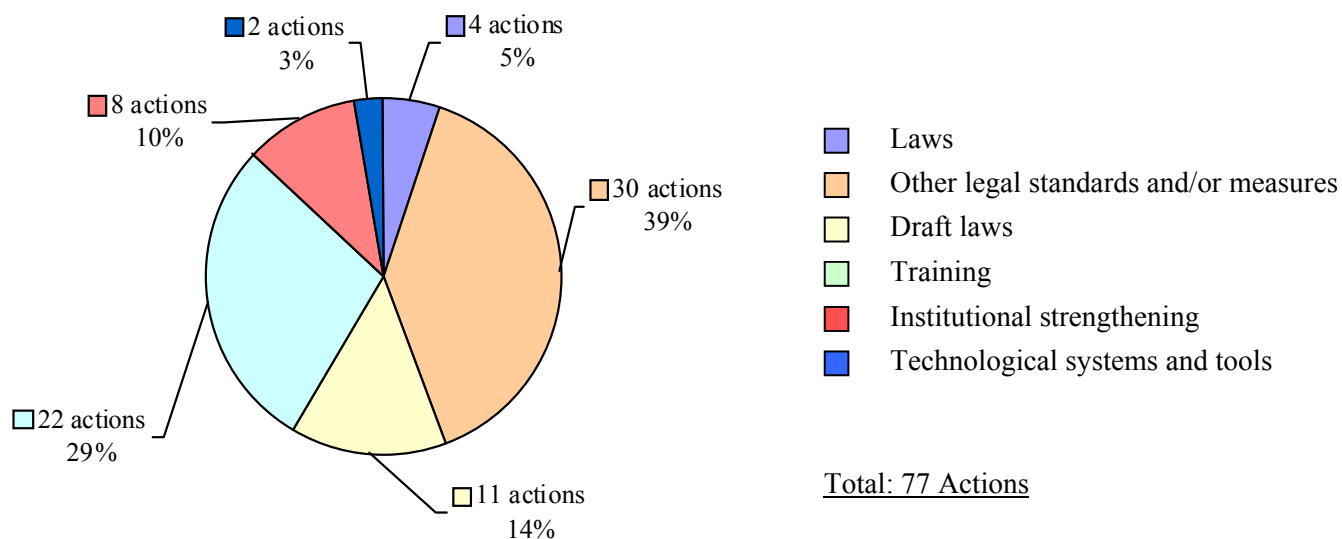
NOTE: For the application of the corresponding percentages of the reported actions by the countries as represented in the graph, it should be taken into account that more recommendations were formulated regarding standards of conduct and participation mechanisms than in the other areas.

**ANNEX IV**  
**GRAPHIC REPRESENTATION OF THE SPECIFIC PROGRESS ACHIEVED ON THE**  
**RECOMMENDATIONS RELATED TO THE PROVISIONS OF THE CONVENTION**  
**REVIEWED IN THE FIRST ROUND, CONSIDERED INDIVIDUALLY**

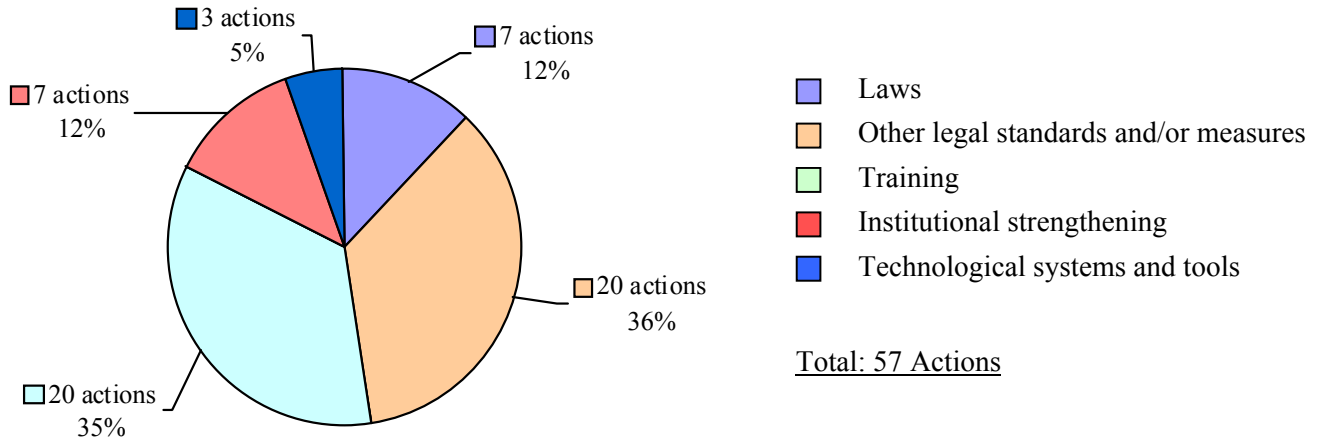
1. Standards of conduct and mechanisms to enforce compliance (Article III, paragraphs 1 and 2 of the Convention)



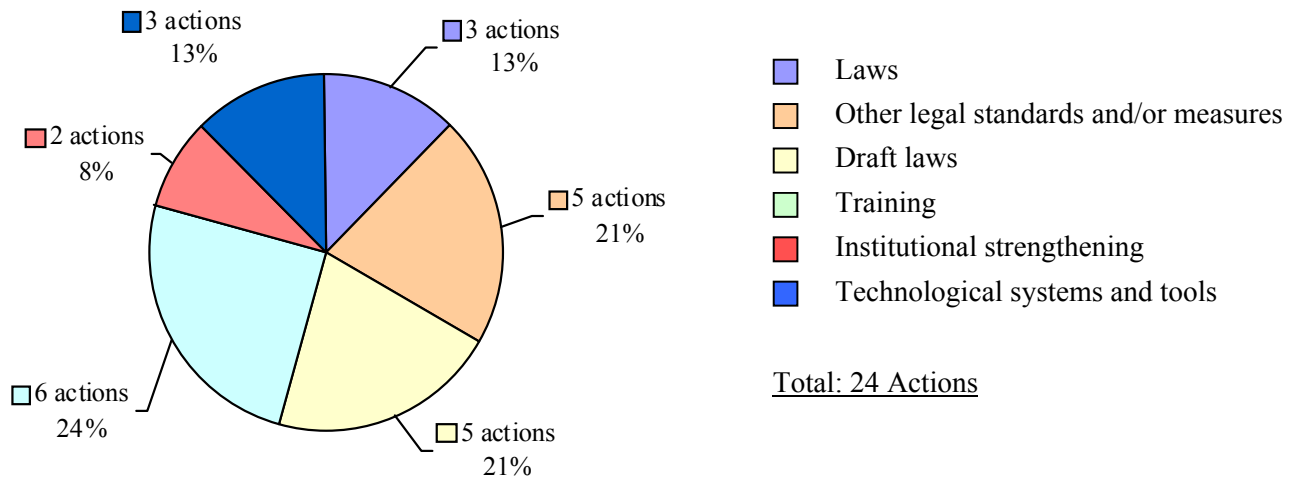
1.1. Standards of conduct intended to prevent conflicts of interest and enforcement mechanisms



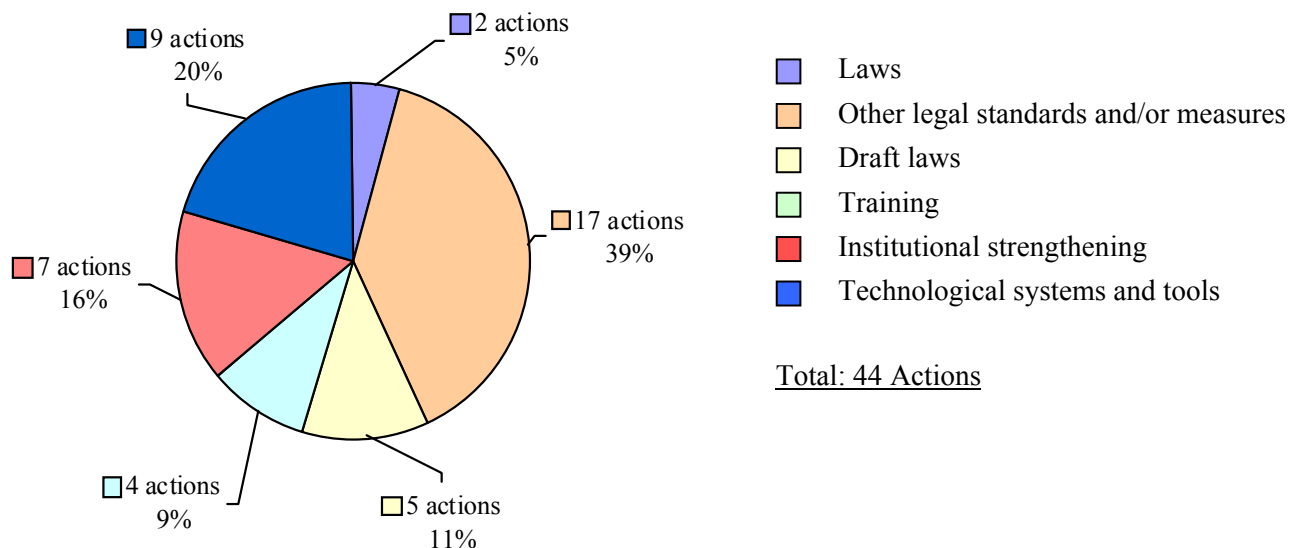
1.2. Standards of conduct and mechanisms to ensure the proper conservation and use of resources entrusted to government officials



