

MECHANISM FOR FOLLOW-UP ON THE
IMPLEMENTATION OF THE INTER-AMERICAN
CONVENTION AGAINST CORRUPTION
Fourteenth Meeting of the Committee of Experts
December 8 to 12, 2008
Washington, DC.

OEA/Ser.L
SG/MESICIC/doc.230/08 rev. 2
12 December 2008
Original: Spanish

STRUCTURE FOR THE COUNTRY REPORTS THAT WILL BE PREPARED IN THE FRAMEWORK OF THE THIRD ROUND

According to Articles 25 and 28 of the Rules of Procedure of the Committee of Experts of the Mechanism for Follow-up on Implementation of the Convention, the country reports to be drafted as part of the Third Round of Review shall have the following structure:*

INTRODUCTION

This section will identify the state party whose information is undergoing review; it will indicate the dates when the country ratified the Convention and joined the Follow-up Mechanism; and it will state that the report will cover the review of how the provisions selected for the Third Round have been implemented and will provide follow-up on the recommendations served on the state party in question in previous rounds.

I. SUMMARY OF INFORMATION RECEIVED

This section will offer a summary of the information received, both for reviewing the Convention provisions selected for the Third Round, and for following up on the recommendations served on the corresponding state party in previous rounds.

II. ANALYSIS, CONCLUSIONS, AND RECOMMENDATIONS OF IMPLEMENTATION BY THE STATE PARTY OF THE CONVENTION PROVISIONS SELECTED FOR THE THIRD ROUND

This section will review, in accordance with the Methodology adopted by the Committee, the state party's implementation of the provisions selected for the Third Round and will offer conclusions and recommendations. In preparing these, the guidelines indicated in chapters III (A), III (B), and IV of the Methodology will be used.

For this, this chapter of the country report will have the following format:

1. DENIAL OR PREVENTION OF FAVORABLE TAX TREATMENT FOR EXPENDITURES MADE IN VIOLATION OF THE ANTICORRUPTION LAWS (ARTICLE III (7) OF THE CONVENTION)

* The country report will have numbered paragraphs.

2. PREVENTION OF BRIBERY OF DOMESTIC AND FOREIGN GOVERNMENT OFFICIALS (ARTICLE III (10) OF THE CONVENTION)
3. TRANSNATIONAL BRIBERY (ARTICLE VIII OF THE CONVENTION)
4. ILLICIT ENRICHMENT (ARTICLE IX OF THE CONVENTION)
5. NOTIFICATION OF CRIMINALIZATION OF TRANSNATIONAL BRIBERY AND ILLICIT ENRICHMENT (ARTICLE X OF THE CONVENTION)
6. EXTRADITION (ARTICLE XIII OF THE CONVENTION)

For each of the sections into which the review of the provisions selected for the Third Round is divided, the following format will be used, as provided for in the methodology:[†]

1. Existence and content of a legal framework and/or other measures
2. Adequacy of the legal framework and/or of other measures
3. Results of the legal framework and/or of other measures
4. Conclusions and recommendations

III. OBSERVATIONS REGARDING THE PROGRESS MADE WITH IMPLEMENTING THE RECOMMENDATIONS ISSUED IN REPORTS FOR PREVIOUS ROUNDS

1. First Round

Pursuant to Article 29 of the Rules, this part of the report shall address the steps taken to implement the recommendations formulated in the First Round to the respective State which it did not supply information with regard to progress in their implementation in its response to Section II of the Questionnaire for the Second Round, or on those that it supplied information but which the Committee considered in Section IV of the corresponding country report for that round that they needed further attention. It will also note those recommendations that have been satisfactorily considered and those that need additional attention by the country under review.

2. Second Round

Pursuant to Article 29 of the Rules, this part of the report shall address the steps taken to implement the recommendations adopted by the Committee in the respective report for the Second Round and shall note those recommendations that have been satisfactorily considered and those that need additional attention by the country under review.

[†] With respect to the provision contained in Article X of the Convention, it is not appropriate to review results as it only refers to notification.