

MECHANISM FOR FOLLOW-UP ON
IMPLEMENTATION OF THE INTER-AMERICAN
CONVENTION AGAINST CORRUPTION
Eighteenth Meeting of the Committee of Experts
March 21-25, 2011
Washington, D.C.

OEA/Ser.L
SG/MESICIC/doc.263/10 rev. 2
24 March 2011
Original: Spanish

FIRST PROGRESS REPORT ON IMPLEMENTATION OF
THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION

(Corresponding to the period from June 2008 to December 2010)*

* This Report was adopted by the MESICIC Committee of Experts in accordance with the provisions of Articles 31 and 32 of its Rules of Procedure and Other Provisions, at the plenary session held on March 24, 2011, at its Eighteenth meeting, held at OAS Headquarters, March 21-25, 2011.

**FIRST PROGRESS REPORT ON IMPLEMENTATION OF
THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION**

(Corresponding to the period from June 2008 to December 2010)

CONTENTS

INTRODUCTION.....	1
A. <u>PART ONE</u> : BACKGROUND.....	3
I. THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION (IACC) AND ITS FOLLOW-UP MECHANISM (MESICIC).....	3
II. THE COMMITTEE OF EXPERTS OF THE MESICIC.....	5
2.1. Composition and responsibilities.....	5
2.2. Civil society participation in the Committee’s activities.....	5
III. DEVELOPMENT OF THE FIRST TWO ROUNDS OF REVIEW.....	6
3.1. Provisions of the Convention selected for review.....	6
3.2. Review methodology and procedure.....	6
3.3. Recommendations formulated.....	7
B. <u>PART TWO</u> : SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON PROGRESS IN IMPLEMENTING THE RECOMMENDATIONS OF THE FIRST TWO ROUNDS OF REVIEW AND ON OTHER PROGRESS MADE IN THE IMPLEMENTATION OF THE CONVENTION.....	7
IV. SOURCES OF INFORMATION AND METHODOLOGY FOR PREPARING THE PROGRESS SUMMARY.....	7
4.1. Standard form for collecting information.....	7
4.2. Country reports.....	7
4.3. Methodology for preparing the progress summary	8
V. SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON PROGRESS IN IMPLEMENTING THE RECOMMENDATIONS OF THE FIRST TWO ROUNDS OF REVIEW.....	9
5.1. Comprehensive progress on the recommendations related to the provisions of the Convention reviewed in the first two rounds, considered as a whole.....	9
5.2. Specific progress on the recommendations related to the provisions of the Convention reviewed in the first two rounds, considered individually.....	15

5.2.1. FIRST ROUND OF REVIEW.....	15
1. <u>Standards of conduct and mechanisms to enforce compliance (Article III, paragraphs 1 and 2, of the Convention)</u>	15
1.1. <u>Standards of conduct to prevent conflicts of interest and mechanisms to enforce compliance</u>	15
1.2. <u>Standards of conduct and mechanisms to ensure the proper conservation and use of resources entrusted to government officials</u>	24
1.3. <u>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</u>	29
2. <u>Systems for registering income, assets and liabilities (Article III, paragraph 4, of the Convention)</u>	34
3. <u>Oversight bodies for the selected provisions (Article III, paragraphs 1, 2, 4 and 11, of the Convention)</u>	40
4. <u>Mechanisms to encourage participation by civil society and nongovernmental organizations in efforts to prevent corruption (Article III, paragraph 11, of the Convention)</u>	45
4.1. <u>Mechanisms for access to information</u>	45
4.2. <u>Mechanisms for consultation</u>	53
4.3. <u>Mechanisms to encourage participation in public administration</u>	57
4.4. <u>Mechanisms for participation in follow-up on public administration</u>	63
5. <u>Assistance and cooperation (Article XIV of the Convention)</u>	66
6. <u>Central authorities (Article XVIII of the Convention)</u>	70
5.2.2. SECOND ROUND OF REVIEW.....	70
1. <u>Systems of government hiring (Article III, paragraph 5, of the Convention)</u>	70
2. <u>Systems of government procurement of goods and services (Article III, paragraph 5, of the Convention)</u>	77
3. <u>Systems for protecting public servants and private citizens who in good faith report acts of corruption (Article III, paragraph 8, of the Convention)</u>	86
4. <u>Acts of corruption (Article VI of the Convention)</u>	89
VI. SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON OTHER PROGRESS IN IMPLEMENTING THE CONVENTION.....	91
6.1. <u>Comprehensive progress</u> regarding the provisions of the Convention <u>as a whole</u>	91
6.2. <u>Specific progress</u> regarding certain provisions of the Convention different from those reviewed in the first two rounds of review.....	94

C.	<u>PART THREE: SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON THE DIFFICULTIES IN IMPLEMENTING THE RECOMMENDATIONS FROM THE FIRST TWO ROUNDS OF REVIEW</u>	99
D.	<u>PART FOUR: MAIN PROGRESS REPORTED BY THE COUNTRIES REGARDING THE IMPLEMENTATION OF THE RECOMMENDATIONS AND OTHER MEASURES PROVIDED FOR IN THE CONVENTION</u>	103
E.	<u>PART FIVE: COMPILATION OF PROGRESS REPORTS</u>	135
F.	<u>PART SIX: ACTIVITIES CARRIED OUT IN THE FRAMEWORK OF MESICIC</u>	135
	1. Reports by country.....	136
	2. Topics of collective interest.....	136
	3. National Plans of Action.....	136
	4. Events held.....	137
	5. Third Meeting of the Conference of MESICIC States Parties.....	137
	6. Participation in other events.....	137
	7. Tools of cooperation.....	137
G.	<u>ANNEXES:</u>	
	ANNEX I. <u>States Parties to the Convention and to the MESICIC</u>	139
	ANNEX II. <u>Graphic representation of the comprehensive progress achieved regarding the recommendations on the provisions of the Convention reviewed in the first two rounds considered as a whole</u>	140
	ANNEX III. <u>Graphic representation of the greatest progress achieved with respect to the recommendations formulated in the First Round of Review</u>	141
	ANNEX IV. <u>Graphic representation of the specific progress achieved on the recommendations related to the provisions of the Convention reviewed in the First Round, considered individually</u>	142
	ANNEX V. <u>Graphic representation of the categories of actions that primarily have been developed by the countries for the implementation of the recommendations of the First Round of Review</u>	148
	ANNEX VI. <u>Graphic representation of the greatest progress achieved with respect to the recommendations formulated in the Second Round of Review</u>	149
	ANNEX VII. <u>Graphic representation of the specific progress achieved on the recommendations related to the provisions of the convention reviewed in the second round, considered individually</u>	150
	ANNEX VIII. <u>Graphic representation of the categories of actions that primarily have been developed by the countries for the implementation of the recommendations of the Second Round of Review</u>	152
	ANNEX IX. <u>Members of the Committee of Experts of the MESICIC (during the period covered by the present report)</u>	153

FIRST PROGRESS REPORT ON IMPLEMENTATION OF THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION

INTRODUCTION:

The Committee of Experts of the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption (MESICIC), aware of the importance of providing more frequent information on its activities in pursuit of its mission of assisting its Member States to implement this Convention, as well as on the progress reported by those States as a whole, resolved to adopt annual progress reports on its implementation.

The annual progress reports are based on the following provisions of the Rules of Procedure and Other Provisions of the Committee:

“Article 31. Reports within the framework of the Committee meetings. At the first Committee meeting of each year, each State Party shall submit a brief verbal report on the measures that it has adopted since the first meeting of the previous year with respect to the recommendations made by the Committee. Similarly, each State Party may inform on the difficulties that it has faced with respect to the implementation of those recommendations as well as on other progress related to the implementation of the Convention during that time period. An electronic copy of these reports, which shall be drafted in a standard format approved by the Committee and shall not exceed five pages in length, shall be published on the Internet web page of the Mechanism.”

“Article 32. Annual progress reports. The Secretariat shall annually compile the results mentioned in the foregoing paragraph and shall accompany them with a summary of progress achieved by all countries in implementing the recommendations made by the Committee together with the information provided by the States with respect to the difficulties that they have encountered in the implementation of those recommendations, as well as on other progress in the implementation of the Convention. Those reports and their summary, once approved by the Committee at the second meeting of each year, shall be published as the “Annual Report on Progress in Implementation of the Inter-American Convention against Corruption”, on the dates stipulated for this purpose in the schedule for each round of analysis, and shall be disseminated via the Internet web page of the Mechanism, and otherwise publicized. In the year in which the Hemispheric Report stipulated in Article 30 of these Rules of Procedure is to be adopted, the annual progress report referred to in this article shall not be prepared.”

The annual progress reports are an innovation in information made by the Committee, complementary to the hemispheric reports, which in accordance with Article 30 of its Rules of Procedure, it has been adopting at the end of each round of review and which differ substantially in the following ways:

- The annual progress reports basically contain a compilation of the reports presented by the countries at the Committee’s first meeting of each year, pursuant to Article 31 of its Rules of Procedure (hereinafter referred to as progress reports), supplemented by a summary of the information provided therein, prepared by the Secretariat in accordance with Article 32 of the above-mentioned Rules.

- The content of the hemispheric reports from each round, in accordance with Article 30 of the above-mentioned Rules, in addition to offering a summary of the progress made by the countries in general in implementing the recommendations, also includes a general, comprehensive analysis, with conclusions and collective recommendations on the issues addressed by the provisions of the Convention reviewed in the respective round.

- In the annual progress reports, the summary of the progress made by the countries in general is prepared using the information provided by the countries in their annual progress reports, without indicating whether on the basis of this information it can be established if a given country has or has not satisfactorily considered the recommendations in question, because that is done by the Committee using the procedure for adopting the country reports set forth in Articles 23, 24 and 25 of its Rules of Procedure.

- In the hemispheric reports on each round, to prepare the summary of the progress made by the countries in general, at the end of the round, complete information is available on the recommendations deemed by the Committee to have been satisfactorily considered by each country during the corresponding period; this enables the summaries to record the progress made by the countries in general in implementing the recommendations, taking into consideration whether they have been satisfactorily considered by the countries or whether additional attention still needs to be given.

To date, the Committee had adopted hemispheric reports on the first two rounds of review: the first in 2006^{1/} and the second in 2008^{2/}.

The present first progress report shall be based on the information provided by the countries in the progress reports of September 2009, March 2010 and December 2010.

The period covered by this first progress report runs from June 23, 2008 to December 17, 2010. That is longer than one year, because in 2009 the Committee held only one meeting, from September 14 to 18, and therefore the progress reports submitted by the countries at the March 2010 meeting addressed only the period of approximately six months between those two meetings; as a result, that period of less than one year was added to the period covered by this first progress report.

In addition to the above, at its September 2010 meeting, the Committee agreed to submit a progress report additional to those mentioned above, with a deadline of December 17, 2010, which would include a selection by each country of its main progress, on the basis of which the period for this first progress report was extended to this last date.

In accordance with the provisions set out in Articles 31 and 32 of the Committee's Rules of Procedure, transcribed above, this first progress report shall cover the following areas:

- Section A, the first part of the report, reference will be made to the background to the Committee's recommendations on which the countries reported progress in their reports. For this, a brief description of the Inter-American Convention against Corruption (IACAC) and its Follow-up Mechanisms (MESICIC) will be given; mention will also be made on how the first two rounds of review were conducted, considering that the recommendations in question arose from those two rounds.

1. This report may be found at: http://www.oas.org/juridico/spanish/mec_ron1_inf_hemis.pdf

2. This report may be found at: http://www.oas.org/juridico/spanish/mec_ron2_inf_hemis.pdf

- Section B, the second part of the report, will provide a summary of progress reported by the countries in the progress reports of September 2009 and March and December 2010 in implementing the recommendations formulated to them by the Committee in the first two rounds of review and on other progress in implementing the Convention. For this, reference will first be made to the standard form adopted by the Committee to gather this information; to the reports from the countries furnishing that information; and then to the methodology used to prepare the progress summary, which will be addressed below.
- Section C, the third part of the report, will provide a summary of the information provided by the countries in the aforesaid reports on the difficulties they encountered in implementing the recommendations formulated to them by the Committee in the first two rounds of review.
- Section D, the fourth part of the report, shall provide the full text of the main progress reported by the countries in their progress reports of December 17, 2010.
- Section E, the fifth part of the report, offers a compilation of the full text of the progress reports of the countries from September 2009 and from March and December 2010, copies of which were made available to the Secretariat. Given the size of this compilation, it has been copied onto a CD that is attached to, and a part of, the present report.
- Section F, the sixth part of the report, shall provide a summary of the main activities carried out in the framework of MESICIC, in the period running from June 23, 2008 to December 17, 2010, regarding the country reports adopted; the issues of collective interest; development of the program of the National Action Plans; the events held; the participation in other events; and the cooperation tools designed.

This report was adopted by the Committee of Experts of MESICIC at its first meeting in 2011 held on March 21-25, 2011, on the basis of the document prepared by the Technical Secretariat pursuant to the terms of Article 32 of the Committee's Rules of Procedure, and which modifications were made at the request of countries during this meeting.

A. PART ONE: BACKGROUND

I. THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION (IACAC) AND ITS FOLLOW-UP MECHANISMS (MESICIC)

Although the initial sections of the hemispheric reports from the first two rounds of review dealt with the background, content, and scope of the Inter-American Convention against Corruption (IACAC),^{3/} together with the origins, purposes, agencies, and characteristics of its follow-up mechanism (MESICIC), we believe it would be useful for this first progress report to set out a few brief comments on those points, in order to promote awareness of the cooperation instruments on which OAS anticorruption activities are based and, particularly, of the framework for the follow-up mechanism.

The OAS member states adopted the IACAC in March 1996. A pioneer instrument in its field, it has served as the inspiration for other similar treaties, such as the United Nations Convention against Corruption.

