

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

Committee of Experts

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**STANDARD FORMAT
FOR THE PREPARATION OF THE PROGRESS REPORTS (ARTICLES 31 AND 32 OF
THE RULES OF PROCEDURE AND OTHER PROVISIONS OF THE COMMITTEE)¹**

SECTION I. PROGRESS IN THE IMPLEMENTATION OF THE RECOMMENDATIONS

A. FIRST ROUND OF REVIEW

Instructions: Following the same structure as the country report of the First Round,² and with respect to each one of the recommendations to which your country wishes to refer in this progress report, please provide the following information:

I RECOMMENDATION: Please transcribe the text of the recommendation made to your State by the Committee in the country report of the First Round, and with respect to which you would like to inform on progress that has been made:

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

- II. ADOPTED MEASURES: Please note the measure or measures suggested by the Committee, or the alternative measure or measures that have been adopted to implement the above recommendation; and briefly describe the concrete steps that have been taken in connection with the measures adopted. If appropriate, please indicate the Internet web site where more detailed information may be obtained with respect to the measures adopted and the steps taken to implement the foregoing recommendation, specifically identifying where the information can be obtained on that website:

Recommendation (a) (b) (c) (d)

The State has draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill. Currently both pieces of legislation are undergoing review in order that the recommendations of the Committee may be fully implemented in the final legislation which it is hoped will go before Parliament in the next Session.

¹ This format was adopted by the Committee at the Plenary Session held on June 29, 2007, within the framework of its Eleventh Meeting.

² By way of a guide, the last page of this standard format describes that structure in connection with the issues covered in the First Review Round.

RECOMMENDATION:

Strengthening and updating systems of control and use of resources within the public administration, by developing enforceable standards applicable to all public officials and employees that make it a duty to conserve and make proper use of the resources entrusted to them in the performance of their functions.

ADOPTED MEASURES:

The State has draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill. Currently both pieces of legislation are undergoing review in order that the recommendations of the Committee may be considered and where appropriate fully implemented in the final legislation. It is hoped that the Bills will go before Parliament in the next Session.

RECOMMENDATION:

Developing and strengthening mechanisms requiring public servants to report to appropriate authorities acts of corruption in the performance of public functions of which they are aware.

ADOPTED MEASURES:

Recommendation (a) (b)

The State has draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill. Currently both pieces of legislation are undergoing review in order that the recommendations of the Committee may be considered and where appropriate fully implemented in the final legislation. It is hoped that the Bills will go before Parliament in the next Session.

RECOMMENDATION:

Adopting standards to strengthen the systems for registering income, assets and liabilities and, where appropriate, for making such registrations public.

ADOPTED MEASURES:

Recommendation (a) (b)

Measures to comply with this recommendation are included in the draft Integrity in Public Life Bill. This Bill is currently undergoing review in order that other recommendations of the Committee may be considered and where appropriate fully implemented in the final legislation. It is hoped that the Bill will go before Parliament in the next Session.

RECOMMENDATION:

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

ADOPTED MEASURES:

The measures contained in the recommendation are being implemented in the draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill. Currently both pieces of legislation are undergoing review in order that recommendations of the Committee may be considered and where appropriate fully implemented in the final legislation. It is hoped that the Bills will go before Parliament in the next Session.

RECOMMENDATION:

Establish a body with specific competence in the efforts destined to prevent corruption that includes civil society and nongovernmental organisations, taking into account the existing legal initiative (Civil Society Organisations Draft Bill).

ADOPTED MEASURES:

This recommendation is currently being considered for inclusion in the draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill.

RECOMMENDATION:

Strengthen the mechanisms to ensure access to information.

ADOPTED MEASURES:

Recommendation (a) (b) (c) (d)

Measures are on-going to establish the institutional structures necessary for the operation of the Freedom of Information Act 2003. As soon as the structures are in place the Act will be promulgated.

RECOMMENDATION:

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

ADOPTED MEASURES:

This recommendation is currently being considered for possible inclusion in the draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill.

RECOMMENDATION:

Develop – taking into account its systems of laws – standards and procedures to establish, maintain and strengthen mechanisms to encourage participation by civil society and nongovernmental organisations in public policy and decision making processes as part of the efforts to prevent corruption.

ADOPTED MEASURES:

RECOMMENDATION:

Design and implement specific programmes to publicise mechanisms to encourage participation in public administration and as appropriate, provide the necessary training and tools for the effective implementation of those mechanisms.