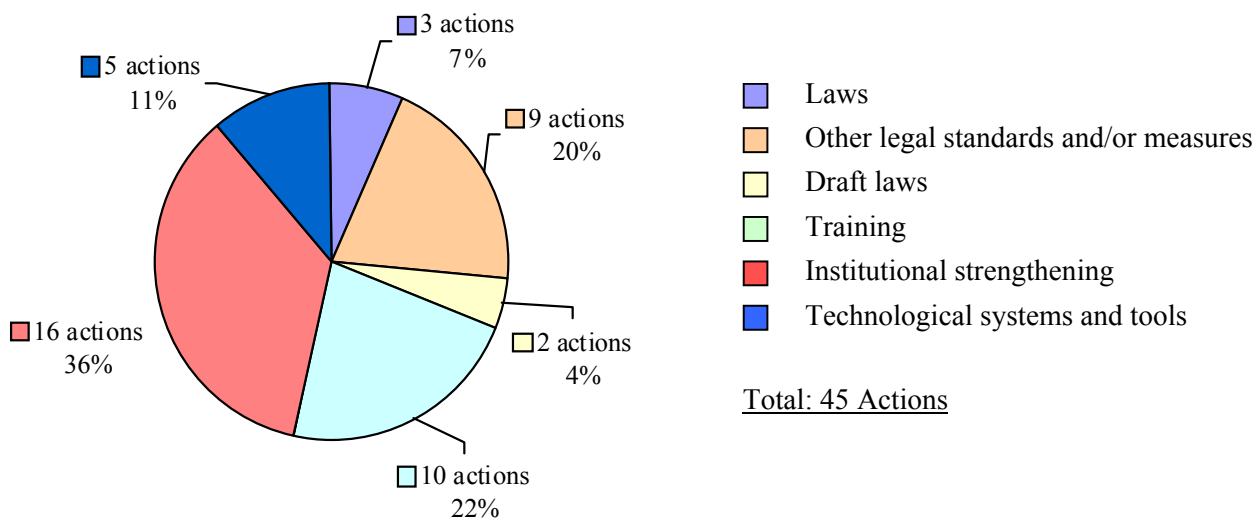
1.3. Measures and systems requiring government officials to report to appropriate authorities acts of corruption in the performance of public functions of which they are aware of



2. Systems for registering income, assets and liabilities (Article III, paragraph 4, of the Convention)

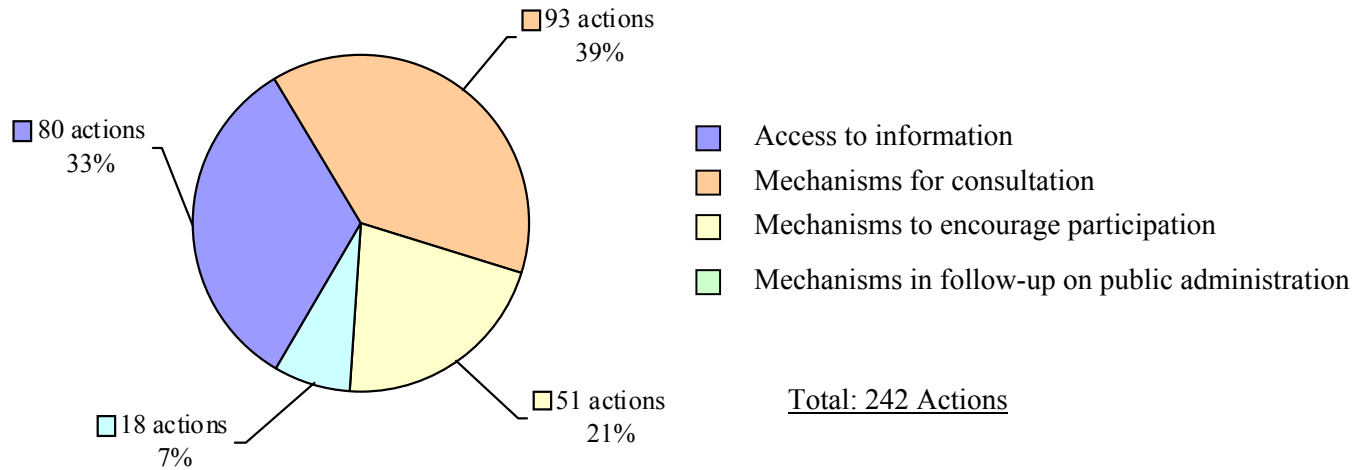


3. Oversight bodies for the selected provisions (Article III, paragraphs 1, 2, 4 and 11, of the Convention)

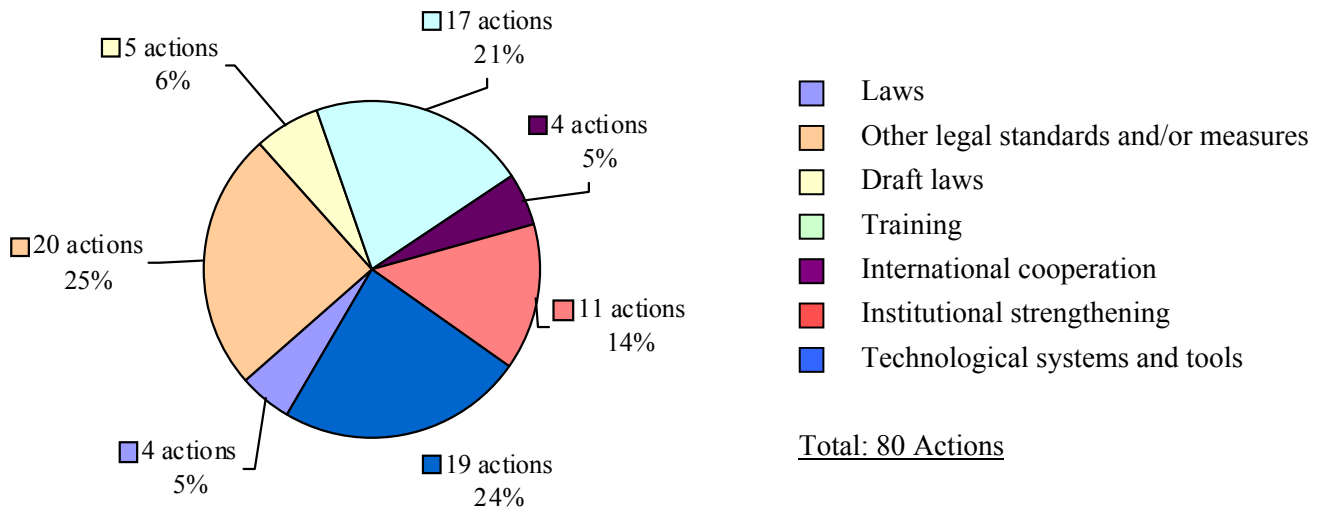




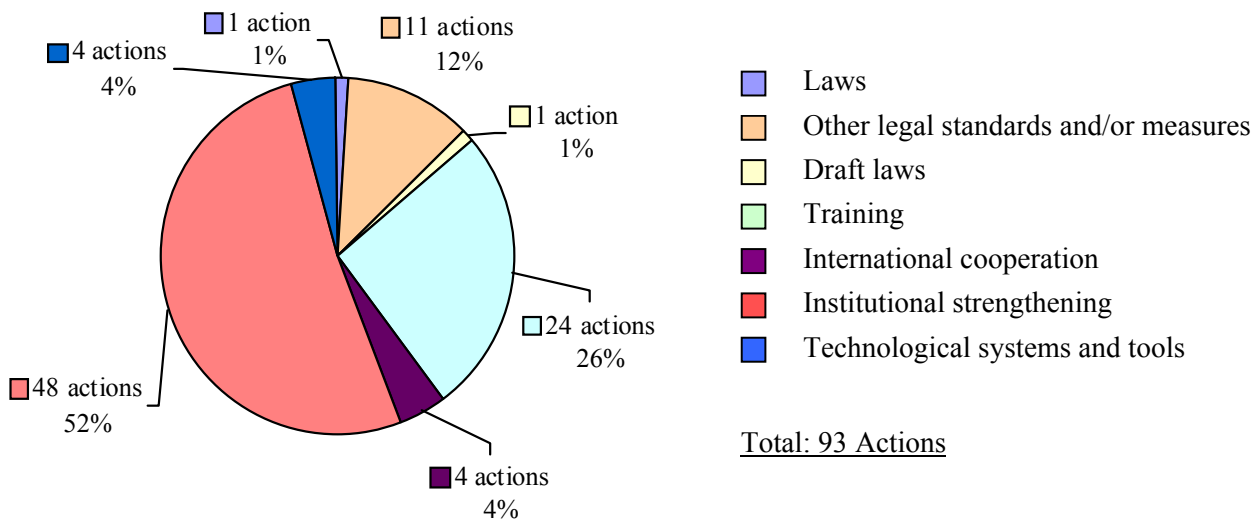
4. Mechanisms to encourage participation by civil society and nongovernmental organizations in efforts to prevent corruption (Article III, paragraph 11, of the Convention)