3. The text of the IACAC may be found at: <http://www.oas.org/juridico/english/Treaties/b-58.html>

The nature of the IACAC as an international legal instrument that comprehensively addresses corruption as a cross-border phenomenon that, to be tackled effectively, demands the cooperation of the various States involved, is what has made it a roadmap for attaining that goal in the OAS member states and a model to be followed in regions other than the Americas.

In order to encourage and facilitate that cooperation, the IACAC sets two goals: first, to promote and strengthen the development, by each of the States parties, of the mechanisms needed to prevent, detect, punish, and eradicate corruption; and, second, to promote, facilitate, and regulate cooperation among those States to ensure the effectiveness of measures and actions intended to prevent, detect, punish, and eradicate corruption in the performance of public functions and acts of corruption specifically related to such performance.

The IACAC establishes binding obligations under international law, identifies the acts of corruption to which it applies, and sets out principles for effectively combating corruption. It emphasizes the importance of measures for preventing corruption; it addresses the institutional development and effective enforcement of the measures adopted for tackling it; it requires the criminalization of certain specific corrupt actions; and it contains provisions on extradition, asset seizures, mutual legal assistance, and technical assistance in corruption cases occurring in or affecting other States parties.

The reception that the IACAC has received in our hemisphere can be seen in that it has been signed by 34 OAS member states and ratified by 33 of them, as well as in the interest shown by our countries in pursuing the implementation of its provisions through a follow-up mechanism (MESICIC) to which 31 of those states have adhered. This follow-up mechanism was adopted in June 2001 and began to operate in January 2002 under the terms of the “Report of Buenos Aires on the Mechanism for Follow-up on Implementation of the Inter-American Convention against Corruption.”^{4/} Annex I of this report lists the IACAC and MESICIC States parties.

As provided for in the Report of Buenos Aires, the purpose of the mechanism is to promote the implementation of the IACAC; to follow up on the commitments made by the Convention’s States parties and to study how they are being implemented; and to facilitate technical cooperation activities, exchanges of information, experience, and best practices, and the harmonization of the States parties’ laws.

MESICIC operates under the aegis of the goals and principles set out in the OAS Charter and it abides by principles such as sovereignty, nonintervention, and the legal equality of states; in addition, although it is intergovernmental in nature, it allows for the opinions of civil society to be heard.

It is characterized by impartiality and objectivity in its operations and in the conclusions it reaches, and by the absence of sanctions; this all serves to guarantee its seriousness and underscores the fact that its goal is not to assess or classify the participating states, but to strengthen cooperation among them in their efforts against the common enemy of corruption.

MESICIC comprises the Conference of the States Parties, which has general responsibility for implementing the mechanism, and the Committee of Experts, which is described in the following section of this report.

4. The text of the Report of Buenos Aires may be found at: www.oas.org/juridico/english/doc_buenos_aires_en.pdf

Finally, in order to perform its functions, it is important to note that the MESICIC receives support from a Technical Secretariat, which is provided by the OAS General Secretariat through the Department of Legal Cooperation of the Secretariat for Legal Affairs.

II. THE COMMITTEE OF EXPERTS OF MESICIC

2.1. Composition and responsibilities

The MESICIC Committee of Experts is made up of anticorruption experts appointed by each of the Mechanism's states parties. The essential aspects of its organization and operations—such as its functions, the powers of its Chair, Vice-Chair, and Technical Secretariat, the adoption of decisions, the selection of the Convention provisions for review in each round and the procedure for that review, and civil society participation in its activities—are governed by a set of Rules of Procedure adopted by its members.^{5/}

The Committee is the mechanism's technical body and is responsible for the technical analysis of how the states parties to the Convention implement its provisions.

In addition, the Committee is tasked with following up on the progress reported by the MESICIC states parties in connection with the recommendations extended to them for improving their implementation of the Convention's provisions.

2.2. Civil society participation in the Committee's activities

As noted in the hemispheric reports from the first two rounds of review, since its inception, the Committee has encouraged the participation of civil society organizations in its activities and, pursuant to Chapter V (Articles 33 to 36) of its Rules of Procedure, it has provided them with forums for that participation.

These provisions afford civil society broad possibilities for participation. For example, they may present documents with specific proposals to be considered in determining such important matters as the Convention articles to be reviewed in a given round, the review methodology to be used, and the questionnaire to be applied to gather the necessary information.

They may also submit documents with specific and direct information on the questions contained in the questionnaire regarding the implementation by a given State party of the provisions selected for review in a round, and on the implementation of recommendations formulated during previous rounds.

These documents, after they have been submitted in the timeframes and fashion indicated in the Rules of Procedure, can also be presented in person by the organizations at the informal meetings that the Committee holds prior to the commencement of its formal sessions.

The hemispheric reports from the first two rounds of review list the civil society organizations that have participated in the activities of the MESICIC Committee of Experts. The Committee once again extends an invitation to the different civil society organizations interested in anticorruption efforts to avail themselves more actively of the opportunities for participation available to them.

5. The text of the Committee's Rules of Procedure may be found at: www.oas.org/juridico/english/mesicic_rules.pdf

III. DEVELOPMENT OF THE FIRST TWO ROUNDS OF REVIEW

3.1. Provisions of the Convention selected for review

During the first two rounds, the Committee analyzed the States parties' implementation of the following Convention provisions:

- In the first round:

Article III, paragraphs 1 and 2 (standards of conduct and enforcement mechanisms); Article III, paragraph 4 (systems for registering income, assets and liabilities); Article III, paragraph 9 (oversight bodies, only in those areas relating to the performance of functions by such bodies with respect to compliance with the provisions of paragraphs 1, 2, 4, and 11 of Article III of the Convention); Article III, paragraph 11 (mechanisms to encourage participation by civil society and nongovernmental organizations in efforts to prevent corruption); Article XIV (assistance and cooperation); and Article XVIII (central authorities).

- In the second round:

Article III, paragraph 5 (systems for government hiring and state procurement of goods and services); Article III, paragraph 8 (systems for protecting civil servants and private citizens who, in good faith, report acts of corruption); and Article VI (acts of corruption).

3.2. Review methodology and procedure

For the technical review of the MESICIC states parties' implementation of the Convention provisions, the Committee conducts a process of mutual or reciprocal evaluation among the States, through a series of "rounds" that analyze how they are implementing the provisions of the IACAC selected for each round; then, in accordance with the Rules of Procedure and a uniform methodology, questionnaire, and structure, it adopts country reports in which it offers each State specific recommendations to address the regulatory shortcomings detected, resolve any inadequacies found, and identify indicators for the objective determination of results.

The methodologies adopted by the Committee for each of the first two rounds of review^{6/} were essentially similar, with the differences required by the particular nature of each of the topics covered by the Convention's provisions that were selected for review, as identified above. In each round, the methodology specified the object and scope of the analysis, indicating that it would examine the existence, in each State party, of a legal framework and other measures for the enforcement of each of the provisions and, if they were found to exist, on their suitability for achieving the Convention's purposes and on the objective results obtained through their application.

This methodology also set general guidelines for the review. These were: equal treatment for all the States; the functional equivalence of the measures adopted by the States for implementing the Convention's provisions, in consideration of their legal systems and contexts; and strengthening cooperation among them all for the prevention, detection, punishment, and eradication of corruption.

6. The methodologies adopted for the first and second rounds of review can be seen, respectively, at: www.oas.org/juridico/english/followup_method.htm and www.oas.org/juridico/english/mesicic_method_Iround.pdf

The procedure for reviewing the implementation of the Convention's provisions selected for each round and the subsequent adoption of reports containing recommendations to help the countries implement them is regulated by Articles 23, 24 and 25 of the Committee's Rules of Procedure; it observes due process in seeking to ensure objectivity and impartiality in the reviews.

3.3. Recommendations formulated

The Committee, as a result of the reviews made in its first two rounds, made recommendations to the countries that are members of the MESICIC, aimed at strengthening the legal standards, measures and systems they have available for the enforcement of the provisions of the Convention that were selected to be reviewed in each one of these rounds, as mentioned previously, and suggested measures for their implementation.

These recommendations and measures are described in detail in each one of the country reports, which can be consulted at the following Internet address:

B. PART TWO: SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON PROGRESS IN IMPLEMENTING THE RECOMMENDATIONS OF THE FIRST TWO ROUNDS OF REVIEW AND ON OTHER PROGRESS IN THE IMPLEMENTATION OF THE CONVENTION

IV. SOURCES OF INFORMATION AND METHODOLOGY TO PREPARE THE PROGRESS SUMMARY:

4.1. Standard form for collecting information

In order to ensure the provision of uniform information on the specific issues to be concretely addressed in the progress reports presented by the countries under Article 31 of the Committee's Rules of Procedure, the article in question requires that they be drafted in a standard format approved by the Committee.

The standard form adopted by the Committee⁷ allows the countries to report, in the introduction, on their main achievements in implementing the Convention and then to refer, in connection with each of the recommendations that have been made to them, first of all, to the measures adopted and the actions taken for their implementation; second, if deemed necessary, to the difficulties encountered in the implementation process; and third, again if deemed necessary, to other progress made in implementing the IACAC.

This standard form enables the countries to submit information on the progress they have made in implementing the recommendations, not only through the measures suggested by the Committee, but also through any measures chosen by the countries for that purpose.

4.2. Country reports

The countries submitted the progress reports in September 2009 and March and December 2010, so that will be taken into account in the preparation of this first progress report. As explained previously, since only one meeting of the Committee was held in 2009 and because it was agreed, at its September 2010 meeting, that an additional progress report be submitted by the December 17, 2010,

7. The form is available at: http://www.oas.org/juridico/english/mesicic_format_std.doc .

in addition to the first two that were mentioned, which would include a selection by each country of its main progress, the period covered by this progress report runs from June 23, 2008 to December 17, 2010.

The compilation of those reports, referred to in Article 32 of the Committee's Rules of Procedure, is dealt with in Section E of this progress report.

4.3. Methodology for preparing the progress summary

Pursuant to the provisions of Article 32 of the Committee's Rules of Procedure, the summary of the progress to be developed in Section V of the present progress report shall be done on the basis of information furnished by the countries in the previously mentioned progress reports, which report on many actions of various kinds, mostly involving the implementation of the recommendations that were made in the first two rounds of review.

In view of the large number of diverse actions, to be able to draw up a summary that would make it possible to uniformly appreciate the aspects on which the countries in general have emphasized in the implementation of the Convention and to clearly reflect efforts that have been made to prevent and combat corruption in the period referred to by the present progress report, the following procedure has been used:

First of all, the following categories of actions have been taken into account, pertaining to the class of activities that have been primarily developed by the countries for the implementation of the recommendations that were made to them in the first two rounds of review and the provisions of the Convention in general:

- a) Adoption of Laws
- b) Adoption of other legal standards and/or measures
- c) Preparation of draft laws
- d) Implementation of training actions
- e) Implementation of international cooperation actions
- f) Implementation of institutional strengthening actions
- g) Adoption or implementation of actions related to technological systems and tools

Second, the above-mentioned actions that have a cross-cutting character have been selected, that is, those that are related to the Convention's provisions as a whole reviewed in the first two rounds and not only a given provision considered individually. Because of this they have been called, for the purpose of the summary of the present report, "comprehensive actions."

Third, the above-mentioned actions that are specifically related to a given provision of the Convention, have been selected. Because of this they have been called, for the purpose of the summary of the present report, "actions referring to certain specific provisions of the Convention."

Fourth, using the above-mentioned criteria, the following summaries were carried out:

1. The summary pertaining to the information provided by the countries on the progress made in implementing the recommendations on those provisions of the Convention reviewed in the first two rounds, which:

a) shall describe very briefly the “comprehensive actions” which the countries have reported regarding this (such as the issuance of comprehensive anticorruption laws or statutes or the organization of comprehensive training programs) and shall reflect the summary of these actions, by category and in their entirety, pertaining to the countries in general;

b) shall describe very briefly the “actions referring to certain specific provisions of the Convention” which the countries have reported regarding this (such as the issuance of laws on the prevention of conflicts of interest or the organization of training programs on public procurement) and shall reflect the summary of these actions, by category and in their entirety, pertaining to the countries in general.

2. The summary pertaining to the information furnished by the countries on other progress made in implementing the Convention, which would develop the same aspects as the preceding summary, but with respect to the Convention’s provisions other than those that were reviewed in the first two rounds.

It is important to stress that, in view of the large amount of information on the diverse actions carried out by the countries appearing in their progress reports of September 2009 and of March and December 2010, it was necessary to focus the summary on the actions that were relevant to the subjects of the Convention that corresponded to the indicated categories (adoption of laws, etc.) and that would have been carried out in the period corresponding to the present report (from June 23, 2008 to December 17, 2010), and also to make their descriptions very brief.

Given the foregoing, the summary cannot reflect all of the information provided by the countries in the above-mentioned progress reports, which can be consulted in the comprehensive text of the reports, the content of which is also available at http://www.oas.org/juridico/inf_prog1.htm, as explained in Section E.

V. SUMMARY OF THE INFORMATION FURNISHED BY THE COUNTRIES ON PROGRESS IN IMPLEMENTING THE RECOMMENDATIONS OF THE FIRST TWO ROUNDS

5.1. Comprehensive progress regarding the recommendations on the provisions of the Convention reviewed in the first two rounds considered as a whole

The information reported by the countries in general in their progress reports of September 2009, March, 2010 and December 2010, describes the implementation of 49 comprehensive actions related in a cross-cutting fashion with the implementation of the recommendations on the provisions of the Convention that were reviewed in the first two rounds considered as a whole.

These comprehensive actions pertain to: the issuance of laws (6); the adoption of other legal standards and/or measures (10); the preparation and processing of draft laws (7); the execution of training activities (9); the execution of international cooperation activities (2); the execution of

institutional strengthening activities (14); and the adoption or implementation of technological systems or tools (1).

