

AG/RES. 1649 (XXIX-O/99)

**ENHANCEMENT OF PROBITY IN THE HEMISPHERE AND FOLLOW-UP ON
THE INTER-AMERICAN PROGRAM FOR COOPERATION IN THE FIGHT
AGAINST CORRUPTION**

(Resolution adopted at the first plenary session, held on June 7, 1999)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on enhancing probity in the Hemisphere and follow-up on the Inter-American Program for Cooperation in the Fight against Corruption (CP/CAJP-1458/99), presented in fulfillment of the General Assembly mandate contained in resolution AG/RES. 1552 (XXVIII-O/98);

CONSIDERING:

That, in its preamble, the Charter of the Organization of American States affirms that "representative democracy is an indispensable condition for the stability, peace and development of the region" and that "juridical organization is a necessary condition for security and peace founded on moral order and on justice";

That, in signing the Inter-American Convention against Corruption, the member states noted in its preamble that they were "convinced that corruption undermines the legitimacy of public institutions and strikes at society, moral order and justice as well as at the comprehensive development of peoples";

That the purposes of the Inter-American Convention against Corruption are to promote and strengthen the development, by each of the states parties, of the mechanisms needed to prevent, detect, punish, and eradicate corruption, and to promote, facilitate, and regulate cooperation among the states parties to ensure the effectiveness of measures and actions to prevent, detect, punish, and eradicate acts of corruption in the performance of public functions and acts of corruption specifically related to such performance;

That, in resolution AG/RES. 1477 (XXVII-O/97) it adopted the Inter-American Program for Cooperation in the Fight against Corruption;

That in resolution AG/RES. 1552 (XXVIII-O/98), "Enhancement of Probity in the Hemisphere and Follow-up on the Inter-American Program for Cooperation in the Fight against Corruption," it convened the Symposium on Enhancing Probity in the Hemisphere, which was held from November 4-6, 1998, in Santiago, Chile, and from which numerous conclusions and recommendations emerged;

That the Inter-American Juridical Committee, as commissioned by the General Assembly, drafted the document entitled "Model Legislation on Illicit Enrichment and Transnational Bribery" (CP/doc.3146/99), which includes a guide for the legislator with

respect to these important concepts included in the Inter-American Convention against Corruption; and

That in order to support implementation of the Inter-American Convention against Corruption the General Secretariat of the Organization of American States (OAS) and the Inter-American Development Bank (IDB) signed a cooperation agreement at OAS headquarters on March 26, 1999; and

ACKNOWLEDGING WITH SATISFACTION that the Inter-American Convention against Corruption has already been ratified by 16 member states,

RESOLVES:

1. To urge the member states that have not yet done so to consider, as appropriate, signing, ratifying, or acceding to the Inter-American Convention against Corruption.
2. To thank the Inter-American Juridical Committee for the important contribution it has made in drafting the "Model Legislation on Illicit Enrichment and Transnational Bribery," which will prove highly useful in the work of incorporating the concepts contained in the Inter-American Convention against Corruption in national juridical systems.
3. To express its satisfaction at the signing of the cooperation agreement between the Organization and the Inter-American Development Bank (IDB), that substantially supports implementation of the Inter-American Convention against Corruption.
4. To instruct the Permanent Council to:
 - a. Resume the activities of the Working Group on Probity and Public Ethics of the Committee on Juridical and Political Affairs so that it may follow up on the activities included in the Inter-American Program for Cooperation in the Fight against Corruption as well as the recommendations that emerged from the Symposium on Enhancing Probity in the Hemisphere, held in Santiago, Chile, in November 1998;
 - b. Continue to promote the exchange of experiences and information among public institutions and international organizations, including consideration of the contributions of civil society institutions, in accordance with the Symposium's recommendations;
 - c. Consider, in pursuing the follow-up to the Inter-American Program on the Fight Against Corruption, specific measures to encourage ratification and implementation of the Convention, strengthen cooperation, and provide technical assistance to member states which request it, and exchange information and experiences regarding implementation of the Convention taking into account the conclusions and recommendations of the Symposium on Enhancement of Probity in the Hemisphere; and

d. Implement the approved measures as a matter of priority, taking into account the institutional support necessary for their application.

5. To urge the General Secretariat to:

a. Provide the Permanent Council with the necessary support for carrying out those tasks, in particular regarding the study of ways to obtain the resources required for implementing the Symposium's recommendations and for executing the activities envisaged in the Inter-American Program for Cooperation in the Fight against Corruption, in order to strengthen the Organization's capacity for cooperation in this area;

b. Continue to lend technical support to the exchange of information mentioned in paragraph 4.b.

6. To request the Permanent Council to present to the General Assembly at its thirtieth regular session a report on the implementation of this resolution.