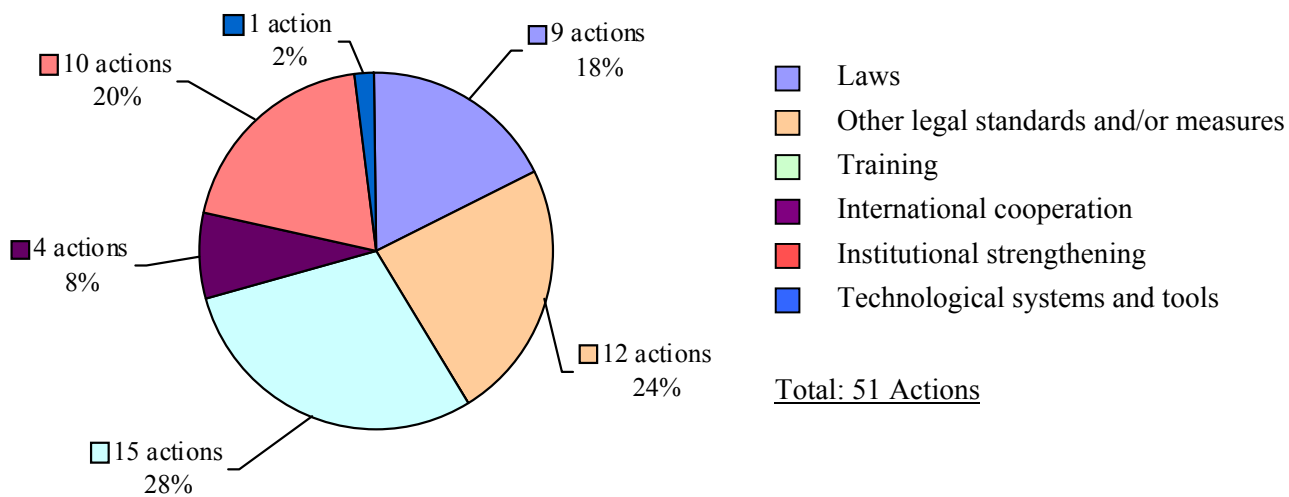
4.1 Mechanisms for access to information



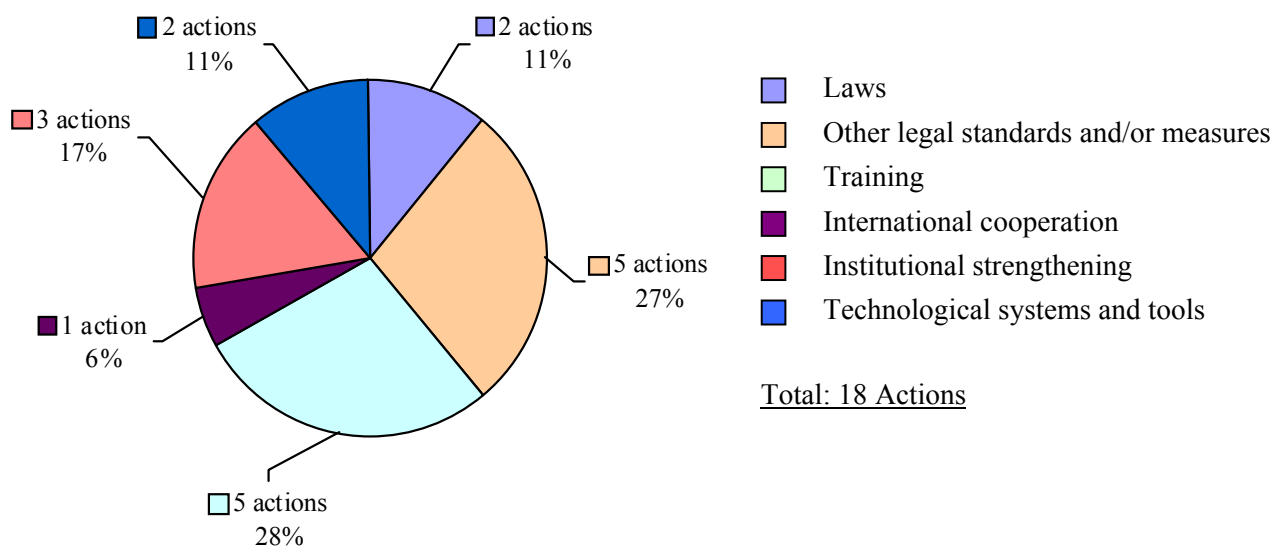
4.2. Mechanisms for consultation



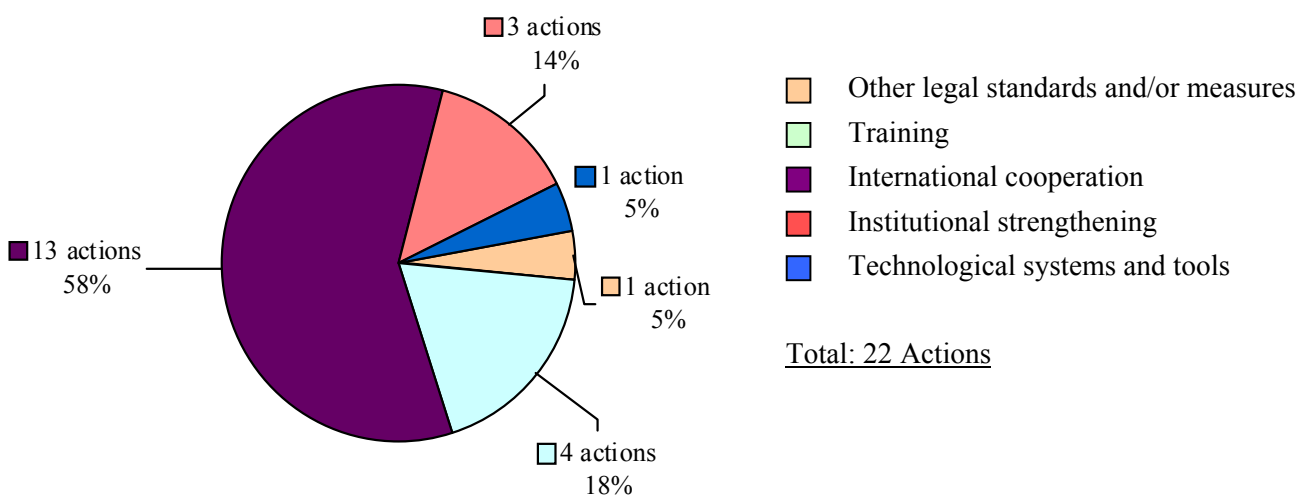
4.3 Mechanisms to encourage participation in public administration



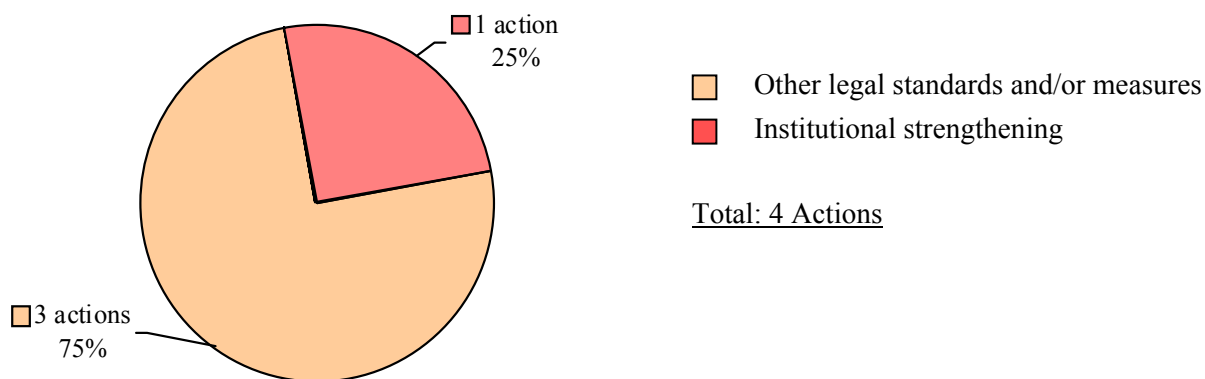
4.4. Mechanisms for participation in follow-up on public administration