ADOPTED MEASURES:

This recommendation is currently being considered for inclusion in the draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill.

RECOMMENDATION:

Establish mechanisms to encourage participation by civil society and nongovernmental organisations in the follow-up of public administration and to generate opinions and proposals to be taken into account in preventing, detecting, investigating and punishing corruption.

ADOPTED MEASURES:

Recommendation (a) (b)

This recommendation is currently being considered for inclusion in the draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill.

RECOMMENDATION:

Design and implement a comprehensive information and training programme for appropriate government authorities and officials, to ensure that they are familiar with and able to apply mutual assistance provisions regarding investigation or prosecution of acts of corruption contained in the Convention and other treaties signed by Saint Vincent and the Grenadines.

ADOPTED MEASURES:

This recommendation is currently being considered in the context of proposed legislation to establish a Central Authority for Saint Vincent and the Grenadines to, *inter alia*, facilitate mutual legal assistance.

RECOMMENDATION:

Design and implement an information programme that enables the authorities of Saint Vincent and the Grenadines to keep permanent track of mutual assistance requests in relation to acts of corruption, in particular those provided for in the Convention.

ADOPTED MEASURES:

This recommendation is currently being considered in the context of proposed legislation to establish a Central Authority for Saint Vincent and the Grenadines to, *inter alia*, facilitate mutual legal assistance.

RECOMMENDATION:

Identify specific areas in which Saint Vincent and the Grenadines considers it needs technical cooperation from other States Parties to strengthen its capacities to prevent, detect, investigate and punish acts of corruption. The State under review should also identify and ascribe priority to requests for mutual technical cooperation.

ADOPTED MEASURES:

This recommendation is currently being considered in the context of proposed legislation to establish a Central Authority for Saint Vincent and the Grenadines to, *inter alia*, facilitate mutual legal assistance.

RECOMMENDATION:

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

ADOPTED MEASURES:

This recommendation is currently being considered in the context of proposed legislation to establish a Central Authority for Saint Vincent and the Grenadines to, *inter alia*, facilitate mutual legal assistance.

RECOMMENDATION:

Designate, in accordance with the prescribed procedures, the central authority or authorities for the purposes of international assistance and cooperation provided in the Convention.

ADOPTED MEASURES:

This recommendation is currently being considered in the context of proposed legislation to establish a Central Authority for Saint Vincent and the Grenadines to, *inter alia*, facilitate mutual legal assistance.

RECOMMENDATION:

Notify the OAS General Secretariat, in accordance with the proscribed formalities, of the designation of the central authority or authorities mentioned in the forgoing point.

ADOPTED MEASURES:

This recommendation is currently being considered in the context of proposed legislation to establish a Central Authority for Saint Vincent and the Grenadines to, *inter alia*, facilitate mutual legal assistance.

RECOMMENDATION:

Design and implement, where appropriate, training programmes for public servants responsible for application of the systems, standards, measures and mechanisms included in this report, in order to ensure their proper acquaintance, management and application.

ADOPTED MEASURES:

This recommendation will be implemented as part of a training and familiarization programme to be put in place on the enactment of the anti-corruption legislation.

RECOMMENDATION:

Select and develop procedures and indicators, as appropriate, for verifying follow-up of the recommendations contained in this report and notify the Committee accordingly through the Technical Secretariat. For said purposes, Saint Vincent and the Grenadines could take into account the list of broader indicators applicable to the inter-American system that were available for selection, as necessary, by the State under review and which have been published by the Technical Secretariat of the Committee on the OAS Internet web site. The State under review could also take into account any information arising from the review of mechanisms developed pursuant to recommendation 7.3 below.

ADOPTED MEASURES:

Systems and procedures are being actively considered in the Ministry of Legal Affairs for the effective implementation of this recommendation.

RECOMMENDATION:

Implement the recommendations contained in this report and develop, as appropriate and where none exists, procedures to review the mechanisms mentioned herein.

ADOPTED MEASURES:

Systems and procedures are being actively considered in the Ministry of Legal Affairs for the effective implementation of this recommendation.