A highly summarized overview of the above-mentioned actions is provided below, indicating the countries that have reported them in their progress reports of the above-mentioned dates, which are compiled in a CD attached to the present report and on which their complete description can be found:

▪ **ARGENTINA**

Institutional strengthening actions:

- Implementation of activities for the promotion of subnational transparency policies, by the National Anticorruption Office jointly with officials from provincial government,.
- Entering into a cooperation agreement between the National Anticorruption Office and a provincial government, for the development of cooperation and technical assistance activities to increase institutional capacities to implement mechanisms for transparency and the prevention of corruption in public administration.

Training actions:

- Implementation of the System for Distance Training on Public Ethics (*Sistema de Capacitación a Distancia en Ética Pública—SICEP*); and the preparation and dissemination of three publications: “SICEP - *Sistema de Capacitación a Distancia en Ética Pública*” [System for Distance Training on Public Ethics]; “*Y Vos Qué? Herramienta Pedagógica para los Contenidos Transversales de Formación Ética y Ciudadana*” [And What About You? Tool for Teaching Cross-cutting Contents of Ethical and Citizen Training]; and “*Resetear la Sociedad. Ideas de los Jóvenes sobre la Corrupción*” [Resetting Society: Ideas of Young People about Corruption].

▪ **BOLIVIA**

Laws:

- Adoption of the new Political Constitution of the State, with specific provisions on preventing and combating corruption, including the prohibition of statutes of limitation for crimes of corruption and economic damage to the State, the obligation of reporting acts of corruption, transparency and access to public information, social oversight, public participation and accountability, as well as on the implementation of codes of conduct and ethical values when in the exercise of public functions.
- Adoption of a comprehensive anticorruption law with provisions related to the protection and recovery of public assets, prevention, investigation, processing, punishment, and criminalization of acts of corruption, establishment of a witness and whistleblower protection system, effective court procedures to seize and confiscate the proceeds of corruption, creation of an institution responsible for national anticorruption policies, as well as promoting public participation in combating corruption, among other provisions.

Draft Laws:

- Preparation of three draft laws that include provisions related to standards of conduct for the proper performance of public functions, systems for the hiring of public servants, their obligations of probity and the proper performance of their functions, as well as the establishment of a system for the planning, management, monitoring and evaluation of public functions.

Other legal standards and/or measures:

- Adoption of two supreme decrees, one which creates the Ministry of Institutional Transparency and the Fight against Corruption as the body responsible for formulating and executing anticorruption policies, programs and projects and promoting the development of public ethics in government institutions, and the other which approves the National Policy for Transparency and the Fight against Corruption as a State policy to promote transparency and prevent and punish corruption by strengthening public participation, transparency in public administration, the right of access to information, and institutional coordination.

▪ **CHILE**

Training actions:

- Organization, by the Office of the Comptroller General, of various seminars where training has been provided, broadly and free of charge, to public officials to foster probity and the prevention of corruption, addressing various aspects considered by the Convention.

▪ **COLOMBIA**

Draft laws:

- Presentation to the legislature of a draft law issuing standards aimed at strengthening mechanisms to prevent, investigate, and punish acts of corruption and building up the effectiveness of monitoring of public administration.

Other legal standards and/or measures:

- Inclusion of the fight against corruption and the promotion of transparency in the National Development Plan.

Training actions:

- Organization, by the Administrative Department of Public Administration, of regional meetings for the dissemination of the National Training and Learning Plan and of the guidelines to be followed by institutions to formulate their Institutional Training Plan (*Plan Institucional de Capacitación*—PIC).

- Organization, by the Office of the General Prosecutor of the Nation, of training courses for public officials, in various aspects of public administration.

Institutional strengthening actions:

- Adoption of the New Standard Model for Internal Control (*Modelo Estándar de Control Interno—MECI*), which must be implemented by all State institutions, including oversight and investigation bodies.

▪ **COSTA RICA**

Laws:

- Issuance of the Law against Corruption and Illicit Enrichment in Public Office, which broadens the definition of public official and establishes the obligation of probity. This law also deals with the following issues: system of abstentions and prohibitions, sworn statements, receiving and concealing of assets, misrepresentation in the receipt of assets and contracted services, among others.

▪ **ECUADOR**

Laws:

- Adoption of a new Constitution that deals with topics such as guaranteeing public participation and oversight bodies, among others.

Institutional strengthening actions:

- Drafting of the document “Articulation of the National Plan to Combat Corruption,” which deals with topics such as participatory democracy, public policies, the national system for transparency and social oversight, and accountability, among others.

▪ **EL SALVADOR**

Institutional strengthening actions:

- Creation of the Under-Secretariat for Transparency and the Fight against Corruption of the Secretariat for Strategic Affairs of the Office of the President of the Republic as the entity in charge of anticorruption policies, programs and projects and responsible for promoting transparency in public administration and public participation.

▪ **JAMAICA**

Draft laws:

-Presentation to Parliament of the Corruption Prevention (Special Prosecutor); the Bill is expected to be debated during the 2010/2011 legislative year by Parliament.

Other legal standards and/or measures:

-Enactment of the Financial Investigations Division Act: The Act establishes the Financial Investigations Division with responsibility for investigating financial crimes which include any offence involving money, fraud, dishonesty or other benefit.

▪ **MEXICO**

Institutional strengthening actions:

- Implementation of the National Plan for Accountability, Transparency and the Fight against Corruption 2008-2012 (*Plan Nacional de Rendición de Cuentas, Transparencia y Combate a la Corrupción*—PNRCTCC), which brings together all of the goals and strategies the Federal Government must pursue to prevent and punish bribery, consolidate a State policy on public information, and coordinate with the other branches of government of the Union, other sectors of the government, the private sector and civil society to adopt actions that contribute to improving policies of transparency and accountability, among others.
- Adoption, by the Secretariat of Public Administration and the Permanent Commission on State Comptrollers – Federation (*Comisión Permanente de Contralores Estados – Federation*—CPCEF), of a working program to promote compliance with the five points included in the Inter-American Convention against Corruption: propose a code of conduct for public servants of all sectors of government; examine how all federal entities can have anonymous whistle-blowing mechanisms to report corruption; improve, through the Municipalities for Transparency Program, the mechanisms to disseminate information; propose the signing of an agreement by representatives from the private sector pledging not to be “the other face of corruption”; and share the progress made in the federal entities and federation with respect to combating corruption, in the framework of the CPCEF,.
- Signing of a Coordination Agreement between the Secretariat of Public Administration and state governments of the Republic of Mexico, calling upon governments to fine-tune, strengthen and reorganize oversight bodies and all surveillance and monitoring organizations in our governments.
- Updating of the Agreement on Coordination for Strengthening the State System for the Monitoring and Evaluation of Public Administration, between the Secretariat for Public Administration and state executive branches.
- Implementation of a commitment to the accredited representative of the Organization of American States in Mexico to promote the development and implementation of a work program in the framework of the attributions of each government oversight body, making it possible for the competent authorities to carry out actions and proposals to improve the legal and procedural mechanisms for administering justice, for the purpose of combating corruption.

▪ **PARAGUAY**

Training actions:

- Organization of various training courses by the Ministry of Justice, aimed at the officials of the Economic Crimes and Anticorruption Unit, with respect to reform of the Criminal Code.

▪ **PERU**

Other legal standards and/or measures:

- Adoption of a supreme decree creating the High-Level Anticorruption Commission as the body responsible for helping to articulate, coordinate and plan, over the medium and long terms, actions aimed at preventing and combating corruption.

- Adoption of a supreme decree regulating public sector training and performance standards.

Institutional strengthening actions:

- Presentation of the National Plan for Combating Corruption and anticorruption sector plans by the Ministry of Health and the Ministry of Agriculture.
- Adoption of the National Capacity Building Plan, which articulates the supply of training by the various public institutions with the needs of government employees.

- **SURINAME**

Draft laws:

- Presentation to Parliament of a Draft anticorruption act.
- Submission of the Draft of an Act for a National Ombudsman's Bureau to the council of ministers for approval.

International cooperation actions:

- Agreement by the Government of Suriname and the UNDP to implement the project "Support for Implementing the Policy Plan for Protection of Legal Rights and Safety Legal Protection and Human Rights and Anti Corruption 2008-2011."
- Signature of a Memorandum of Understanding with the OAS for development of a national plan of action for the implementation of the recommendations of the MESICIC Committee of Experts.

Institutional strengthening actions:

- Establishment of the Project Board for monitoring, evaluating and coordinating anticorruption efforts, as part of the Republic of Suriname and UNDP project "Support for Implementing the Policy Plan for Protection of Legal Rights and Safety-Legal Protection and Human Rights and Anticorruption 2008-2011."

Actions related to technological systems and tools:

- Installation of the BUCS (Budget Executing and Controlling System), a software for monitoring all Government's payments per Ministry.

- **URUGUAY**

Laws:

- Adoption of a law which contains provisions for: i) improving the presentation of sworn statements and expanding the list of public servants required to submit these statements, including their spouses/partners; ii) strengthening of institutions for access to government information; iii) strengthening the process of hiring of public servants in the executive and judicial branches of government and the Administrative Dispute Settlement Court; iv) setting a deadline for publishing, in advance, the invitations or calls for bids and the requirement that they must be public and open; and v) establishing bodies to improve the conditions whereby the State conducts procurement processes.

Draft laws:

- Preparation of a draft law that includes provisions on the following: institutional strengthening of the Board on Transparency and Public Ethics; the system for sworn statements; the strengthening of standards of conduct; and a review of criminal law regarding anticorruption.

▪ **VENEZUELA**

Draft laws:

- Presentation of a draft law to amend the Criminal Code to the National Assembly.
- Holding of consultation sessions for the second debate on the Draft Reform of the Organic Code on Criminal Procedure.
- Presentation of a request to amend the Law against Corruption.

Other legal standards and/or measures:

- Issuance of an Executive Decree implementing the System for Financial Administration of Human Resources (*Sistema de Gestión Financiera de los Recursos Humanos—SIGEFIRRH*) in all institutions and bodies specified in Article 6 of the Organic Law on Financial Administration of the Public Sector.

Training actions:

- Implementation of the E-Learning Training Project on the Inter-American Convention against Corruption.

Institutional strengthening actions:

- Creation of the Inter-Institutional Commission for Follow-up on Implementation of the Inter-American Convention against Corruption.
- Implementation of the System for Financial Administration of Human Resources (SIGEFIRRH) in all institutions and bodies specified in Article 6 of the Organic Law on Financial Administration of the Public Sector.

5.2. Specific progress on the recommendations related to the provisions of the Convention reviewed in the first two rounds, considered individually

5.2.1. First Round of Review

1. Standards of conduct for the proper, honorable and proper performance of public functions and enforcement mechanisms (Article III, paragraphs 1 and 2, of the Convention)

1.1. Standards and mechanisms to prevent conflicts of interest

The information reported by the countries in general in their progress reports of September 2009, March, 2010 and December, 2010, describes 136 actions regarding the implementation of the recommendations related to the prevention of conflicts of interest.

These activities pertain to the issuance of laws (6); the adoption of other legal standards and/or measures (51); the preparation and processing of draft laws (7); the execution of training activities (48); the execution of international cooperation actions (2); the execution of activities related to institutional strengthening (17); and the adoption or implementation of technological system or tools (5).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates and compiled in the CD attached to the present report, in which a complete description can be found.

▪ **ARGENTINA**

Training actions:

- Development of training courses on conflicts of interest through the Distance Learning Training System in Public Ethics (*Sistema de Capacitación a Distancia en Ética Pública—SICEP*); and the drafting and dissemination of three publications: Ethics, Transparency and Fight against Corruption in Public Administration (“*Ética Transparencia y Lucha contra la Corrupción en la Administración Pública*”); Conflict of Interest: Dilemmas between the Public and Private Sectors and the Prevention of Corruption (“*Conflicto de Intereses. Disyuntivas entre lo Público y lo Privado y la Prevención de la Corrupción*”); and Tools for Transparency in Management. Guide No. 1: Conflicts of Interest (“*Herramientas para la Transparencia en la Gestión. Guía No. 1: Conflictos de Intereses*”).

International cooperation actions:

- Participation in the following events: “Inter-American Meeting for the Exchange of Experiences in the Fight against Corruption in Latin America and the Caribbean,” where the Anticorruption Office made a presentation on conflicts of interest; and the XIV International Congress of CLAD on Reform of the State and Public Administration, where government ethics issues were addressed.

▪ **BOLIVIA**

Other legal standards and/or measures:

- Adoption of seven codes of ethics in various State Ministries with provisions aimed at preventing conflicts of interest.

- Adoption of a supreme decree organizing the structure of the executive branch of government and the establishment, among other provisions, of a system of incompatibilities for holding public office.

▪ **BRAZIL**

Other legal standards and/or measures:

- Regulation of the system aimed exclusively at the public servants of the Office of the Comptroller General of the Union (*Controladoria-Geral da União—CGU*).

- Regulation, by the Ministry of Treasury, of the granting of concessions to address specific matters.

- Regulation of the system of proceedings for ethical misconduct by the Ethics Commissions in the framework of the Federal Executive Branch.
- Issuance of the Code of Professional Ethics of the Employees of the National Economic and Social Development Bank (*Banco Nacional de Desenvolvimento Econômico e Social* —BNDES).
- Issuance of the Code of Conduct of the Office of the Comptroller General of the Union (CGU).

Training actions:

- Training of public servants with courses on “Pleadings in Disciplinary Administrative Proceedings” and on “Course of Ethics in Public Administration.”

- **CANADA**

Other legal standards and/or measures:

- Code of conduct for the larger federal public sector as required by the Public Servants Disclosure Protection Act has been tabled in both Houses of Parliament and is targeted for implementation in spring of 2011.

Training actions:

- Online-course launched for all federal public servants by the Values and Ethics Division of the Treasury Board Secretariat and the Canada School of Public Service, which covers the Values and Ethics Code, the Public Servants Disclosure Protection Act and other policies in the field of values and ethics.

Institutional strengthening actions:

- The Public Service Commission has streamlined the process for employees requesting permission to be candidates in municipal elections, see the following link: www.psc-cfp.gc.ca/lhhr-lcrh/2010/10-02a-eng.htm.