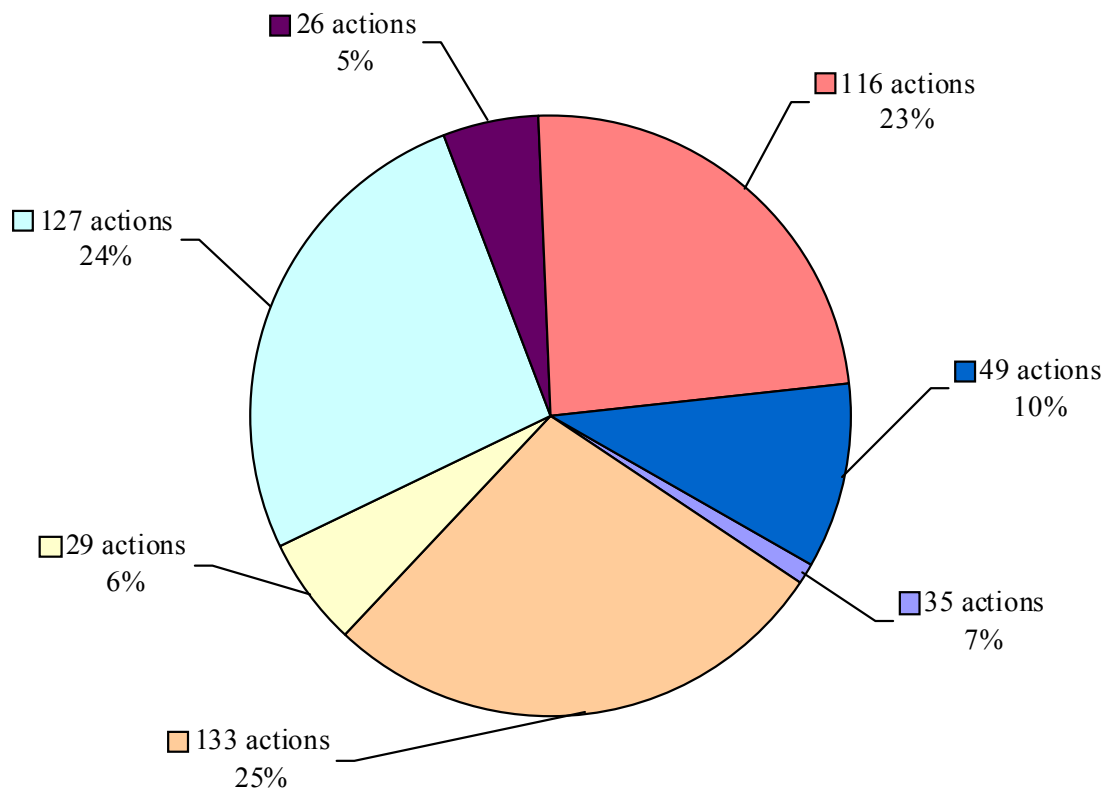
5. Assistance and cooperation (Article XIV of the Convention)



6. Central Authorities (Article XVIII of the Convention)



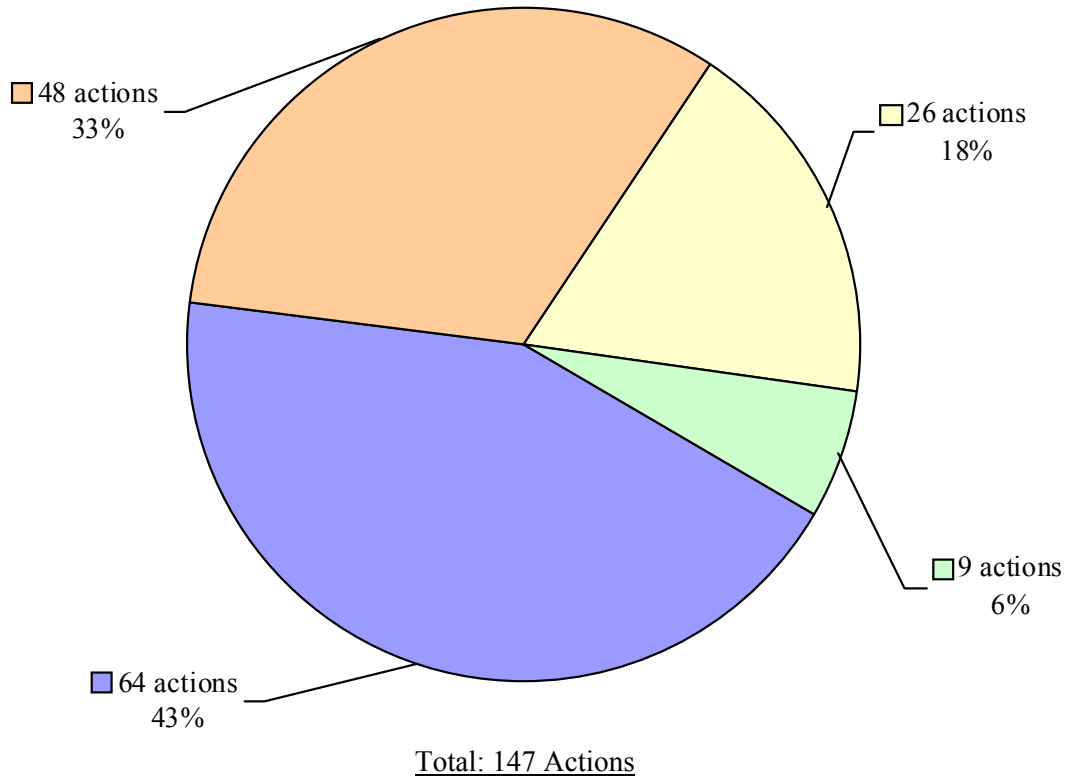
**ANNEX V**  
**GRAPHIC REPRESENTATION OF THE CATEGORIES OF ACTIONS THAT**  
**PRIMARILY HAVE BEEN DEVELOPED BY THE COUNTRIES FOR THE**  
**IMPLEMENTATION OF THE RECOMMENDATIONS OF THE FIRST ROUND OF**  
**REVIEW**



Total: 515 Actions

- Laws
- Other legal standards and/or measures
- Draft laws
- Training
- International cooperation
- Institutional strengthening
- Technological systems and tools

**ANNEX VI  
GRAPHIC REPRESENTATION OF THE GREATEST PROGRESS ACHIEVED WITH  
RESPECT TO THE RECOMMENDATIONS FORMULATED IN THE SECOND ROUND  
OF REVIEW**

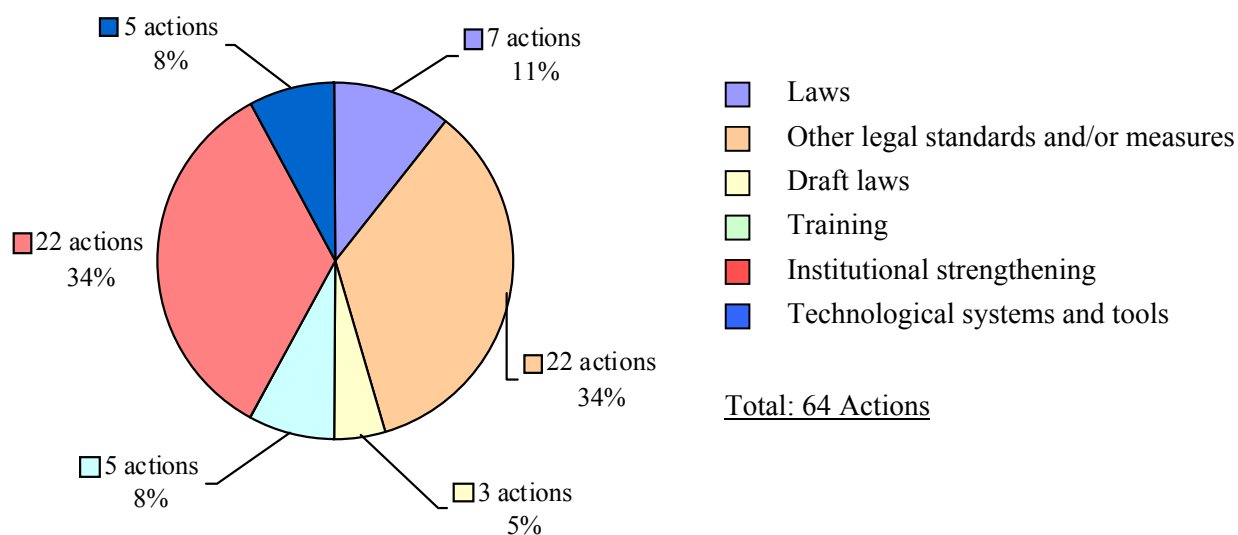


- Systems of government hiring
- Government systems for the procurement of goods and services
- Systems for protecting who report acts of corruption
- Acts of corruption