B. SECOND ROUND OF REVIEW

Instructions: Following the same structure as the country report of the Second Round,³ and with respect to each one of the recommendations to which your country wishes to refer in this progress report, please supply the following information:

- I. RECOMMENDATION: Please transcribe the text of the recommendation made to your State by the Committee in the country report of the Second Round, and with respect to which you would like to inform on progress that has been made:

Strengthen the systems of government hiring

- II. ADOPTED MEASURES: Please note the measure or measures suggested by the Committee, or the alternative measure or measures that have been adopted to implement the above recommendation; and briefly describe the concrete steps that have been taken in connection with the measures adopted. If appropriate, please indicate the Internet web site where more detailed information may be obtained with respect to the measures adopted and the steps taken to implement the foregoing recommendation, specifically identifying where the information can be obtained on that website:

Recommendation (a) (b) (c) (d) (e)

These recommendations will be considered in any future public service reform programme.

RECOMMENDATION:

Promote the adoption of standards that guarantee the principles of openness, equity and efficiency as provided in the Convention, in government systems for the procurement of goods and services.

ADOPTED MEASURES:

Recommendations 1, 2, 3, 4, 5, 6, 7, 8

These recommendations and suggested measures to be taken by the State will be submitted to the relevant Ministry of Government for consideration and possible inclusion in future legislation.

RECOMMENDATION:

Adopt, through the corresponding authority, a comprehensive legal and regulatory framework that provides protection of public servants and private citizens who, in good faith, report acts of

³ By way of a guide, the last page of this standard format describes that structure in connection with the issues covered in the Second Review Round.

corruption, including protection of their identities, in accordance with its Constitution and the basic principles of its domestic legal system.

ADOPTED MEASURES:

Recommendations (a) (b) (c) (d) (e) (f) (g) (h) (i)

These recommendation is currently being considered for inclusion in the draft anti-corruption legislation contained in The Integrity in Public Life Bill and the Prevention of Corruption Bill.

RECOMMENDATION:

Adapt and /or expand, as appropriate, its criminal legislation, in order to include the elements of those acts of corruption set out in Article VI.1 of the Convention

ADOPTED MEASURES:

Recommendation (a) (b)

These recommendations are currently being considered for possible amendments to the Criminal Code.

RECOMMENDATION:

Design and implement, when appropriate, training programmes for public servants responsible for implementing the systems, standards, measures and mechanisms considered in this Report, for the purpose of guaranteeing that they are adequately understood, managed and implemented.

ADOPTED MEASURES:

This recommendation will be implemented as part of a training and familiarization programme to be put in place on the enactment of the anti-corruption legislation.

RECOMMENDATION:

Select and develop procedures and indicators, when appropriate and where they do not yet exist, to analyze the results of the systems, standards, measures and mechanisms considered in this Report and to verify follow-up on the recommendations made herein.

ADOPTED MEASURES:

Systems and procedures are being actively considered in the Ministry of Legal Affairs for the effective implementation of this recommendation.

NOTE: *Points I and II referred to in Chapters A (First Round) and B (Second Round) of Section I, in relation to each of the recommendations with respect to which your State wishes to refer to progress on implementation, would be repeated.*

SECTION II: DIFFICULTIES IN THE IMPLEMENTATION OF THE RECOMMENDATIONS (ONLY RESPOND TO THIS SECTION IF YOUR COUNTRY CONSIDERS IT NECESSARY)

A. FIRST ROUND OF REVIEW:

Instructions: Following the same structure as the country report of the First Round,⁴ and with respect of each one of the recommendations with respect to which your country wishes to refer to the difficulties that have been faced with respect to implementation, please provide the following information:

- I. RECOMMENDATION: Please transcribe the text of the recommendation made to your State by the Committee in the country report of the First Round, and with respect to which you would like to refer to the difficulties that you have faced with respect to implementation:

Adopting standards to strengthen the systems for registering income, assets and liabilities and, where appropriate, for making such registrations public.

- II. MEASURES: Please determine the measure(s) suggested by the Committee to comply with the foregoing recommendation, or the alternative measure(s) selected for this purpose, and with respect to which you wish to inform of the difficulties that have been encountered with respect to its implementation, and also briefly inform of those difficulties. If you consider it relevant, please indicate the “Internet” webpage where more detailed information in this regard can be obtained, specifically indicating what information on that page you wish to refer to:

In drafting legislation difficulty has been encountered in ensuring the effective implementation of this recommendation in the context of a small island State with serious financial and human resource limitations.

RECOMMENDATION:

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

MEASURES:

⁴ By way of a guide, the last page of this standard format describes that structure in connection with the issues covered in the First Review Round.