- **CHILE**

Laws:

- Issuance of a Law for Amendment of the Constitution in Issues regarding Transparency, State Modernization and Quality of Politics, which provides that the President of the Republic, Ministers of State, congresspersons and senators, and any other authorities and public officials indicated by constitutional law, must publicly disclose their interests and assets.

Draft Laws:

- Presentation to the legislature of a draft law aimed at strengthening standards on the statements of interests and assets, whereby, among other provisions, a larger number of authorities are required to make their statement of interests and assets and where the activities and assets subject to declaration and disciplinary measures against those who fail to fulfill their statement obligations are expanded.

Other legal standards and/or measures:

- Issuance, by the Office of the Comptroller General, of a Final Report indicating that failure to submit the statement of interests on time must be punished by a fine; the issuance of an official letter instructing all Oversight Units of the Municipalities to submit a report, providing information about all situations of possible ineligibility and incompatibility and the measures adopted regarding them; and the issuance of a ruling about the duties of the Regional Comptroller's Offices to investigate any breach of the regulations on the statements of interests and assets.
- Request by the President of the Republic to heads of services, through the Council of the Office of the Auditor General of the Government, to send information about compliance with the duty of authorities and public officials to declare their interests and assets.
- Issuance, by the Council for Transparency, of two instructions recommending State Administration bodies and services to make the statements of interests and assets permanently available to the public on their Active Transparency web pages.

Training actions:

- Organization, by the Office of the Comptroller General, of various seminars where public officials are provided, broadly and free of charge, training on the promotion of probity and the prevention of corruption, addressing topics such as conflicts of interest.

Institutional strengthening actions:

- Entering into an agreement with the GTZ cooperation agency to strengthen the technical dependence that the Internal Control Units have with respect to the Office of the Comptroller General to improve, among others matters, the review of statements of interests and assets.

Actions related to technological systems and tools:

- Implementation, by the Office of the Comptroller General, of the first phase of the Information and Monitoring System of State Employees (Sistema de Información y Control del Personal del Estado—SIAPER), which is a technological tool aimed at improving the registration and oversight of all matters concerning the career of a public official.

▪ **COLOMBIA**

Training actions:

- The holding, by the Office of the General Prosecutor of the Nation, of training courses for public officials on various aspects of public administration, including the system of conflicts of interest and, in general, the standards of conduct and mechanisms to ensure their enforcement.

▪ **COSTA RICA**

Laws:

- Issuance of the Law against Corruption and Illicit Enrichment in Public Office; a law on Internal Monitoring Standards for the Public Sector; and a Law for Capacity Building and Modernization of Public Institutions of the Telecommunication Sector.

Other legal standards and/or measures:

- Issuance of standards on the Council of the Telecommunication Superintendency; corporate governance of banking institutions; appraisal of financial instruments; entities supervised by the General Insurance Superintendency; organization and jurisdiction of criminal justice officials; municipal organization and services; Public Transportation Council; auditing of banking institutions; association of information technology and computer professionals; executive board of the association of economists; and organization and functioning of the art museum.

- Issuance of a manual on the ethical principles of a university.

▪ **ECUADOR**

Draft laws:

- Preparation, by the Office of the Comptroller General, of a draft law against illicit enrichment, which includes mechanisms for the detection and prevention of conflicts of interest.

Training actions:

- Training of public officials by the Office of the Human Rights Ombudsman on “Public Ethics, Public Participation, and Transparency in Public Administration;” organization of a Forum on the Transparency Branch of Government and Citizen Ethics; and training of auditors on the implementation of codes of ethics.

Institutional strengthening actions:

- Creation of the Transparency and Social Oversight area, comprised of the Public Participation and Social Oversight Council, the Office of the Human Rights Ombudsman, the Office of the Comptroller General of the State, and the Superintendencies.

▪ **EL SALVADOR**

Draft laws:

- Presentation to the legislature of draft amendments to the Law on Government Ethics containing provisions related to conflicts of interest.

Training actions:

- Development of programs, workshops and sessions for dissemination of, and training on, the Law on Government Ethics and its Regulations.

▪ **GRENADA**

Draft laws:

- Proposal in the work plan of the Ministry of Legal Affairs to draft a Public Service Bill to reform the public service.

Training actions:

- Training program hosted by the Department of Public Administration, to train newly recruited public servants on their duties and responsibilities.

Institutional strengthening actions:

- Establishment of offices for the Integrity Commission so that the member can efficiently carry out their duties and responsibilities.

▪ **GUATEMALA**

Other legal standards and/or measures:

- Adoption of two codes of ethics, one in the Ministry of Justice and the other in the Bank of Guatemala.

- Presentation of initiatives to amend the regulations governing public service and the executive body.

Training actions:

- Organization of 14 awareness-raising and training sessions to implement the code of ethics of the State comptroller.

▪ **GUYANA**

Other legal standards and/or measures:

- Tabled a motion in the National Assembly on Compliance of Members of Parliament with the Integrity Commission Act.

▪ **JAMAICA**

Institutional strengthening actions:

- Increasing the resources of the Commission for the Prevention of Corruption, following a review of the organizational structure.

▪ **MEXICO**

Training actions:

- Training of public servants from surveillance and monitoring bodies on the issue of conflicts of interest.
- Holding the Third National Colloquium on Transparency: “Transparency and accountability as the basic principles for managing the fight against corruption.”
- Publication and dissemination of the Proceedings of the Second and Third Colloquiums on Transparency.
- Continued dissemination of the guide entitled “Administrative Responsibilities in Electoral Contexts: legality as the means to securing public responsibility” and creation of a virtual course on the subject.
- Conducting, by the Secretariat on Public Administration, studies on transparency, accountability, and the fight against corruption by academic institutions or research centers by means of a series of publications entitled “Notebooks on Accountability.”

Institutional strengthening actions:

- Implementation of the program “Culture of Legality: Ethics and Public Responsibility.”

▪ **NICARAGUA**

Laws:

- Issuance of the Organic Law of the Office of the Comptroller General of the Republic and the System for Monitoring Public Administration and Auditing State Assets.”

Other legal standards and/or measures:

- Issuance of the Code of Ethical Conduct of Public Servants of the Executive Branch of Government.

Training actions:

- Training of public officials on the judicial and regulatory framework of the Office of the Comptroller General of the Republic, as well as on ethical issues in Public Administration, Internal Monitoring, and Legal Principles governing the ethical performance of public servants, among others.

▪ **PANAMA**

Laws:

- Issuance of a Law developing the jurisdiction over accounts in the Republic of Panama.

Other legal standards and/or measures:

- Issuance of a resolution, whereby the National Science and Technology Secretariat (*Secretaría Nacional de Ciencias y Tecnologías*—SENACYT) adopts its code of ethics.
- Issuance of a Supreme Court Agreement creating the Office of Judicial Ethics of the Judiciary System.

Institutional strengthening actions:

- Establishment and implementation of the Tribunal and Auditor's Office to replace the Assets Responsibility Department which had been attached to the Office of the Comptroller General of the Republic, which was in charge of examining the accounts of public servants and administrative officials when objections arose.
- Creation of the Office of Judicial Ethics of the Judiciary System.
- Adoption of the Code of Ethics of the National Science and Technology Secretariat.

▪ **PARAGUAY**

Draft laws:

- Preparation of the draft Law on Ethics in Public Office.

Other legal standards and/or measures:

- Issuance of a Resolution implementing the Code of Ethics is implemented in the National Customs Department.
- Issuance of a Resolution adopting the Code of Good Governance and the Code of Ethics of the Ministry of Finance.
- Issuance of a Resolution adopting the Institutional "Code of Ethics" and confirming the Manager, Leader and Ethics Committee of the National Government Hiring Department.
- Issuance of the Code of Ethics of the Ministry of the Interior of Paraguay.

Training actions:

- Development of various training activities on standards of conduct regarding conflicts of interest prepared by the Council Promoting the National Integrity System (*Consejo Impulsor del Sistema Nacional de Integridad*—CISNI), along with public institutions and civil society organizations.
- Implementation of the Training Program on the administration and modernization of public administration.

Institutional strengthening actions:

- Adoption of the Codes of Ethics of the National Customs Department, the Ministry of Finance, the Ministry of the Interior, the Institutional Ethics Code, and the Good Governance Code.

- **PERU**

Training actions:

- Implementation of a national training program on issues of ethics and transparency.

- **DOMINICAN REPUBLIC**

Draft laws:

- Preparation of a preliminary draft law aimed at preventing conflicts of interest.

- **TRINIDAD AND TOBAGO**

Laws:

-Enacted law which allows for protection of whistleblowers in the government workplace for reporting acts of corruption or misbehavior.

- **UNITED STATES**

Other legal standards and/or measures:

- Issuance of an Executive Order, titled “Ethics Commitments by Executive Branch Personnel”, which requires all full time political appointees to sign an Ethics Pledge; Issuance by OGE of a final post-employment rule (CFR); Revision of the Code of Conduct for United States judges by the Judicial Conference.

Training actions:

- Holding of various training courses offered by the Office of Government Ethics, including “How to Conduct a Self Assessment with Surveys”; classes given by OGE to 1312 executive branch agency ethics officials on more than 20 topics, including conflicts of interest; course offered by OGE titled “Are You Vulnerable to Conflicts?”; OGE release of a job aid entitled “Determining Which Positions Should File a Confidential Financial Disclosure Report: A Worksheet”; Issuance by OGE of a guide book on ethics rules applicable to Advisory Committee Members serving as special government employees; The 17th National Government Ethics Conference, which included topics such as “Beyond Ethics”, as well as a New Ethics Official Certification Program.

Institutional strengthening actions:

- Assessment by the Office of Government Ethics (OGE) of agency compliance with Ethics Pledge requirements; Survey to ethics officials in executive branch to assess effectiveness of services and support provided by OGE; Monitor and review implementation of executive branch ethics programs through its Program Review Division;

Actions related to technological systems and tools:

- Listing of training courses offered, as well as times, published on www.oge.gov/training/training_workshops_seminars.aspx; Dissemination of good practices identified during OGE Program Reviews, via the OGE website; Report researched and compiled by the OGE on implementation of the Ethics Pledge published via Internet; publication by OGE of the 2008 Conflict of Interest Prosecution Survey.

▪ **URUGUAY**

Other legal standards and/or measures:

- Compilation of the various Standards of Conduct in force in Public Administration to enable an assessment of shortcomings and overlapping in the regulations and whose structured text shall be adopted.

Training actions:

- Holding of four courses to instruct public servants about public ethics and standards of conduct governing their performance: a) Regular training courses organized with the National School of Public Administration, b) Training Workshops to set up a “Network of Public Servants Specializing in Anticorruption Regulations,” c) Short course for training public servants in charge of government institutions with respect to the Board of Transparency and Public Ethics; and d) various types of training activities, depending on the requirements of the institutions.

▪ **VENEZUELA**

Draft laws:

- Presentation to the National Assembly of a Draft Law on Conflict of Interest.

Other legal standards and/or measures:

- Issuance of the Code of Ethics for Employees of the People’s Ministry for Basic Industries and Mining.

1.2. Standards and mechanisms to ensure the proper conservation use of public resources

The information reported by the countries in general in their progress reports of September 2009, March, 2010 and December, 2010, describes 64 actions regarding the implementation of the recommendations related to the proper conservation and use of public resources.

These actions pertain to the issuance of laws (7); the adoption of other legal standards and/or measures (27); the preparation and processing of draft laws (2); execution of training activities (9); execution of international cooperation activities (1); execution of institutional strengthening activities (11); and the adoption and implementation of technological systems or tools (7).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in a CD attached to the present report and on which their complete description can be found:

▪ **BELIZE**

Draft laws:

- Drafting of a Bill: Finance and Audit (Reform) (Amendment) Act, 2010

▪ **BRAZIL**

Training actions:

- Training of public servants at the “Course on Ethics in Public Administration.”

Institutional strengthening actions:

- Joint research work between the Office of the Comptroller-General of the Union, the Federal Police Force, and the Ministry of Justice.
- Hiring new officials for the Office of the Comptroller-General of the Union and the Court of Auditors of the Union.
- Increase in the budget of oversight bodies, such as the Office of the Comptroller-General of the Union, the Court of Auditors of the Union, and the Commission on Public Ethics.
- Dismissal of public federal service officials for involvement in illicit practices.

▪ **COLOMBIA**

Training actions:

- Holding regional meetings, aimed at tackling the issue of risk management in order to strengthen the implementation of the New Standard Model for Internal Monitoring (*Nuevo Modelo Estándar de Control Interno*—MECI).

Institutional strengthening actions:

- Advanced implementation of the New Standard Model for Internal Monitoring (MECI).

▪ **COSTA RICA**

Other legal standards and/or measures:

- Issuance of 21 rules on the use of motor vehicles in the Directorate General for Public Administration, the Agricultural Credit Bank, the municipalities, the Directorate General for Civil Aviation, the Costa Rican Drugs Institute, the Judicial Branch of Government, and the Ministry of Public Education; standards for internal auditing in the public sector and in the Ministry of National Planning; cell phone lines for the Office of the President of the Republic and officials of SENASA;

use of credit cards for the payment of fuel; management of assets of the Supreme Court of Elections, the Office of the Comptroller-General of the Republic, the Legislative Assembly (Congress), and the National Learning Institute; registration and monitoring of fixed assets of the Office of the Human Rights Ombudsman for the People; transfer, use, control, and settlement of resources transferred to private individuals on the basis of a cooperation agreement.

▪ **ECUADOR**

Draft laws:

- Preparation, by the Ministry of Justice and Human Rights, of the preliminary draft law for the Organic Code on the Protection against Arbitrary Prosecution.

Training actions:

- Training of public officials of the institutions that are members of the Transparency and Social Oversight Function.

Institutional strengthening actions:

- Commencement, by the Office of the Comptroller-General, of the “Ethical Seal” Project, a seal awarded to institutions being monitored by the Office of the Comptroller-General highlighting institutional efforts to make progress in the ethical performance of duties.