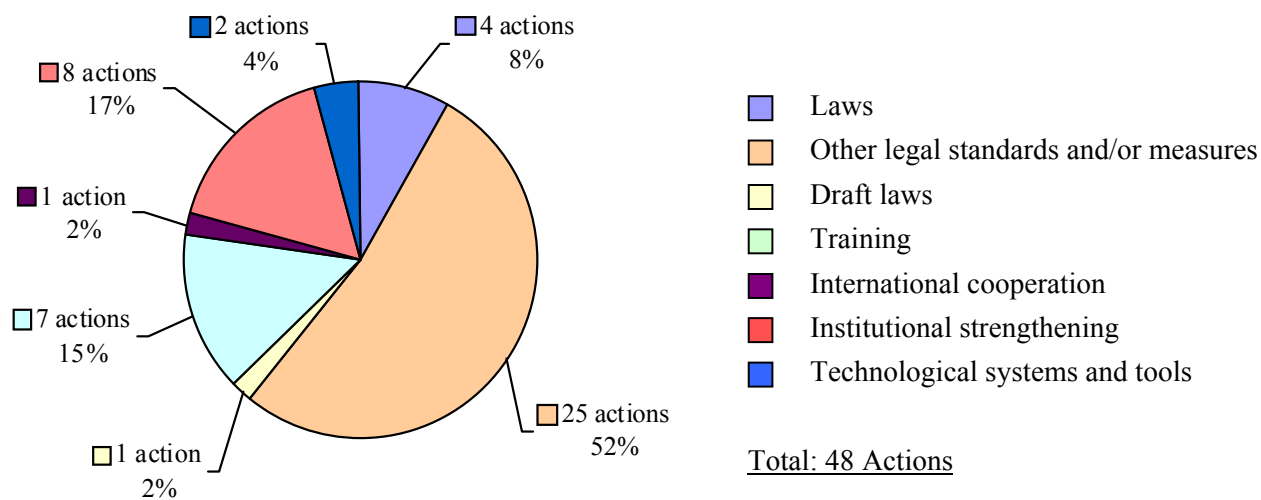
NOTE: For the application of the corresponding percentages of the reported actions by the countries as represented in the graph, it should be taken into account that more recommendations were formulated regarding systems of government hiring and systems for government procurement than in the other areas.

**ANNEX VII**  
**GRAPHIC REPRESENTATION OF THE SPECIFIC PROGRESS ACHIEVED ON THE**  
**RECOMMENDATIONS RELATED TO THE PROVISIONS OF THE CONVENTION**  
**REVIEWED IN THE SECOND ROUND, CONSIDERED INDIVIDUALLY**

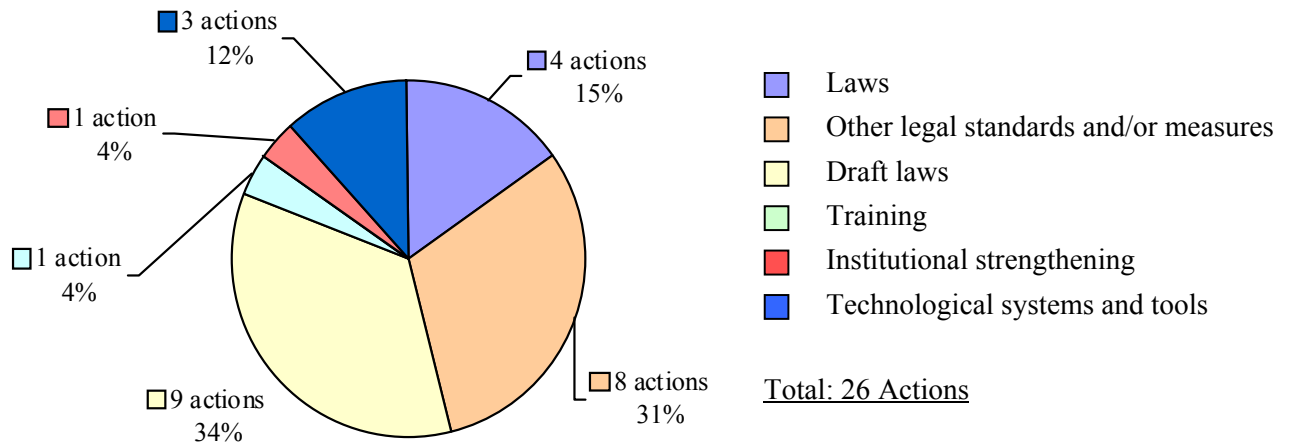
1. Systems of government hiring (Article III, paragraph 5, of the Convention)



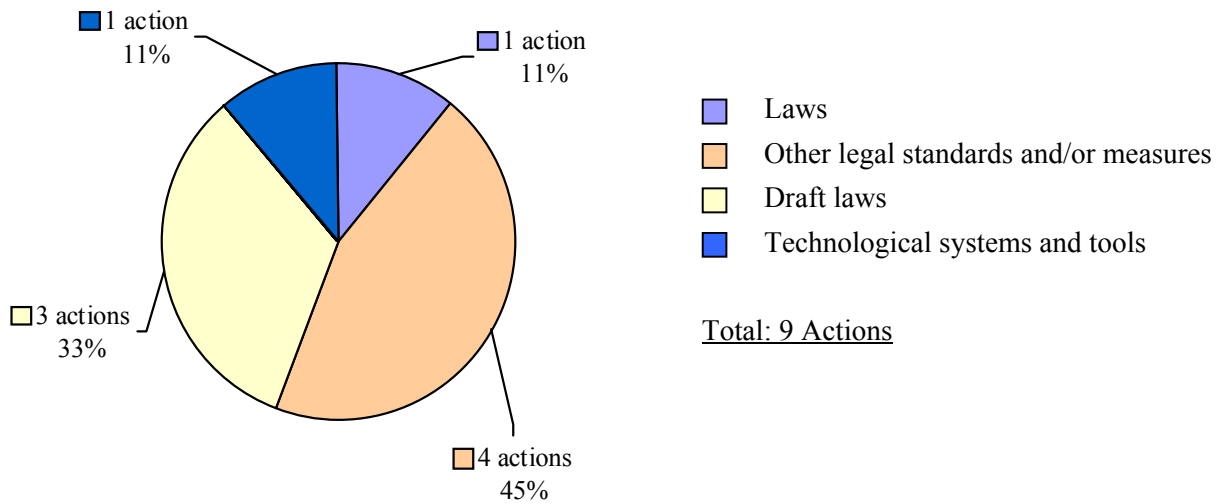
2. Systems of government procurement of goods and services (Article III, paragraph 5, of the Convention)



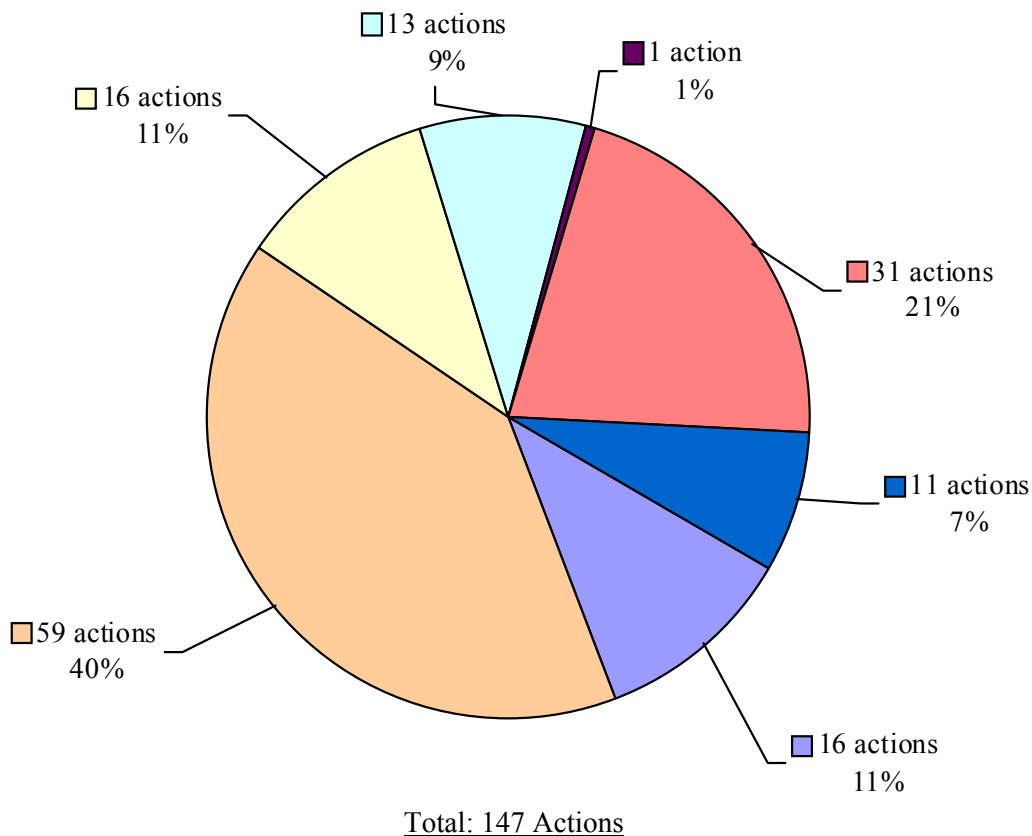
3. Systems for protecting public servants and private citizens who in good faith report acts of corruption (Article III, paragraph 8, of the Convention)