In drafting legislation to give effect to this recommendation difficulty has been encountered in ensuring the effective implementation of the recommendation in the context of a small island State with serious financial and human resource limitations.

RECOMMENDATION:

Strengthen the mechanisms to ensure access to information.

MEASURES:

Measures are on-going to establish the institutional structures necessary for the operation of the Freedom of Information Act 2003. Financial constraints have however delayed the establishment of the necessary structures that must be in place before the Act can be brought into effect.

B. SECOND ROUND OF REVIEW:

Instructions: Following the thematic structure of the country reports from the Second Round of Review, and with respect to each of the recommendations to which your country wishes to report on the difficulties that have been encountered in relation to implementation, please provide the following information:

- I. RECOMMENDATION: Please transcribe the text of the recommendation formulated to your State by the Committee in the country report from the Second Round, and with respect to which you would like to inform on the difficulties encountered in relation to its implementation:
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- II. MEASURES: Please determine the measure(s) suggested by the Committee to comply with the foregoing recommendation, or the alternative measure(s) selected for this purpose, and with respect to which you wish to inform of the difficulties that have been encountered with respect to its implementation, and also briefly inform of those difficulties. If you consider it relevant, please indicate the "Internet" webpage where more detailed information in this regard can be obtained, specifically indicating what information on that page you wish to refer to:
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NOTE: Points I and II referred to in Chapters A (First Round) and B (Second Round) of Section I, in relation to each of the recommendations with respect to which your State wishes to refer to progress on implementation, would be repeated.

**SECTION III: OTHER PROGRESS IN THE IMPLEMENTATION OF THE CONVENTION
(ONLY RESPOND TO THIS SECTION IF YOUR COUNTRY CONSIDERS IT NECESSARY)**

Instructions: Following the thematic structure of the Inter-American Convention against Corruption, and in relation to each one of the Convention provisions to which your country wishes to refer to progress in implementation, please provide the following information:

- I. PROVISION OF THE CONVENTION: Please indicate the number of the Article of the Convention and of the paragraph of that Article, if appropriate, with respect to which you would like to refer to progress in implementation:
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- II. MEASURES: Please briefly describe the concrete measures or actions that have been executed in relation to the implementation of the provision of the Convention noted above. If you consider it relevant, please indicate the "Internet" webpage where more detailed information in this regard can be obtained, specifically indicating what information on that page you wish to refer to:
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NOTE: *Points I and II referred to in Section III, with respect to each of the provisions of the Convention, in relation to each of the recommendations with respect to which your State wishes to refer to progress on implementation, would be repeated.*

THEMATIC STRUCTURE OF THE COUNTRY REPORTS OF THE FIRST ROUND

1. STANDARDS OF CONDUCT AND MECHANISMS TO ENFORCE COMPLIANCE (ARTICLE III, PARAGRAPHS 1 AND 2 OF THE CONVENTION)
 - 1.1 Conflicts of interest
 - 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
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 General participation mechanisms
 - 4.2 Mechanisms for access to information
 - 4.3 Mechanisms for consultation
 - 4.4 Mechanisms to encourage participation in public administration
 - 4.5 Mechanisms for participation in the follow-up of public administration
5. ASSISTANCE AND COOPERATION (ARTICLE XIV OF THE CONVENTION)
6. CENTRAL AUTHORITIES (ARTICLE XVIII OF THE CONVENTION)
7. GENERAL RECOMMENDATIONS

THEMATIC STRUCTURE OF THE COUNTRY REPORTS OF THE SECOND ROUND

1. SYSTEMS FOR GOVERNMENT HIRING AND STATE PROCUREMENT OF GOODS AND SERVICES (ARTICLE III, PARAGRAPH 5 OF THE CONVENTION)
 - 1.1. Hiring systems for public officials
 - 1.2. Systems for the procurement of goods and services by the state
2. SYSTEMS FOR PROTECTING PUBLIC SERVANTS AND PRIVATE CITIZENS WHO, IN GOOD FAITH, REPORT ACTS OF CORRUPTION (ARTICLE III, PARAGRAPH 8 OF THE CONVENTION)
3. ACTS OF CORRUPTION (ARTICLE VI OF THE CONVENTION)
 - 3.1. Criminalization of the acts of corruption set out in Article VI.1 of the Convention
 - 3.2. Application of the Convention to other acts of corruption not described therein, pursuant to the terms of Article VI.2
4. GENERAL RECOMMENDATIONS