▪ **GUATEMALA**

Institutional strengthening actions:

- Signing of an agreement with the Technical Training and Productivity Institute (*Instituto Técnico de Capacitación y Productividad*—INTECAP) for the implementation of a pilot training program.

Actions related to technological systems or tools:

- Inclusion of new components into the electronic public procurement system (GUATECOMPRAS).

▪ **GUYANA**

Institutional strengthening actions:

- Restructuration and reorganization of the Guyana Revenue Authority.

Actions related to technological systems or tools:

- Improvement and expansion of the contents of the National Procurement and Tender Administration website and improvement of internet connectivity through the provision of two fiber optic cables.

- Expansion of TRIPS (Tax Revenue Integrated Processing System) and IFMAS (the Integrated Financial Management and Accounting System) to all ten administrative regions and government agencies.

▪ **MEXICO**

Laws:

- Adoption of the comprehensive amendment to the Law on Public Sector Procurement, Leasing, and Government Services and the Law on Public Works and Related Services, as well as issuance of the respective regulations.

Other legal standards and/or measures:

- Publication of the Administrative Manual of General Application on Public Sector Procurement, Leasing, and Government Services.

Institutional strengthening actions:

- Signing, by all the Governors of the States and the Federal Executive Branch of Government, of a cooperation agreement for the development of dissemination, training, prevention, and services activities in electoral fraud and administrative responsibilities of public servants during federal and local elections in 2009.

▪ **NICARAGUA**

Laws:

- Issuance of the Organic Law of the Office of the Comptroller-General of the Republic and the System for Monitoring Public Administration and Auditing State Assets; the Law on Transparency for Nicaraguan State Institutions and Enterprises; and the Law on Simplification of Public Administration Procedures and Services.

Training actions:

- Training of public servants on the Legal Framework and Regulations of the National Monitoring System and on other specific issues of government auditing.

▪ **PARAGUAY**

Other legal standards and/or measures:

- Issuance of a Resolution that establishes and adopts the Standard Model of Internal Monitoring for Public Institutions of Paraguay (*Modelo Estándar de Control Interno para las Entidades Públicas del Paraguay*—MECIP).

- Drafting, by the Office of the Comptroller-General of the Republic (*Contraloría General de la República*—CGR), of regulations and a manual for the implementation of the MECIP.

- Drafting, by the Office of the Comptroller-General of the Republic, of the conceptual framework and the relevant forms for the application of the MECIP by public institutions.

Training actions:

- Development, by the Council Promoting the National Integrity System (*Consejo Impulsor del Sistema Nacional de Integridad—CISNI*), along with public institutions and civil society organizations, of various training activities on standards of conduct to ensure the proper conservation and use of public resources.
- Implementation, by the Ministry of Justice, of Training Modules for the Sessions to Update the New Disciplinary Administrative Procedures aimed at Deputy District Attorneys, District Attorney Agents and public officials in general that envisage obligations to protect public assets and the system providing the scale of administrative offenses and their respective penalties.
- Holding, by the Office of the Comptroller-General of the Republic, with support from the Threshold Program (*Programa Umbral*), of periodic training courses, both in institutions and between institutions, by their trainers, on standards for the implementation of the Standard Model of Internal Monitoring for Public Institutions of Paraguay (MECIP) and other related regulations in force.

International cooperation actions:

- Signing of an assistance agreement between the Republic of Paraguay and the United States Government (Threshold Program), whose second phase is aimed at reducing corruption and strengthen the rule of law in Paraguay by more effectively monitoring public resources and by conducting corruption prevention, monitoring, and punishment activities.

Institutional strengthening actions:

- Implementation of the Standard Model of Internal Monitoring for Public Institutions of Paraguay (MECIP) to standardize internal monitoring mechanisms in State institutions.

- **PERU**

Draft laws:

- Preparation of a draft law on the use of public assets.

Other legal standards and/or measures:

- Adoption of a supreme decree approving implementation of the Standard Transparency Portal.
- Adoption of a ministerial resolution approving guidelines for the implementation of the Portal in all public administration institutions in the three branches of government.

Actions related to technological systems or tools:

- Adoption of a supreme decree approving implementation of the Standard Transparency Portal.
- Adoption of a ministerial resolution approving guidelines for the implementation of the Portal in all public administration institutions in the three branches of government.

▪ **TRINIDAD AND TOBAGO**

Institutional strengthening actions:

- Established investigative commissions to conduct forensic audits of major government projects.

▪ **UNITED STATES**

Training actions:

- Training courses offered by OGE include sections on the misuse of government resources.

▪ **VENEZUELA**

Training actions:

- Holding, by the Office of the Comptroller-General of the Republic (CGR) as leading institution for the National Fiscal Monitoring System (*Sistema Nacional de Control Fiscal—SNCF*), of symposiums for the Offices of Municipal Comptrollers where public officials are trained in activities involving the performance of their duties.

1.3. Standards and mechanisms requiring public officials to report acts of corruption

The information reported by the countries in general in their progress reports of September 2009, March, 2010 and December, 2010, describes 136 actions regarding the implementation of the recommendations related to the requirement to report acts of corruption (whistleblowing).

These actions pertain to the issuance of laws (5); the adoption of other legal standards and/or measures (11); the preparation and processing of draft laws (2); execution of training activities (12); execution of international cooperation activities (1); execution of institutional strengthening activities (8); and adoption or implementation of technological systems or tools (4).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which where their complete description can be found:

▪ **ARGENTINA**

Training actions:

- Development of training courses for public servants on this matter, provided by the Distance Learning Training System on Public Ethics (*Sistema de Capacitación a Distancia en Ética Pública—SICEP*).

▪ **BOLIVIA**

Laws:

- Incorporation in the Political Constitution of the State, under Article 108, number 9, of the requirement to report acts of corruption, as part of the list of obligations by Bolivians, including public servants.

▪ **BRAZIL**

Other legal standards and/or measures:

- Issuance of the Code of Conduct of the Office of the Comptroller-General of the Union (CGU).

Training actions:

- Training of public servants in the “Course of Ethics in Public Administration.”

Institutional strengthening actions:

- Sending a letter from the Office of the Comptroller-General of the Union to various federal bodies and institutions requesting they stress the mandatory nature and importance of reporting cases of corruption.

▪ **CANADA**

Other legal standards and/or measures:

- The Canadian Security Intelligence Service, the Department of National Defence and the Communications Security Establishment have established internal procedures to disclose wrongdoings, including protection for whistleblowers.

Training actions:

- Presentations delivered by Inspectors from the Royal Canadian Mounted Police (RCMP), International Anti-Corruption Unit, to the public and private sector regarding corruption issues and Canada’s international obligations in combating corruption, as well as training on the role of the RCMP in enforcement of the Corruption of Foreign Public Officials Act.

Institutional strengthening actions:

- The Department of Foreign Affairs and International Trade launched a revised departmental policy and procedures, for reporting allegations of bribery abroad by Canadians and Canadian Companies.

- The Communications Security Establishment has established and staffed the position of ‘Ethics Officer,’ who is responsible for raising awareness of the mechanism for disclosure of wrongdoing, conducting investigations and protecting identity and privacy of persons involved in a disclosure.

▪ **CHILE**

Other legal standards and/or measures:

- Implementation, by the Ministry of Justice, of a project aimed at providing specialized, immediate and effective protection to those who have made statements or must make a statement in criminal proceedings as victim, witness or expert and to their next-of-kin, as a result of being in a situation of exceptional risk qualified as a complex case.

Training actions:

- Holding, by the Office of the Comptroller-General, of various seminars where training has been provided, broadly and free of charge, to public servants to promote probity and prevent corruption, addressing issues such as the obligation of reporting acts of corruption and protection for the whistleblower.

▪ **COLOMBIA**

Training actions:

- Implementation, by the Presidential Program for the Fight against Corruption, of a dissemination campaign aimed at promoting the reporting of corruption.

- Implementation, by the institutions of the agreement between the Attorney General of the Nation, the Office of the Prosecutor General of the Nation, and the Office of the Comptroller-General of the Republic, of a seminar on their jurisdiction in crimes against public administration, and publication of a guide on this matter.

Actions related to technological systems or tools:

- Development, by the Administrative Department for Public Administration, of modules for the Information System (SIGEP), making it possible for employees to make suggestions and draw attention to situations that undermine the proper performance of duties in public administration.

▪ **COSTA RICA**

Laws:

- Issuance of the Law against Corruption and Illicit Enrichment in Public Administration; and of the Law for the Protection Victims, Witnesses and other Subjects Intervening in Criminal Proceedings.

Other legal standards and/or measures:

- Issuance of a decree on the Inter-Sector Creation of Digital Government; two regulations, one on internal auditing of the banking sector, and the other on municipal organization; and two manuals, one on the protection of rights and standards for whistleblowing (municipal), and the other on Administrative Procedures of the Mixed Social Welfare Institute.

▪ **ECUADOR**

Training actions:

- Holding of the Training Workshop on “Training for Victims: Experience of the Victim Assistance Program in the United States.”

Institutional training actions:

- Creation, by the National Secretariat for Transparency in Administration of the Executive Branch, of a system for receiving reports on possible acts of corruption.

▪ **GUATEMALA**

International cooperation actions:

- Development of cooperation actions with the U.S. Treasury Department and with the EuroSocial Programme.

Institutional strengthening actions:

- Creation of the Center for Managing Whistleblowing by the Public.

Actions related to technological systems or tools:

- Installation of an e-mail address by the Trade Register for whistleblowing on acts of corruption.

▪ **GUYANA**

Training actions:

- Training is on-going and constant throughout the public service to improve the efficiency and effectiveness of delivery of services and thereby reduce the opportunities and areas for corruption.

▪ **MEXICO**

Laws:

- Issuance of a decree amending, adding and repealing various provisions, including those for the protection of victims, offended persons, witnesses, experts, judges, magistrates, agents of the Ministry of Justice, the police and other subjects, when their protection is required because of their intervention in criminal proceedings.

Draft laws:

- Presentation to the Senate of the Republic of an initiative for amending Article 109 of the Political Constitution of the United States of Mexico to set the regulatory groundwork for the establishment of a system for the protection of corruption whistleblowers and of those involved in proceedings filed against public servants because of these conducts.

Institutional strengthening actions:

- Development of communication strategies in various offices of Federal Government Administration to promote, among the citizenry and public servants, reporting of any irregularity committed in public office.
- Continuation of the implementation of programs aimed at encouraging the detection and reporting of acts of corruption, such as the one called "Simulated User," which evaluates the various government agencies and the procedures that take place there.

- **NICARAGUA**

Training actions:

- Training of public servants on issues such as crimes against government administration set forth in the new Criminal Code of the Republic, raising awareness about the obligation that all public servants have to report any acts of corruption of which they are aware.

- **PARAGUAY**

Other legal standards and/or measures:

- Signing of a resolution of the Ministry of Public Works (MOPC) whereby an Internal Affairs Unit is set up to prevent, investigate, monitor, control and report to the relevant authorities any improper conduct of the members of the MOPC and dependent bodies, watching over stringent compliance of the laws, standards, and regulations governing their performance.

Training actions:

- Holding, by the National Department for Government Hiring, of various courses for public servants on the existence and purpose of the responsibility of reporting to authorities having jurisdiction acts of corruption in public office they might be aware of.

Institutional strengthening actions:

- Establishment of the Internal Affairs Unit of the Ministry of Public Works.

- **PERU**

Laws:

- Adoption of the Law for the Protection of Whistleblowers in Public Administration and Effective Cooperation in Criminal Proceedings.

Draft laws:

- Preparation of the Regulations of the Law for the Protection of Whistleblowers in Public Administration and Effective Cooperation in Criminal Proceedings.

Other legal standards and/or measures:

- Adoption of the Regulations for the Comprehensive Program for the Protection of Witnesses, Experts, Victims or Collaborators Intervening in Criminal Proceedings.

Training actions:

- Implementation of a national training program in ethics and transparency.

Actions related to technological systems or tools:

- Implementation of mechanisms for reporting corruption on the Internet web pages of various ministries.

- **SAINT VINCENT AND THE GRENADINES**

Actions related to technological systems or tools:

- Installation of a phone number for reporting corruption in cases of criminal deeds, including corruption.

- **TRINIDAD AND TOBAGO**

Laws:

- Enacted law which allows for protection of whistleblowers in the government workplace for reporting acts of corruption or misbehavior.

2. Systems for registering income, assets and liabilities (Article III, paragraph 4 of the Convention)

The information reported by the countries in general in their progress reports of September 2009, March, 2010 and December, 2010, describes 60 actions regarding the implementation of the recommendations related to systems for declaring income, assets, and liabilities.

These actions pertain to the issuance of laws (10); adoption of other legal standards and/or measures (15); preparation and processing of draft laws (1); execution of training activities (11); execution of international cooperation activities (5); execution of institutional strengthening activities (9); and adoption or implementation of technological systems or tools (9).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report, and on which their complete description can be found:

- **ARGENTINA**

Training actions:

- Drafting and dissemination of the following publications: "Guide for the Submittal of a Comprehensive Sworn Statement on the Assets of Public Servants"; "Tools for Transparency in

Administration. Guide No.2. Sworn Statements”; and “Sworn Statements of Public Servants. A tool for corruption prevention and control. Computer Technology and Public Administration.”

Actions related to technological systems or tools:

- Adoption of two computer tools accessible via Internet to gather useful information for monitoring and verifying the statement of assets.

▪ **BOLIVIA**

International cooperation actions:

- Development of a program for transparency and fight against corruption with the Inter-American Development Bank (IDB) for the adequate implementation of the national system for sworn statements and the STAR-GIRA Project, along with the United Nations Office on Drugs and Crime (UNODC) and the World Bank for strengthening this system.

Actions related to technological systems or tools:

Establishment, through Law 004, of SIIARBE (the Integrated System of Anticorruption Information and Recovery of State Assets), which is responsible for the verification of the sworn statement of declaration of assets by public servants. This System is starting to be implemented and the necessary regulations are being prepared.