4. Acts of corruption (Article VI of the Convention)



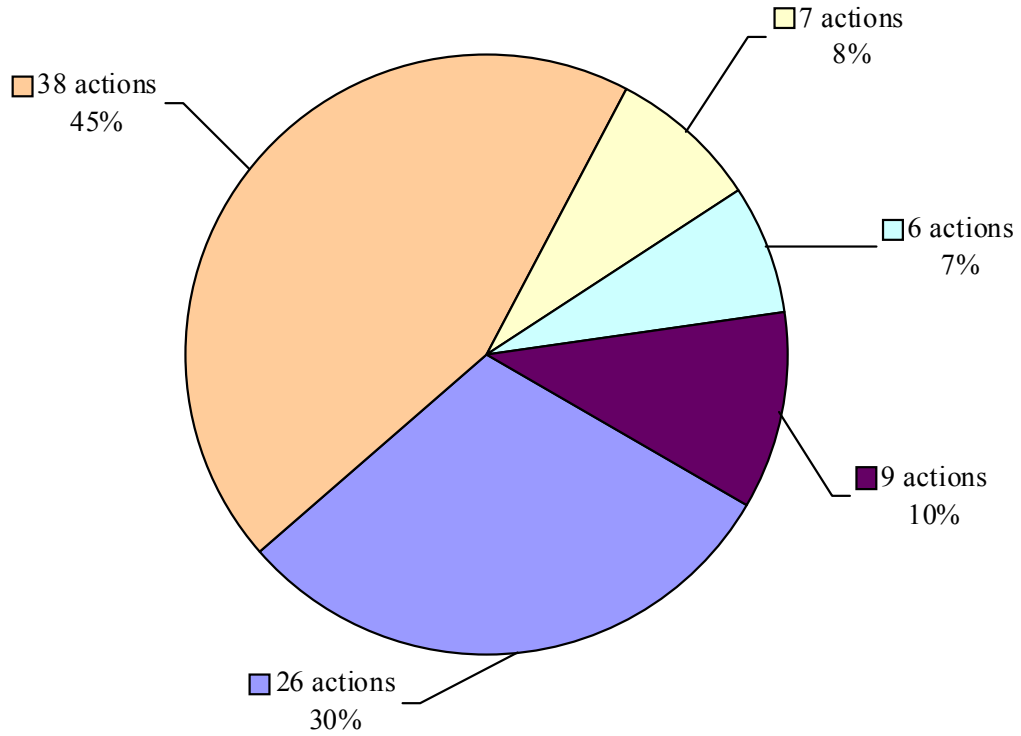
**ANNEX VIII  
GRAPHIC REPRESENTATION OF THE CATEGORIES OF ACTIONS THAT  
PRIMARILY HAVE BEEN DEVELOPED BY THE COUNTRIES FOR THE  
IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SECOND ROUND OF  
REVIEW**



- Laws
- Other legal standards and/or measures
- Draft laws
- Training
- International cooperation
- Institutional strengthening
- Technological systems and tools



**ANNEX IX**  
**GRAPHIC REPRESENTATION OF THE GREATEST PROGRESS ACHIEVED WITH**  
**RESPECT TO THE RECOMMENDATIONS FORMULATED IN THE THIRD ROUND OF**  
**REVIEW**

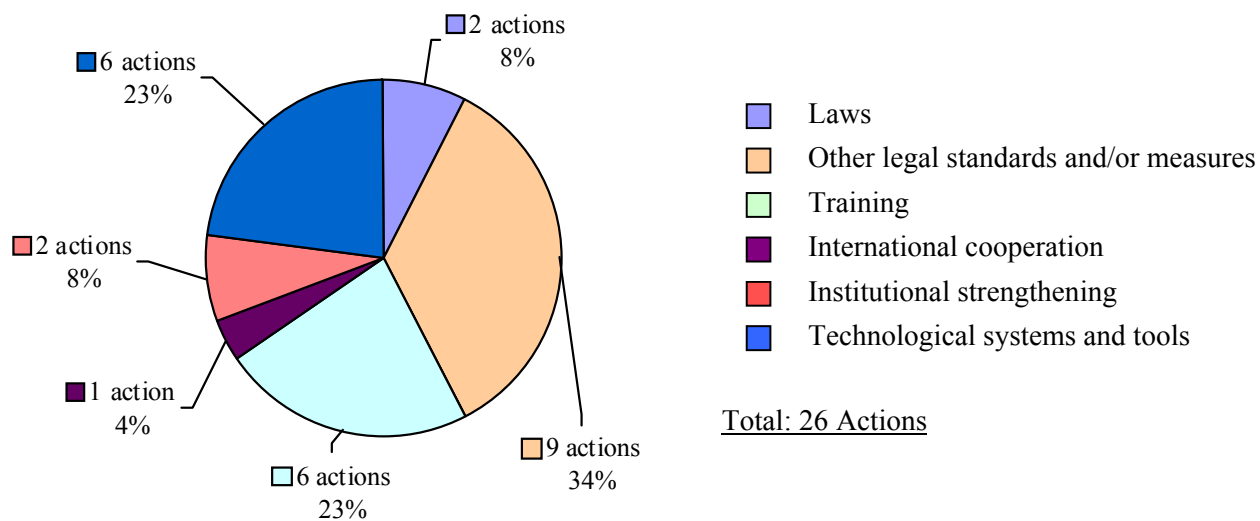


Total: 86 Actions

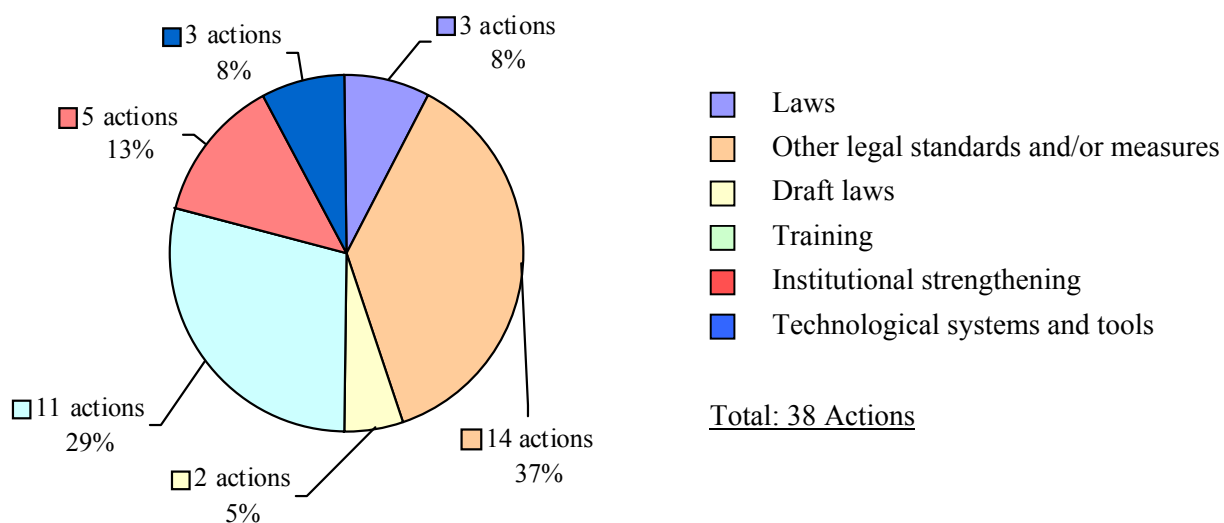
- Denial or prevention of favorable tax treatment.
- Prevention of bribery of domestic and foreign government officials
- Transnational bribery
- Illicit enrichment
- Extradition

