

AG/RES. 2516 (XXXIX-O/09)

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

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to this topic (AG/doc.4992/09 add. 1);

TAKING INTO ACCOUNT resolution AG/RES. 2410 (XXXVIII-O/08);

CONSIDERING the importance of the Inter-American Convention against Corruption and the fact that it has been ratified by 33 member states of the Organization of American States, and that 28 of those states participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC);

BEARING IN MIND the mandates of the Summits of the Americas with respect to the fight against corruption, implementation of the Inter-American Convention against Corruption, and strengthening of the MESICIC;

RECOGNIZING the work of the Committee of Experts of the MESICIC, which has been supported by the General Secretariat and has made it possible to conclude, in December 2008, the second round of review for the 28 states parties and to initiate the third round of review;

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

REITERATING the unswerving commitment of the states parties to the Inter-American Convention against Corruption to promote, facilitate, and regulate cooperation among the states parties, in order to ensure that measures and efforts to promote, punish, and eradicate acts of corruption in the performance of public functions are effective; and

RECOGNIZING the proposal presented by the Bolivarian Republic of Venezuela regarding the Distance Training Program on the promotion of the Inter-American Convention against Corruption to encourage the establishment of a network for follow-up on implementation of the Convention and to foster the exchange of experiences and joint efforts to strengthen cooperation and technical support among the Convention's states parties as vital to the fight against corruption, so that it may be included as an item of collective interest on the agenda of the Committee of Experts,

RESOLVES:

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

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

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

4. To express its satisfaction with the adoption and effective implementation by the states parties to the Inter-American Convention against Corruption of national anti-corruption legislation or plans.

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

- a. To express its satisfaction with the progress made by the Committee of Experts of the MESICIC, with support from the General Secretariat, and reflected in the successful conclusion of the second round of review, which analyzed the implementation of those provisions of the Inter-American Convention against Corruption selected for that round in the 28 member states of the MESICIC, in the adoption of the Hemispheric Report for that round, and in the adoption of the necessary decisions to initiate the third round of review;
- b. To request the General Secretariat to continue identifying sources of funding within the OAS, such as the Regular Fund, and of external funding, such as international and regional financial institutions and national government agencies, among others, for the adequate functioning of the MESICIC and, when applicable, for the full and effective implementation of its recommendations and of the activities of the countries at which such recommendations are directed;
- c. To invite the Conference of States Parties to the MESICIC to continue reporting to the Permanent Council on the implementation of concrete measures to strengthen the MESICIC, as well as on other topics submitted to it for consideration;
- d. To request the General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs, to provide

technical secretariat services to the Conference of States Parties to the MESICIC and to the Committee of Experts of that mechanism; and

- e. To request the General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and in accordance with the provisions of section I.2.g of the Inter-American Program for Cooperation in the Fight against Corruption, designing and conducting a training program for members of the Committee of Experts of the MESICIC, aimed at the implementation of both the methodology of the Mechanism and the recommendations it has made regarding the provisions of the Inter-American Convention against Corruption.

6. To support the Third Meeting of the Conference of States Parties to the MESICIC, which will be held in the second half of 2009, taking into account that in December 2008 the Committee of Experts of the MESICIC adopted the Hemispheric Report on the Second Round of Review. This meeting, in accordance with Chapter VII of the Inter-American Program for Cooperation in the Fight against Corruption, will consider and adopt a strategy on how the MESICIC can implement the various thematic areas covered by the United Nations Convention against Corruption and monitor the developments made in connection with them. Under the provisions of Chapter IX of the Inter-American Program for Cooperation in the Fight against Corruption and for purposes of its due follow-up, the Conference of States Parties to the MESICIC will forward to the General Assembly the strategy it adopts in this regard.

7. To establish that the preparations for the Third Meeting of the Conference of States Parties to the MESICIC, including those regarding its date, draft agenda, and draft calendar, will be made in accordance with the provisions of Articles 6 to 10 of the Rules of Procedure of the Conference of States Parties to the Mechanism for Follow-up on Implementation of the Inter-American Convention against Corruption (SG/MESICIC/doc.58/04 rev. 7).

8. To request the General Secretariat to continue providing, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and pursuant to Chapter VIII of the Inter-American Program for Cooperation in the Fight against Corruption, the technical support needed to implement that Program, and in particular the strategy referred to in operative paragraph 5, within the resources allocated in the program-budget of the Organization and other resources.

9. To encourage member states and other donors to consider contributing, in accordance with Article 74 of the General Standards to Govern the Operations of the General Secretariat, to the OAS specific fund "Inter-American Anti-Corruption Fund" to assist member states in implementing the Inter-American Convention against Corruption and the MESICIC country report recommendations.

10. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.