

AG/RES. 1943 (XXXIII-O/03)

**FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST
CORRUPTION AND ITS PROGRAM FOR COOPERATION**

(Resolution adopted at the fourth plenary session, held on June 10, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4156/03 add. 3);

BEARING IN MIND the mandates contained in resolution AG/RES. 1870 (XXXII-O/02), "Follow-up to the Inter-American Convention against Corruption and Its Program for Cooperation";

CONSIDERING that the Plan of Action of the Third Summit of the Americas devotes a special chapter to the fight against corruption and that commitments are made therein on the Inter-American Convention against Corruption, the Inter-American Program for Cooperation in the Fight against Corruption, and the establishment of a follow-up mechanism for implementation of the Convention, as well as the strengthening of the Inter-American Network for Cooperation against Corruption, the strengthening of civil society participation in the respective states in the fight against corruption, and the adoption of policies, processes, and mechanisms to protect the public interest;

CONSIDERING ALSO the importance of the Inter-American Convention against Corruption and the fact that it has been signed by 30 member states and was ratified by three member states in the past year, thereby bringing the total to 28; and the launch of the first round of review, which included consideration of country reports, in the framework of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, as well as participation therein by five new states, bringing the number of member states now participating to 27;

BEARING IN MIND that the Inter-American Convention against Corruption points out that "fighting corruption strengthens democratic institutions and prevents distortions in the economy, improprieties in public administration and damage to a society's moral fiber";

BEARING IN MIND ALSO that in resolution CP/RES. 807 (1307/02) the Permanent Council reiterated that the Regular Fund shall only be used to defray the costs of conferences and meetings already programmed in the budget of the Organization;

TAKING INTO ACCOUNT the legal cooperation programs and activities carried out by the General Secretariat in developing the Inter-American Program for Cooperation in the Fight against Corruption, with a view to promoting ratification and implementation of the Inter-American Convention against Corruption, as well as the dissemination and

exchange of information through the Inter-American Network for Cooperation against Corruption;

TAKING INTO ACCOUNT ALSO that major advances can be made in the fight against corruption through information exchange, coordination of efforts, and partnership-building among the different branches and levels of government, parliamentarians, the private sector, and interested civil society organizations; and

RECOGNIZING the valuable efforts made by member states in combating impunity in cases of corruption-related offenses,

RESOLVES:

1. To urge those member states of the OAS that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Inter-American Convention against Corruption and to participate in the Follow-up Mechanism for its implementation.

2. To urge the states parties to the Inter-American Convention against Corruption to take any measures they deem necessary to adjust their domestic legislation and comply with the commitments they undertook upon ratification of or accession to the Convention.

3. To urge the states parties to the Convention, on the basis of the Convention and the applicable laws and treaties, to provide the broadest reciprocal cooperation and assistance in processing requests emanating from authorities who, under their domestic law, are authorized to investigate or prosecute the acts of corruption described in the Convention, with a view to combating impunity.

4. To invite those states parties that are members of the Follow-up Mechanism and have not yet done so to authorize the publication, by the Technical Secretariat for Legal Cooperation Mechanisms, of their replies to the questionnaire of the first round of review.

5. To request member states that have not yet done so to reply promptly to the Questionnaire on Ratification and Implementation of the Inter-American Convention against Corruption (CP/GT/PEC-68/00 rev. 3), so that the Permanent Council may continue to examine replies from those states in order to enhance implementation of the Convention, strengthen cooperation, and provide technical assistance to those that request it.

6. To acknowledge the importance of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, as well as the progress made by the Committee of Experts of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, through, *inter alia*, the launch of the first round of review, and the consideration, adoption, and publication

of the first country report; and to invite the Committee to continue to move forward in this process.

7. To thank those states parties that have made voluntary contributions to the operation of the Follow-up Mechanism, technical cooperation activities, and other initiatives designed to implement the Convention; and to urge all states parties and states not parties to the Convention to make voluntary contributions to facilitate and ensure its implementation.

8. To request the OAS General Secretariat to continue to serve as secretariat of the Follow-up Mechanism and to provide it with all the necessary technical support.

9. To invite the Conference of States Parties to the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption to consider, at its second meeting, among other important topics, the progress made by the Follow-up Mechanism as well as issues regarding the funding thereof. The costs of this meeting shall be financed from resources available in subprogram 10W of the Regular Fund, subject to a favorable recommendation from the Committee on Administrative and Budgetary Affairs (CAAP) on the plan presented by the Secretariat for Legal Affairs for that meeting. Any additional expense, or expense unforeseen in the Regular Fund, shall be covered with external funds allocated to that Secretariat, or by the country offering to host the meeting.

10. To instruct the Permanent Council to continue to foster the exchange of experiences and information among the OAS, multilateral organizations, and international financial institutions, in order to coordinate, strengthen, and identify cooperation activities in the area. Also to foster the participation of civil society and, in particular, the private sector, among other pertinent entities, in these activities.

11. To request the General Secretariat to continue carrying out, in the execution of the Inter-American Program for Cooperation in the Fight against Corruption, technical cooperation activities to provide assistance in the signature or ratification of, or accession to, the Inter-American Convention against Corruption and in its implementation, and in the exchange of information and experiences among government authorities responsible for this area, including those of the Inter-American Network for Cooperation against Corruption.

12. To instruct the Permanent Council to present a report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.