**ANNEX X**  
**GRAPHIC REPRESENTATION OF THE SPECIFIC PROGRESS ACHIEVED ON THE**  
**RECOMMENDATIONS RELATED TO THE PROVISIONS OF THE CONVENTION**  
**REVIEWED IN THE THIRD ROUND, CONSIDERED INDIVIDUALLY**

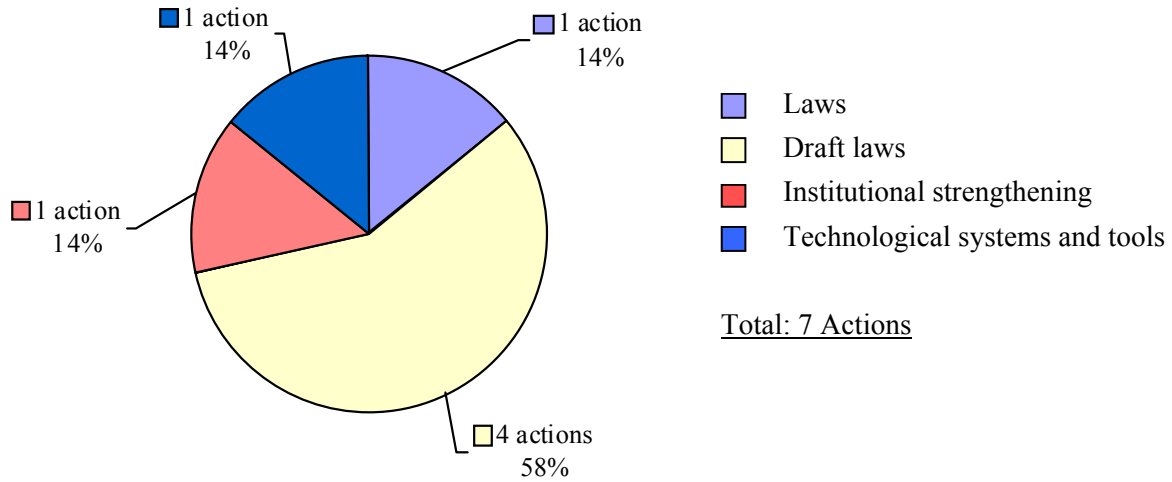
1. Denial or prevention of favorable tax treatment for expenditures made in violation of the anticorruption laws (Article III, Paragraph 7 of the Convention)



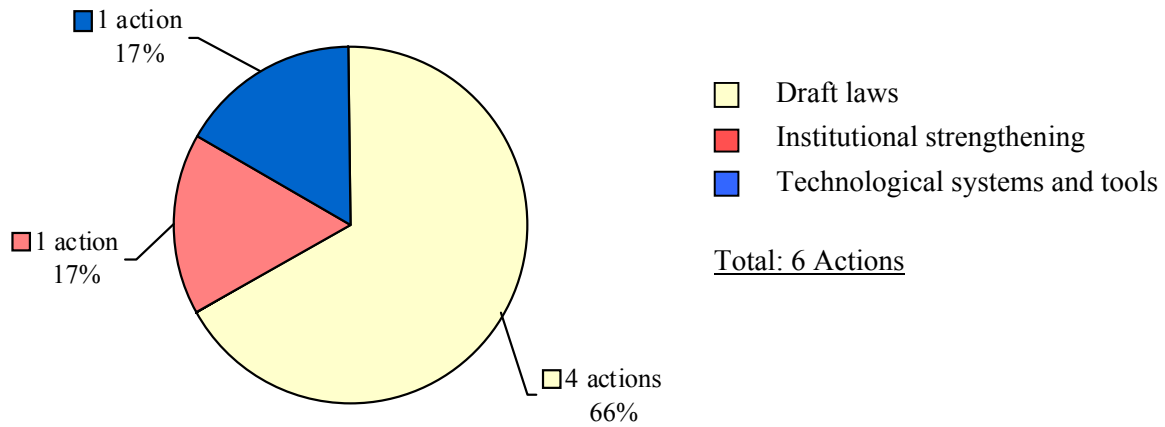
2. Prevention of bribery of domestic and foreign government officials (Article III, Paragraph 10 of the Convention)



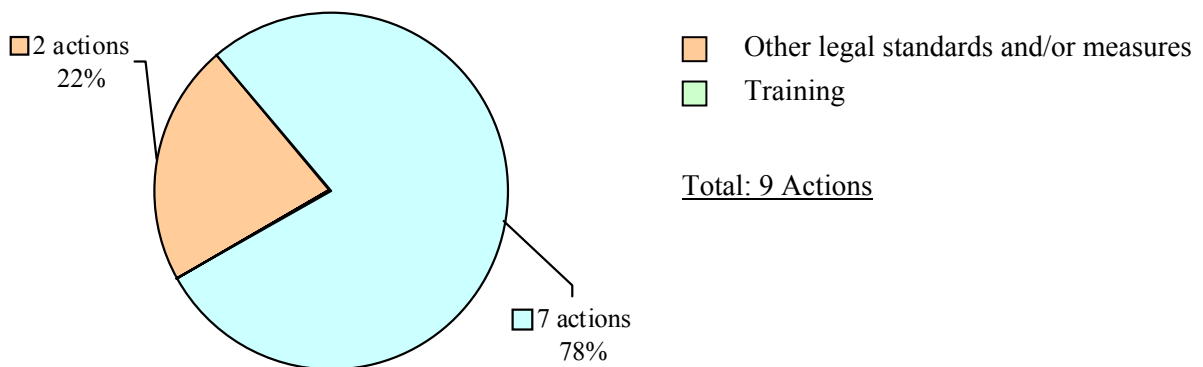
3. Transnational bribery (Article VIII of the Convention)



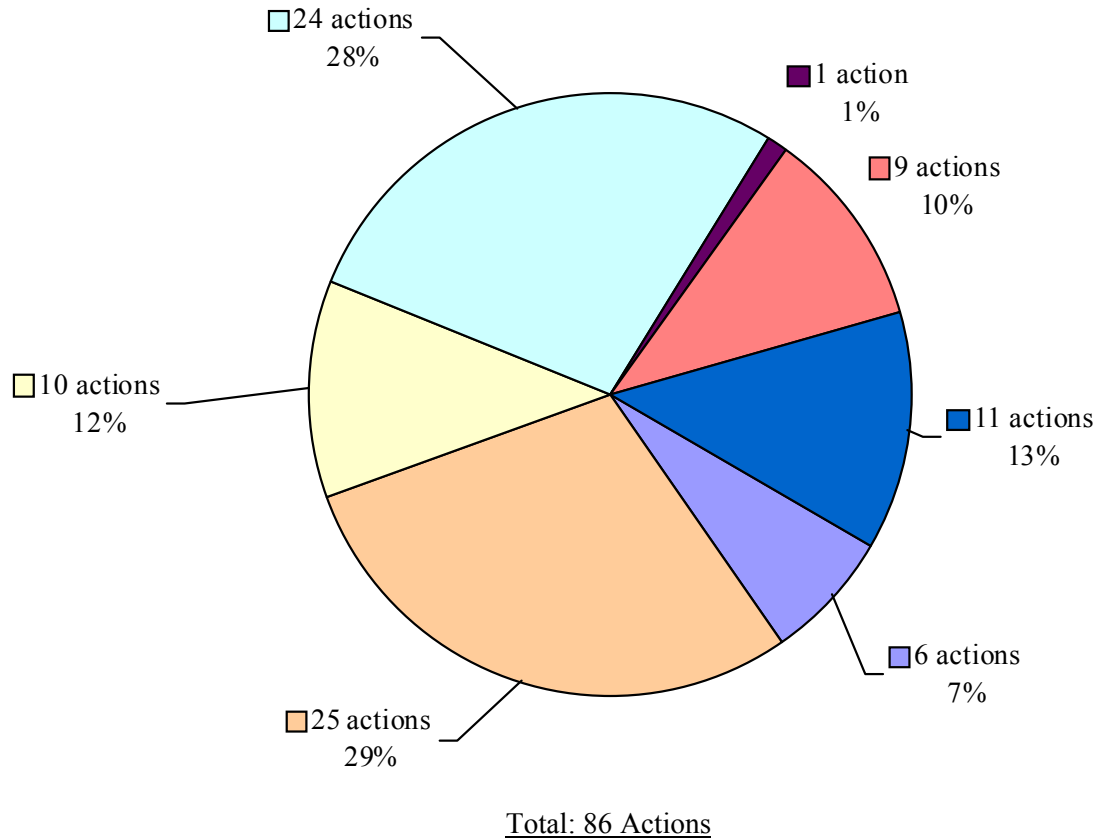
4. Illicit enrichment (Article IX of the Convention)