▪ **BRAZIL**

Training actions:

- Training of public servants with a course on assets review.

▪ **CHILE**

Laws:

- Issuance of a Law for a Constitutional Amendment on Transparency, State Modernization and Quality of Politics, requiring the President of the Republic, Ministers of State, congresspersons and senators, and other authorities and public servants specified by the constitutional law to make a public statement of their interests and assets.

Draft laws:

- Presentation to the legislature of a draft law that strengthens the standards on statements of interest and assets, where, among others, more authorities are required to submit a statement of interests and assets and where there is a broader range of activities and assets that are subject to statement and disciplinary measures against those who fail to comply with the obligations to make these statements.

Other legal standards and/or measures:

- Issuance, by the Office of the Comptroller-General, of a ruling about the duties of the Regional Comptroller Offices to investigate infringements of standards on statements of interests and assets.

- Request, by the President of the Republic, to heads of services, through the Council of the Office of the Internal Auditor General of the Government, to send information on fulfillment of the duty of authorities and public servants to declare their interests and assets.
- Issuance, by the Council for Transparency, of two instructions recommending State Administration bodies and services to make statements of interests and assets permanently available to the public on their Active Transparency Internet web pages.

Training actions:

- Holding, by the Office of the Comptroller-General, of various seminars at which public servants have been provided, broadly and free of charge, with training on promoting probity and preventing corruption, addressing issues such as the statement of interests and assets.

Institutional strengthening actions:

- Entering into an Agreement with the German Technical Cooperation Agency for Development (GTZ) to strengthen the technical dependence that the Control Units have with respect to the Office of the Comptroller-General, to improve, among other matters, the review of statements of interests and assets.

- **COLOMBIA**

Institutional strengthening actions:

- Promotion, by the Presidential Program for the Fight against Corruption, of visibility policies which, by means of decrees, ordinances, and/or agreements, strive to publicize the statements of assets and income of public officials voted into office by universal suffrage and the registration of their private interests on the Internet; and the strategic partnership with the Online Government Program so that, via its Internet web page, councilpersons can publish this information.

Actions related to technological systems or tools:

- Adoption of a model form for the Statement of Assets and Income, on which legal reviews are being conducted to make it possible to determine the conditions for the registration and administration of the information that public officials report to the system.

- **COSTA RICA**

Laws:

- Issuance of the Law against Corruption and Illicit Enrichment in Public Administration.

Other legal standards and/or measures:

- Issuance of general guidelines on the mandatory use of the system of sworn statement of assets; and general guidelines on the mandatory use of the module of Sworn Statements for use by the Human Resources Units.

▪ **ECUADOR**

Training actions:

- Training for those in charge of human resources units on the content of the statements and monitoring procedures; and delivery of informative foldouts to all institutions to disseminate the provisions on this matter.

International cooperation actions:

- Technical visits to the Comptroller's Offices of Peru and Colombia; and implementation of a cooperation agreement between the Office of the Comptroller-General of the State and the German Technical Cooperation Agency for Development (GTZ).

Actions related to technological systems or tools:

- Publication of the instructions to fill out sworn statements on the Internet web page of the Comptroller-General's Office.

▪ **GUATEMALA**

Laws:

- Adoption of the law on the seizure of assets, which includes the obligation to ensure transparency of income of all persons.

Institutional strengthening actions:

- Signing an inter-agency cooperation agreement for the use of a computer tool to gain access to the fiscal service of real estate assets and other information.

Actions related to technological systems or tools:

- Optimization of systems to examine the contents of sworn statements of assets.
- Improvement and online inclusion of the form for the sworn statement of assets.

▪ **GUYANA**

Laws:

- Enactment of the Anti-Money Laundering and Countering Financing of Terrorism Act and of the Money Transfer Agencies (Licensing) Agencies Act 2009.

Institutional strengthening actions:

- Restructuration and reorganization of the Guyana Revenue Authority.

▪ **MEXICO**

Laws:

- Issuance of a decree that amended the Federal Law of Administrative Responsibilities of Public Servants, which requires registering the curriculum information of public servants required to submit a statement of assets, their duties, income and credit and the status of their assets depending on their income from the preceding year, as well as if there might be any sanctions or resolutions that render them null and void.

Training actions:

- Continuation of awareness-raising campaigns for public servants on their duty to correctly fill out their statement of assets forms.

▪ **NICARAGUA**

Other legal standards and/or measures:

- Adoption, by the Executive Council of the Office of the Comptroller-General of the Republic, of the Administrative Procedures Manual, which includes guidelines for receiving, safeguarding, cross-checking, and reviewing the statements of probity of public servants.

▪ **PARAGUAY**

Other legal standards and/or measures:

- Issuance of a resolution, by the Ministry of the Interior, on the three-yearly presentation of sworn statements of assets and income of National Police Force staff.

- Issuance of a resolution, by the Office of the Comptroller-General of the Republic, providing for the updating of the form to submit sworn statements of assets and income, in conformity with Article 104 of the National Constitution and its respective regulations.

▪ **PERU**

Other legal standards and/or measures:

- Adoption of the guideline from the Office of the Comptroller-General of the Republic on "Provisions for the Auditing of Sworn Statements of Income, Assets, and Earnings."

Actions related to technological systems or tools:

- Implementation of an online system of sworn statements by the Office of the Comptroller-General of the Republic.

▪ **UNITED STATES**

Other legal standards and/or measures:

- Issuance by OGE of new reporting policies for senate-confirmed officials leaving office, and guidance to agency ethics officials regarding the review of forms of career officials temporary filling in political positions.

Training actions:

- Advanced training provided by OGE for headquarters agency ethics officials who review financial disclosure forms of certain presidential nominees; training tutorials on how to file financial disclosure form and how to file the public financial disclosure; issuance of quick reference guides by OGE, designed to give a brief overview of ethics issues, statutes or regulations.

Actions related to technological systems or tools:

- Authorization for agencies to allow digital signatures on the confidential financial disclosure forms; instructor led, web-based training courses provided by OGE.

▪ **URUGUAY**

Laws:

- Adoption of a decree governing the checking, by the Board of Transparency and Public Ethics, of the relevance of the list of public officials required to submit a sworn statement to be presented by public institutions.

Institutional strengthening actions:

- Empowerment of the Board of Transparency and Public Ethics to audit, in public institutions, the accuracy of the lists of public officials required to submit sworn statements.

- Establishment of the obligation of public institutions that must file disciplinary proceedings against those public officials charged with misconduct to transmit to the Board the outcome of these procedures within 30 days of the ruling that was issued.

▪ **VENEZUELA**

Other legal standards and/or measures:

- Issuance of a resolution, by the Office of the Comptroller-General, requiring yearly updating of the status of the assets held by high-level public officials, who hold office as a result of election by universal suffrage, top hierarchical authorities, and senior administrative staff.

- Issuance of a resolution creating the System for the Registration of Public Sector Bodies and Institutions (*Sistema de Registro de Órganos y Entes del Sector Público*—SISROE) of the Office of the Comptroller-General of the Republic.

- Issuance of a resolution, by the Office of the Comptroller-General of the Republic, installing the System for the Submittal of Sworn Statements of Assets in an electronic format (*Sistema para la Presentación de la Declaración Jurada de Patrimonio en formato electrónico—DJPWEB*).
- Issuance, by the Office of the Comptroller-General of the Republic, of a resolution granting the Comptroller-General of the Republic the power to order the partial publication of the data contained in the sworn statements of assets submitted by those required to do so as a result of the above-mentioned resolution in order to guarantee compliance with the principles of honesty, transparency, accountability and responsibility of public officials.

Institutional strengthening actions:

- Creation of the System for the Registration of Public Sector Bodies and Institutions (SISROE) of the Office of the Comptroller-General of the Republic, which is the system where all the bodies and institutions stipulated in items 1 to 11 of Article 9 of the Organic Law of the Office of the Comptroller-General of the Republic and the National System for Auditing Control must be registered, for the purpose of simplifying the presentation, in electronic format, of the Sworn Statement of Assets by all those required to submit it, as well as to guarantee monitoring and follow-up by the human resources departments of public sector bodies and institutions.
- Publication of a model and instructions for the Sworn Statement of Assets.

Actions related to technological systems or tools:

- Entry into operation of the system for the presentation of Sworn Statements of Assets in an electronic format.

3. Oversight bodies responsible for the selected provisions (Article III, paragraphs 1, 2, 4 and 11 of the Convention)

The information reported by the countries in general in their progress reports of September 2009, March 2010 and December, 2010, describes 48 actions regarding the implementation of the recommendations related to oversight bodies.

These actions pertain to the issuance of laws (8); adoption of other legal standards and/or measures (6); execution of training activities (4); execution of international cooperation activities (6); and execution of institutional strengthening activities (24).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

- **ARGENTINA**

International cooperation actions:

- Preparation and dissemination of a publication on oversight bodies in the continent (Institutions for the Fight against Corruption: Report on State Agencies for the Fight against Corruption in the Americas).

Institutional strengthening actions:

- Creation of a mechanism for coordination and cooperation among national and sub-national oversight bodies (Permanent Forum of Auditing Offices for Administrative Investigations and Anticorruption Offices).

▪ **BELIZE**

Institutional strengthening actions

- Creation of the Integrity Commission and swearing in of its members.

▪ **BOLIVIA**

Other legal standards and/or measures:

- Adoption of a supreme decree requiring the establishment of transparency units in charge of ensuring access to information, promoting ethics among public servants, and developing monitoring and accountability mechanisms.

▪ **BRAZIL**

Institutional strengthening actions:

- Hiring new public officials for the Office of the Comptroller-General of the Union and the Court of Auditors of the Union.

- Increasing the budget of oversight bodies, such as the Office of the Comptroller-General of the Union, the Court of Auditors of the Union, and the Public Ethics Commission.

- Appointment of three new members on the Public Ethics Commission.

▪ **CHILE**

Training actions:

- Holding, by the Office of the Comptroller-General, of various seminars where training was provided, broadly and free of charge, to public officials on the promotion of probity and the prevention of corruption, addressing issues relating to this institution and the Council for Transparency.

Institutional strengthening actions:

- Signing, by the Office of the Comptroller-General, of cooperation agreements with the Ministry of Justice, the State Defense Council, the Constitutional Court and the Judicial Branch of Government, aimed at sharing information on the fight against corruption and carrying out other forms of collaborating and reporting to prevent corruption; and signing, by all of these institutions, of the Institutional Cooperation and Coordination Agreement of the oversight bodies.

- Signing, by the Office of the Comptroller-General, of an agreement with the National Economic Auditing Office, for the purpose of exchanging valuable information for the process of detecting

actions that do not abide by the standards of probity and transparency; and of another agreement, with the Council for Transparency, to add to the competencies of each institution, especially with respect to preliminary enquiries into infringements of the Law on Transparency.

▪ **COLOMBIA**

Institutional strengthening actions:

- Implementation of joint actions by the institutions that are part of the agreement between the Office of the Attorney General of the Nation, the Office of the General Prosecutor of the Nation, and the Office of the Comptroller-General of the Republic, related to aspects such as the identification of new modalities of corruption and the transfer of evidence from the auditing and disciplinary sector to the court system to file charges.
- Addition of functions to the Office of the General Prosecutor of the Nation and authorization to increase their permanent staff.
- Obtaining, from the oversight bodies, results on the implementation of the Standard Model for Internal Control (*Modelo Estándar de Control Interno—MECI*), referring to aspects such as risk management in proceedings and sub-proceedings, the design and implementation of monitoring and self-monitoring, and documentation and strengthening of flows of information and channels of communication on the proceedings.

▪ **COSTA RICA**

Laws:

- Amendment of various laws on the participation of the Office of the Comptroller-General of the Republic to simplify and strengthening of the Public Administration.

▪ **ECUADOR**

Laws:

- Adoption of a new Constitution of the Republic, which provides for the fight against corruption through the new Transparency and Social Oversight Function.

Other legal standards and/or measures:

- Issuance of Regulations for the Transparency and Social Oversight Function.

Training actions:

- Training for the establishment of management teams in the institutions comprising the Transparency and Social Oversight Function, including Public Ethics, Transparency and Accounting of Public Administration, and Citizen Participation to Prevent Corruption, among others.

Institutional strengthening actions:

- Adoption, by the Transparency and Social Oversight Function, of the implementation of the proposal entitled “Articulation of the National Anticorruption Plan.”

▪ **GUATEMALA**

International cooperation actions:

- Signing of three cooperation agreements to fund the State oversight body.
- Selection as the host country for the XX Regular General Assembly of the Latin American and Caribbean Organization of Supreme Audit Institutions (*Organización Latinoamericana y del Caribe de Entidades Fiscalizadoras Superiores*—OLACEFS).
- Signing of a memorandum of understanding between the San Carlos University and the United Nations Development Programme (UNDP) to deliver an advanced course specializing in government auditing of the institution's staff.

Institutional strengthening actions:

- Development of actions for modernization, technical capacity building, and increased coverage of the State oversight body.

▪ **GUYANA**

Laws:

- The enactment of the Judicial Service Commission Rules 2010, the High Court Rules 2010, the Judicial Review Act 2010 and the Time Limit for Judicial Decisions Act 2010.

▪ **MEXICO**

Other legal standards and/or measures:

- Issuance of two agreements by the Secretariat for Public Administration: one establishing General Provisions for Conducting Audits, Reviews and Inspection Tours, and the other issuing Provisions for Internal Control and the Administrative Manual for the General Implementation of Internal Monitoring.

Institutional strengthening actions:

- Implementation of the amendments to the Law on Supreme Auditing of the Federation in the framework of the constitutional amendments to auditing and accountability by the Secretariat for Public Administration, the House of Representatives, the Supreme Audit Institution of the Federation, and the Secretariat for Finance and Public Credit.

▪ **NICARAGUA**

Laws:

- Issuance of the Organic Law of the Office of the Comptroller-General of the Republic and the System for Monitoring Public Administration and the Audit of State Assets.