5. Extradition (Article XIII of the Convention)

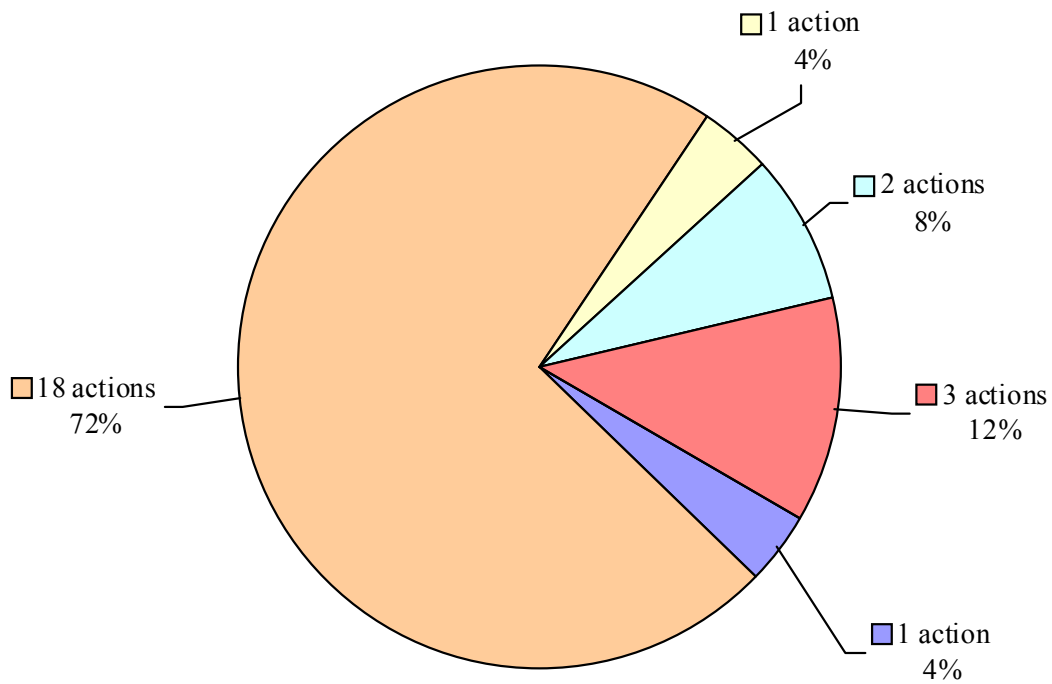


**ANNEX XI**  
**GRAPHIC REPRESENTATION OF THE CATEGORIES OF ACTIONS THAT**  
**PRIMARILY HAVE BEEN DEVELOPED BY THE COUNTRIES FOR THE**  
**IMPLEMENTATION OF THE RECOMMENDATIONS OF THE THIRD ROUND OF**  
**REVIEW**



- Laws
- Other legal standards and/or measures
- Draft laws
- Training
- International cooperation
- Institutional strengthening
- Technological systems and tools

**ANNEX XII**  
**GRAPHIC REPRESENTATION OF THE CATEGORIES OF ACTIONS ON OTHER**  
**PROGRESS ACHIEVED ON THE IMPLEMENTATION OF THE CONVENTION NOT**  
**NECESSARILY REFERRED TO THE RECOMMENDATIONS RELATED TO THE**  
**PROVISIONS OF THE CONVENTION REVIEWED IN THE FIRST THREE ROUNDS OF**  
**REVIEW**



Total: 25 Actions

- Laws
- Other legal standards and/or measures
- Draft laws
- Training
- International cooperation
- Institutional strengthening
- Technological systems and tools

**ANNEX XIII**  
**MEMBERS OF THE MESICIC COMMITTEE OF EXPERTS DURING THE PERIOD**  
**COVERED BY THIS REPORT**  
**(December 18, 2010 to March 17, 2013)**

State	Experts
 Antigua and Barbuda	Justin Simon, Kenroy Simmons
 Argentina	Néstor Baragli, Laura Geler, Luis Arocena, Ricardo Massot.
 Bahamas	Franklyn Williams.
 Belize	Iran Tillet-Dominguez, Cheryl Krusen, Oscar Ramjeet.
 Bolivia	Nardi Suxo, Diego Pari, Olmer Torrejón, Jessica Saravia, Fiorella Caldera, Mariela Sánchez, Gabriela Veizaga, Carlos Camargo, Tania Iturri, Alexandra Miranda, Claudia Corminales.
 Brazil	Vânia Vieira, Breno Costa, Jose Wilson Moreira, Renato Capanema, Anthair Valente, André L. Araújo, Guilherme H. Almeida, Marcelo L. Eira, Mónica García, Wellington Saraiva, Gilberto Martins, Boni Soares, Marcello Miller, Roberto Fromer, Sandro de Vargas Serpa, Camila Colares Bezerra, Aldenor de Souza e Silva, Wilson Dockhorn Junior, Leonardo Wester.
 Canada	Mathilda Haykal, Marcus Davies, Douglas Breithaupt.
 Chile	Jorge Vio, Felipe Aliaga, Patricia Arriagada, Rodrigo Olsen, José Ramón Correa, Yelica Lusic, Álvaro Hernández, María Isabel Mercadal, Alberto Rodríguez, Claudio Alvarado.
 Colombia	Carlos Fernando Galán, Andrés González, Mónica Rueda, Claudia Liliana, Mario Montes, Yadir Salazar, Ligia Helena Borrero, Juan Carlos Novoa, Carlos Rodríguez, Claudia Flórez Ocampo, Fernando Brito, María Virginia Torres de Cristancho, Nicolás Lozada, Martha Castañeda, Juan Miguel Gómez.
 Costa Rica	Tatiana Gutiérrez, Miguel Cortés, Gilberth Calderón, Marta Acosta, Ana Lorena Brenes, Nabil Campos, María Cristina Castro.
 Dominican Republic	Simón Castaños, Verónica Guzmán, Andrés R. Apolinar, Ramón Revi.
 Ecuador	Mario Hidalgo, Fernando Cedeño, Hugo Arias, Paúl Iñiguez, Nelson Dueñas, Alejandro Fuentes, Juana Marcela Miranda, Fabián Jaramillo, Andrés Sierra, Pablo Valdivieso, Nelson Ayala, Irina Echeverría, Denys Toscano, Santiago Zurita, Eduardo Paz, María Fernanda Vela, Yolanda Velasco, Luis Pachala, Sonia Vera, Raúl Martínez, Aura Celly, Andrés Chiriboga, Mónica Banegas, Rocío Bassante, Paul Cordero.
 El Salvador	Miguel Girón, Álvaro Magaña.

	Grenada	Darshan Ramdhani.
	Guatemala	Verónica Taracena, Héctor Arnoldo Escobedo.
	Guyana	Gail Teixeira, Forbes July.
	Haiti	Antoine Atouriste, Yvlore Pigeot, Amos Durosier, Joseph Jean Figaro
	Honduras	Jorge Bográn, Rigoberto Córdova.
	Jamaica	O'Neil Francis.
	Mexico	Alfredo Esparza, Joel Hernández, Dolores Jiménez, Alicia Verduzco, Miguel Alonso Olamendi, Guillermo Fonseca, David Macedo, Flor de María Díaz, Karla Ornelas, Martha Gaytán, Martha López-Barroso.
	Nicaragua	Iván Lara, Julieta Blandón.
	Panama	Abigaíl Benzadón, Antonio Lam, Elida Caballero, Max Ballesteros, Mariela Jiménez.
	Paraguay	María Soledad Machuca, Julio Duarte, Diana Correa, Luis Carlos García Juan F. Recalde, Octavio Airaldi, Juan Zim Zaracho, Juan Carlos Cano, José Pereira Sosa, Ana Rolón.
	Peru	Susana Silva Hasembank, Julio Arbizu, Hugo Príncipe, Gustavo Quiroz, Carla Salazar, Fernando Ortega, Javier Yépez, Delila Arraga, Javier Prado.
	Saint Kitts and Nevis	Jason Hamilton, John Tyme.
	Saint Vincent and the Grenadines	Judith Jones-Morgan.
	Suriname	Rolinne Gravenbeek, Chandra Algae, Reshma Alladin, Sebrina Hanenberg.
	Trinidad and Tobago	Joan Furlonge, Anand Ramlogan, Lynette Stephenson, Anthony Bucchan, Kathy-Ann Waterman, Yvette Hall, R. Frederick, Samray Harripaul, Cuthbert Jolly, Annand R. Misir.
	United States	Robert Leventhal, Alyce Ahn, Jane Ley, Wendy Pond, Jonathan Mitchell, Kristen Calandrelli, Rachel Owen, Kathleen Hamann.
	Uruguay	José Pedro Montero, Milton Romani Gerner, Iván Toledo, Néstor A. Rosa, Adriana Rodríguez.
	Venezuela	Adelina González, Basilio Jáuregui, María Eugenia de los Ríos.