Other legal standards and/or measures:

- Issuance, by the Executive Council of the Office of the Comptroller-General of the Republic, of the Regulatory Framework for the Appointment, Dismissal or Suspension of the Internal Auditor and the Technical Staff of the Internal Auditing Units of Public Administration Institutions and of an Administrative Circular where top authorities of Public Administrations are instructed to refrain from ordering or involving Internal Auditors in activities of any kind that might prevent Internal Auditors from ensuring their independence.

- Issuance of a Presidential Agreement on the National Commission for the Integral Development of Good Governance, the principal task of which will be to implement the National Strategy for the Integral Development of Sound Public Administration.

Institutional strengthening actions:

- Signing of a Coordination Agreement between the Ministry of Justice, the National Police Force, and the Office of the General Prosecutor of the Republic to Investigate, Prosecute and Recover the Assets that are Proceeds of Crimes of Corruption and Related Offenses.

▪ **PANAMA**

Institutional strengthening actions:

- Restructuring the National Council for Transparency against Corruption and its Executive Secretariat, assigning new duties to the Executive Secretary, duties that extend from receiving reports and conducting reviews of public administration to filing complaints with the competent authorities, without neglecting its previously established duties of working on prevention and training.

- Signing an agreement to exchange information, conduct investigations and carry out activities between the Secretariat for Transparency and the Directorate General for Government Hiring.

▪ **PARAGUAY**

Other legal standards and/or measures:

- Issuance of a resolution by the Office of the Comptroller-General of the Republic to create an Anticorruption Coordination Unit, responsible for implementing actions to recover assets that are the proceeds of the perpetration of illicit or corrupt actions to the detriment of the assets of the Paraguayan State.

Institutional strengthening actions:

- Establishment of an Anticorruption Coordination Unit in the Office of the Comptroller-General of the Republic.

▪ **PERU**

Laws:

- Adoption of a law expanding the powers of the Office of the Comptroller-General of the Republic in proceedings aimed at punishing those responsible for public administration offenses.

Institutional strengthening actions:

- Expanding the powers of the Office of the Comptroller-General of the Republic in proceedings aimed at punishing those responsible for public administration offenses.

▪ **UNITED STATES**

Training actions:

- Creation by the Office of Government Ethics of an Interactive, web-based training tutorial for employees of the offices of Inspectors General.

▪ **VENEZUELA**

Training actions:

- Training activities by the Office of the Comptroller-General of the Republic to strengthen its auditing activities over state and municipal auditing units.

Institutional strengthening actions:

- Implementation of a project to assess the functioning of all state and municipal auditing units.

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. Mechanisms for access to information

The information reported by the countries in general in their progress reports of September 2009, March 2010 and December 2010, describes 92 actions regarding the implementing of the recommendations related to mechanisms for access to information.

These actions pertain to the issuance of laws (16); adoption of other legal standards and/or measures (24); preparation and processing of draft laws (5); execution of training activities (14); execution of institutional strengthening activities (13); and adoption or implementation of technological systems or tools (20).

Please find below a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **ARGENTINA**

Draft laws:

- Adoption of the text of a draft law on access to public information by the Senate and presentation of the draft to the House of Representatives for discussion.

▪ **BELIZE**

Laws:

- Adoption of the Freedom of Information (Amendment) Act. 2008

Actions related to technological systems or tools:

- Updating of www.governmentofbelize.gob.bz with budget reports, bills and cabinet decisions.

▪ **BOLIVIA**

Draft laws:

- Preparation of a draft law on transparency in public administration and access to information.

Actions related to technological tools:

- Development of Internet web pages for public institutions.

▪ **BRAZIL**

Laws:

- Issuance of the Complementary Law on the real-time dissemination, by federal institutions, of detailed information on budget and financial implementation.

Draft laws:

- Presentation to National Congress of the draft Law on Access to Public Information.

Other legal standards and/or measures:

- Implementation of the Public Services Charter, requiring Federal Executive Branch of Government institutions to provide information about the services they provide and how to gain access to these services.

Actions related to technological systems or tools:

- Launching of the “Transparency Portals” for the 2014 World Soccer Cup and the 2016 Olympic and Paralympic Games.

▪ **CANADA**

Institutional strengthening actions:

- Increased budget for the Office of the Information Commissioner for since the report for the First Round of Review.

▪ **CHILE**

Laws:

- Issuance of the Law on Transparency in the performance of the duties of public office and access to information of Public Administration institutions, as well as a law setting special standards for smaller enterprises, where, among others, the procedures were established for setting general regulations and standards, providing for publicizing the preparatory background needed for their drafting on the basis of the terms stipulated in the previous Law.

Other legal standards and/or measures:

- Adoption, by the Central Bank Council, of two regulatory agreements on matters such as active transparency and passive transparency procedures to handle requests for access to information that are submitted in conformity with the Law governing access to information.

- Execution, in the development of the program Agenda for Citizen Participation (*Agenda Pro Participación Ciudadana*—APPC), of activities that require the cross-cutting commitment of all ministries and public services in four principal areas, one of them being the right to information.

Training actions:

- Implementation, by the General Civil Service Department, the Office of the Comptroller-General, the Probity and Transparency Commission, and the Council for Transparency, of many different activities, seminars and courses aimed at providing training on transparency and access to information.

Institutional strengthening actions:

- Creation of the Council for Transparency, an autonomous public institution, aimed at ensuring and enforcing both the right of access to information and the duty of active transparency.

- Granting legal status to the Ethics and Transparency Commissions of the two houses of Parliament, as the bodies responsible for resolving complaints on the denial to provide information and, in general, watching over enforcement of the principles of probity, transparency and access to public information.

Actions related to technological systems or tools:

- Development of the Comprehensive System for Public Services (*Sistema Integral de Atención Ciudadana*—SIAC), whereby citizens can contact Public Administration and request information about any matter referring to it.

▪ **COLOMBIA**

Other legal standards and/or measures:

- Adoption of the Protocol of Higher Ethics and Good Governance, implemented by initiatives such as the “glass ballot box” (“*urna de cristal*”), which is a public participation model that brings the experience, innovation, and knowledge of citizens closer to the Government.

Training actions:

- Implementation of awareness-raising events and training courses promoted by the Connectivity Agenda Program on various issues of online government.

Actions related to technological systems or tools:

- Drafting an inventory of public institution procedures, whose information is registered in the Consolidated System for Information and Procedures (*Sistema Único de Información y Trámites—SUIT*), which can be consulted on Internet.
- Improving the technology platform of the System for Follow-up on Government Goals (*Sistema de Seguimiento a Metas del Gobierno—SIGOB*), available online for the incorporation of information by public institutions and for consultation by the citizenry.
- Urging territorial institutions to comply with their duty to report financial information through the Consolidated Territorial Form (*Formulario Único Territorial—FUT*), which can be found on Internet.

- **COSTA RICA**

Draft laws:

- Preparation of a draft Law on Transparency and Access to Public Information.

Other legal standards and/or measures:

- Issuance of regulations for the Law on Undisclosed Information; other regulations governing the creation, organization and functioning of the National System for Services Auditing; and a decree on the inter-sector creation of digital government.

Actions related to technological systems or tools:

- Updating of information on administrative procedures and requirements of the Office of the Comptroller-General, available on Internet. Dissemination of hiring/procurement processes by means of COMPRARED.

- **DOMINICAN REPUBLIC**

Laws:

- Adoption of the new Constitution, providing for the right of access to information.

- **ECUADOR**

Laws:

- Adoption of the new Constitution, guaranteeing the right to communication and information; publication of the Organic Law on Public Participation; and issuance of the Organic Law on Jurisdictional Guarantees.

Other legal standards and/or measures:

- Issuance of the Regulations on Procedures for Filing Complaints or Requests, by the Council for Public Participation and Social Oversight; issuance of a resolution of the Office of the Human Rights Ombudsman on the enforcement of provisions for access to information; and drafting of manuals for their enforcement.

Institutional strengthening:

- Promotion of a partnership with civil society, by means of an agreement entered into with the Citizen Participation Corporation.

Actions related to technological systems or tools:

- Publication of information on institutions on Internet, by the Office of the Human Rights Ombudsman.

▪ **EL SALVADOR**

Laws:

- Adoption of the Law on Access to Public Information.

Institutional strengthening actions:

- Creation of the Institute for Access to Public Information.

▪ **GUATEMALA**

Laws:

- Adoption of the Law on Access to Public Information.

Training actions:

- Development of training courses throughout the country on access to public information.

Institutional strengthening:

- Implementation of offices for access to public information.

- Creation of the public information unit in the State oversight body.

Actions related to technological systems or tools:

- Development of Internet web pages of public institutions.

- Updating and strengthening of Internet web pages of the Ministry of Public Finance and the Office of the Comptroller.

- Publication of draft regulatory frameworks on institutional Internet web pages for consultation and the transmittal of comments.

▪ **GUYANA**

Draft laws:

- Guyana has drafted a Freedom of Access to Information Bill to be tabled in the National Assembly.

Technological systems or tools:

- Expansion and improvement of websites of key ministries/ agencies.

▪ **JAMAICA**

Other legal standards and/or measures:

- Promotion of efforts by the Joint select Committee of the Access to Information Unit to review the Access to Information Act.

Training actions:

- Implementation of Public Education Programmes by the Access to Information Unit targeting various groups including senior citizens; youth at the High School, Tertiary, Community College, Vocational/Training Institutions level; service clubs and community groups; and church groups; and face to face sensitizations sessions with thousands of members of the public.

- Training and sensitization sessions conducted with the general staff of all categories of public authorities; training and guidance provided to individual access officers in respect of best practices and mechanisms to ensure that responses are provided to requests in the required timeframe.

Institutional strengthening actions:

- Allocating grant funding to improve, through the implementation of an electronic tracking and monitoring system, the monitoring and compliance functions of the Access to Information Unit, and to strengthen its institutional capacity.

- Development of a support program designed to assist new Access Officers in carrying out their duties under the Act.

Actions related to technological systems or tools:

- Implementation of an electronic tracking and monitoring system for the monitoring and compliance functions of the Access to Information Unit.

- Conduction of major media promotion of access to information, which included television advertisements during the 2008 Beijing Olympics; radio and television interviews to promote International Right to Know Day September 28, 2008 and related activities; television advertisements on the Public Broadcasting Channel; an upgraded website with video promotion of the right of access to information; observance & promotion of International Right to Know Day September 28, 2008; and the use of social networking sites to promote access to information (Facebook and YouTube).

▪ **MEXICO**

Training actions:

- Continuation of the campaigns to disseminate the use of transparency portals, the right to information, and obligations regarding transparency.
- Holding the Third Meeting of Federal Government Files and the training course on document administration, preparation of the filing classification table, catalogue for the arrangement of documents, and procedures for disposal of documents.
- Establishment of a working guide for agencies and institutions to standardize the structure and organization of contents, certify the institutional image, and enforce international standards of accessibility, operability and quality of the Internet web pages of the Federal Government.

Institutional strengthening actions:

- Continuation of the signing of agreements for the implementation of INFOMEX between the Federal Institute for Access to Information and government bodies.

Actions related to technological systems or tools:

- Start-up of the Federal Government's Electronic System for Information Requests (*Sistema Electrónico de Solicitudes de Información*—INFOMEX).

▪ **PANAMA**

Laws:

- Issuance of a Law creating the National Authority for Government Innovation acting as an autonomous body of the State having jurisdiction over planning, coordination, issuance of guidelines, supervision, collaboration, support and promotion of the best use of information and communication technologies in the government sector to modernize public administration, as well as recommending the adoption of national strategic policies, plans and actions on this matter. This new institution supersedes the Secretariat for Government Innovation, attached to the Ministry of the Office of the President.

Institutional strengthening actions:

- Creation of the National Authority for Government Innovation.

▪ **PARAGUAY**

Other legal standards and/or measures:

- Issuance of a resolution “whereby the Strategic Communication Manual of the General Auditor's Office of the Executive Branch of Government is adopted and implemented,...” providing for a communication policy aimed at disseminating suitable and timely information to its target audience; for this purpose, it has suggestion, complaint, and claim forms, which are then reviewed to address the concerns of the public.

- Publication by CISNI of the Guide for the Implementation of the Organizational Integrity System, which is the benchmark instrument for installing and developing integrity systems in various State institutions. These systems are promoted and coordinated by the Transparency and Public Participation Units of each institution.
- Issuance of a Resolution by the Ministry of Public Works and Communications (MOPC) whereby the Integrity System of the above-mentioned institution is established and the information access window is created.

- **PERU**

Other legal standards and/or measures:

- Adoption of a supreme decree approving the implementation of the Standard Transparency Portal.
- Adoption of the ministerial resolution approving guidelines for the implementation of the Portal in all Public Administration institutions in the three branches of government.

Training actions:

- Implementation of a national training program on ethics and transparency.

Actions related to technological systems or tools:

- Adoption of a supreme decree approving implementation of the Standard Transparency Portal.
- Adoption of the ministerial resolution approving guidelines for the Portal's implementation in all Public Administration institutions in the three branches of government.

- **UNITED STATES**

Other legal standards and/or measures:

- Issuance of a Presidential Memorandum to heads of executive departments and agencies regarding Transparency and Open Government, instructing them to issue directives on how to make agency operations more transparent, participatory and collaborative; Issuance by the Director of the Office of Management and Budget on transparency and open government; guidelines issued for agencies by the Attorney General on the Freedom of Information Act.

Technological systems or tools:

- Creation of the open government website: www.whitehouse.gov/open

- **URUGUAY**

Laws:

- Adoption of a law on standards governing the right of access to public information.

Other legal standards and/or measures:

- Adoption of two decrees, specifying the strategic principles and guidelines for Government on Internet and requiring that Executive Units adopt an information security policing mechanism.
- Adoption of a decree to provide regulations for the law on standards governing the right of access to public information.
- Adoption of a decree to regulate the legal time-limits for those subjects required to implement Internet web pages so that they will comply within the time-limits set for active transparency.

Institutional strengthening actions:

- Creation of the Public Information Access Unit.
- Establishment of the Citizen Rights Department in charge of responding to queries, providing advisory services with respect to the protection of personal information, and ensuring access to public information.

▪ **VENEZUELA**

Laws:

- Issuance of the Law on Transparency and Access to Public Information of the state of Miranda.
- Issuance of the Law on Transparency and Access to Public Information of the state of Anzoátegui.

Draft laws:

- Presentation of the draft Law on Access to Public Information of the state of Lara.

Other legal standards and/or measures:

- Issuance of Ordinances on Transparency and Access to Information in the municipality of Chacao.
- Regulation of the framework of reference to draft the manual providing regulations to organize the Public Services Office.

Training actions:

- Development of public information campaigns in the media.

4.2. Consultation mechanisms

The information reported by the countries in general in their progress reports of September 2009, March 2010 and December 2010, describes 40 actions regarding implementation of the recommendations related to consultation mechanisms.

These actions pertain to the issuance of laws (5); adoption of other legal standards and/or measures (12); execution of training activities (2); execution of international cooperation activities (2); execution of institutional strengthening activities (10); and adoption or implementation of technological systems or tools (9).

Please find below a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and in which their complete description can be found:

- **BELIZE**

Institutional strengthening actions:

- The holding of Public Service Week, which provides the general public and civil society with another opportunity for approach, communications and dialogue with the Public Service.

- **CANADA**

Actions related to technological systems or tools:

- Launched website by the Department of Foreign Affairs and International Trade to help Canadian mining, oil and gas companies to meet and exceed social and environmental responsibilities while operating abroad. This website was developed in consultation with the federal government, academia and civil society and is hosted by the Canadian Institute of Mining Metallurgy and Petroleum.

- Use of social media tools (Facebook, Twitter, and YouTube) to consult Canadians on public policy issues, such as the 2010 Digital Economy Strategy consultation.

- **CHILE**

Laws:

- Issuance of two laws, one on environmental issues, and another drafted by the Ministry of Energy, envisaging the requirement of conducting consultations on certain specific aspects of their implementation.

Other legal standards and/or measures:

- Issuance of a Presidential Order for Public Participation in Government Administration, requiring State Administration bodies and services to set up consultative Civil Society Councils.

- Drafting, by the Council for Transparency in consultation with the public, of the General Instructions on Active Transparency and the General Instructions on Active Transparency for Public Enterprises, State Enterprises and State Associations, regarding the obligation to publish information on Internet web pages.

- Issuance of two decrees, one ratifying an International Labor Organization (ILO) convention and the other enacting an agreement with the United Nations, providing for prior consultation with first-nation peoples.

▪ **COLOMBIA**

Training actions:

- Publication, by the Administrative Department of Public Administration, of the primer on “Public Hearings to Implement Accountability with respect to the Citizenry of National Public Administration”; and training of 145 multipliers in social monitoring.

▪ **COSTA RICA**

Laws:

- Issuance of the People’s Initiative Law, enabling citizens to submit draft laws of partial amendments to the Constitution to the Legislative Assembly.

Other legal standards and/or measures:

- Issuance of four regulations on the following: holding people’s consultations in cantons; Canton Road Committees; Municipal Public Participation; and Creation of Canton, District, and Regional Councils.

▪ **DOMINICAN REPUBLIC**

International cooperation actions:

- Development of 10 proposals through the Participatory Anticorruption Initiatives (*Iniciativas Participativas Anticorrupción—IPAC*), based on discussions with civil society, international organizations, and government institutions, to be submitted to the executive branch of government so that it will issue the measures contained therein.

▪ **ECUADOR**

Laws:

- Adoption of the new Constitution, providing for consultation mechanisms; and adoption of the Organic Law on Public Participation.

Institutional strengthening actions:

- Holding 61 public consultation panels.

Actions related to technological systems or tools:

- Digital conversion of the lawmaking files of the National Assembly.

▪ **GUYANA**

Institutional strengthening actions:

- Appointment of the members of the first Women and Gender Equality Commission and the Rights of the Child Commission.

▪ **NICARAGUA**

Other legal standards and/or measures:

- Issuance of a Presidential Agreement on the National Commission for the Integral Development of Sound Public Administration, which will benefit from the participation of State institutions, as well as organized civil society, and the basic task of which would be to implement the National Strategy for the Integral Development of Sound Public Administration.
- Holding citizen consultation panels on various legislative initiatives, among which the preliminary draft Law for Administrative Hiring in the Public Sector.

▪ **PARAGUAY**

Other legal standards and/or measures:

- Issuance of a decree creating the Directorate General for Transparency and the Fight against Corruption in the Ministry of Justice and Labor.

Institutional strengthening actions:

- Holding of public hearings by the Ministers of the Supreme Court of Justice.
- Holding of public hearings by the Office of the President by means of government sessions in Paraguay's 17 departments, for the purpose of achieving a departmental development agreement, promoting citizen participation and achieving greater contact between the President of the Republic and the public, among other things.
- Holding of public hearings of the House of Representatives with civil society organizations and legislative, departmental, municipal, and police authorities, as well as the media, teachers, health officials, and others.
- Creating the Directorate General for Transparency and the Fight against Corruption in the Ministry of Justice and Labor.
- Creating, at the initiative of the Council Promoting the National Integrity System (*Consejo Impulsor del Sistema Nacional de Integridad*—CISNI), the Transparency Network and Public Participation Units and the Internal Monitoring Units.
- Drafting, by CISNI, of the guide for the implementation of organizational integrity systems.

▪ **PERU**

International cooperation actions:

- Signing of the Ibero-American Letters of Quality in Public Administration and Citizen Participation in Public Administration.

▪ **UNITED STATES**

Institutional strengthening actions:

- Annual Comprehensive Review carried out by the Committee Management Secretariat of the General Services Administration on the performance and need for advisory committees.

Actions related to technological systems or tools:

- Constant review by the National Archives of two websites with links to all federal agency public comment websites; provision by the US Congress of Internet access to information on the legislative process, legislation, hearing schedules, transcripts, laws, offices, etc, in order to facilitate citizen participation; www.cspan.org, which provides television coverage of Congressional proceedings, as well as in-depth coverage of legislative and other governmental issues.

4.3. Mechanisms to encourage participation in public administration

The information reported by the countries in general in their progress reports of September 2009, March 2010 and December 2010, describes 48 actions regarding implementation of the recommendations related to mechanisms to encourage participation in public administration.

These actions pertain to the issuance of laws (7); adoption of other legal standards and/or measures (12); preparation and processing of draft laws (3); execution of training activities (10); execution of international cooperation activities (3); execution of institutional strengthening activities (9); and adoption or implementation of technological systems or tools (4).

Please find below a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and in which their complete description can be found:

▪ **ARGENTINA**

Training actions:

- Drafting and dissemination of the publication “Tools for Transparency in Administration. Guide No. 3. Citizen Participation.”

▪ **BOLIVIA**

Draft laws:

- Preparation of a draft law aimed at regulating modalities, sectors, scopes and other aspects that enable and promote real and effective participation in public policymaking.

Institutional strengthening actions:

- Consolidation of the Deputy Ministry of Coordination with Social Movements of the Ministry of the Office of the President.

▪ **BRAZIL**

Training actions:

- Annual holding of the Contest for Drawing and Writing on Anticorruption Issues aimed at students.

Actions related to technological systems or tools:

- Fine-tuning of the “Transparency Portal” with the launching of three new information consultation modalities.
- Holding a campaign to disseminate the “Transparency Portal” on nationwide broadcasting television stations.

▪ **CANADA**

Training actions:

- The Royal Canadian Mounted Police provided several awareness raising activities, integrity education and training, such as presentations to the Board of Transparency International-Canada; a presentation at a Transparency International Symposium in Toronto regarding Canadian anti-corruption efforts, as well as giving presentations to Canadian corporations and civil society organizations on corruption issues and Canada’s international obligations in combating corruption.

-A symposium on Safeguarding a Non-Partisan Public Service in the 21st Century was held. It brought together 25 experts from many perspectives and backgrounds. This was co-hosted by the Public Service Commission and the University of Ottawa Graduate School of Public and International Affairs, see www.psc-cfp.gc.ca/abt-aps/rprt/psea-lefp/nonpart-impact/2010-03-10-eng.htm.

▪ **CHILE**

Draft laws:

- Adoption, by Congress, and current processing, by the Constitutional Court, of the draft law on Citizen Partnership and Participation in Public Administration.

Other legal standards and/or measures:

- Issuance of Presidential Instructions on Citizen Participation in Public Administration, requiring State Administration bodies and services to fulfill obligations such as being held directly accountable by the public for their policies, plans, programs, actions, and budget drafting and implementation.
- Issuance of a decree creating the National Council of the Fund for Strengthening Public Interest Organizations and Associations.
- Implementation of the development of the program Agenda for Public Participation (*Agenda Pro Participación Ciudadana*—APPC) involving activities ensuring the cross-cutting commitment of all ministries and public services in four main areas, one of them being participation in public administration.

Institutional strengthening actions:

- Creation of the National Council of the Fund for Strengthening Public Interest Organizations and Associations.

Actions related to technological systems and tools:

- Online implementation of the Participatory Public Accounts Program in 4 ministries, 17 services, and 9 regional governments.

- **COLOMBIA**

Other legal standards and/or measures:

- Adoption of the CONPES document on “Accountability Policy of the Executive Branch of Government to Citizens,” aimed at providing incentives for public institutions to be accountable and for citizens to call for accountability, among other activities.

Actions related to technological systems or tools:

- Strengthening, through the Administrative Development System (*Sistema de Desarrollo Administrativo*—SISTEDA), of the communication and information channels for the public, to promote greater public interest in matters concerning Public Administration.

- **COSTA RICA**

Laws:

- Amendment of the Organic Law of the Ministry of Justice, including promoting civil society participation as one of the duties of the Ministry of Justice and Peace.

Other legal standards and/or measures:

- Issuance of five regulations on canton road committees, municipal citizen participation, creation of canton, district and regional councils; two decrees, one expanding an ecological program and another on the mobilization of forest brigades; and a Manual of Procedures to Process Disputes, Complaints, Reports, Claims, Queries, Suggestions and Recommendations Filed by the Office of the Human Rights Ombudsman of the Inhabitants of the Republic.

Training actions:

- The holding of promotional actions by the Municipal Development and Advisory Institute.

Institutional strengthening actions:

- Creation, in the Legislative Assembly of the People’s Initiative Office.

▪ **ECUADOR**

Laws:

- Adoption of the new Constitution, which provides for mechanisms aimed at encouraging participation in follow-up of public administration; publication of the Organic Law on Citizen Participation; Adoption of the Organic Code for Territorial Planning, Autonomy and Decentralization (*Código Orgánico de Organización Territorial, Autonomía y Descentralización*—COOTAD).

Draft laws:

- Preparation of the draft Law on Social Oversight of the Government.

Institutional strengthening:

- Signing an agreement with the National Institute of Advanced Studies for the training of public officials.

▪ **GUATEMALA**

Training actions:

- Development of sessions on auditing and public participation to involve society in the issues of transparency, quality of spending, accountability, and social auditing.

- Development of training workshops to disseminate some of the new aspects of the public procurement system.

- Development of a course on transparency in public administration through the Tele-INAP Program of the National Public Administration Institute (*Instituto Nacional de Administración Pública*—INAP).

Institutional strengthening actions:

- Development of certificate programs with Departmental Development Councils to strengthen their administrative capacity, parliamentary techniques, and dispute settlement skills.

▪ **MEXICO**

Training actions:

- Annual implementation of the Drawing Competition “*Adiós a las trampas*” (No more cheating), aimed at students.

- Implementation of the Campaign “*Haz lo correcto*” (Do what’s right), to promote a culture of combating corruption and observance of the law, through four “*cineminutos*” (minutes of film).

▪ **NICARAGUA**

Training actions:

- Training of citizens by means of awareness-raising sessions, talks, and methodology workshops, aimed at secondary school and university students, university professors, the business sector and student organizations on Ethics and Values in Future Professionals; Social Oversight of public administration; social auditing; Law on Public Participation; and the Political Constitution of the Republic of Nicaragua and ethics and values in various municipalities and departments of the country.

▪ **PANAMA**

Other legal standards and/or measures:

- Issuance of a resolution creating the Citizen Consensus-Building and Participation Office, aimed at fostering, promoting, encouraging, and coordinating citizen participation and consensus-building in order to guarantee the full exercise of basic citizenship rights to participate both individually and collectively in political, administrative, environmental, economic, social, cultural and general interest matters to improve the quality of life of the population; to facilitate processes of dialogue and consensus-building with civil society organizations in social development; and to coordinate the start-up and implementation of the National System for Citizen Participation.

Institutional strengthening actions:

- Creation of the Citizen Consensus-Building and Participation Office.
- Instituting the practice of submitting Public Administration Reports to the citizenry by the executive, legislative and judicial branches of government.

▪ **PARAGUAY**

Institutional strengthening actions:

- Implementation, by the Supreme Court of Justice, of the First Citizen Round Table, where the Supreme Court of Justice provided the general public detailed reports on the administration of the judicial branch of government.

Actions related to technological systems or tools:

- Implementation of programs by the Office of the Comptroller-General of the Republic and the Ministry of Public Works and Communications (MOPC), to promote citizen participation in public administration, making technological tools to enforce this right available.

▪ **PERU**

Laws:

- Adoption of the law amending the Law on Citizen Participation and Oversight.

International cooperation actions:

- Implementation of the “*Proyecto Comun@s*” (Community Project), with support from USAID, in rural municipalities and regional governments, striving to improve transparency, public administration and citizen access to information.
- Strengthening, through the Administrative Development System (*Sistema de Desarrollo Administrativo*—SISTEDA), of channels of communication and information to the citizenry to secure greater public interest in matters concerning Public Administration.

- **SURINAME**

International cooperation actions:

- Implementation, with funding from the European Union, of a project to strengthen the NGO sector in Suriname named “Suriname NGO Institutional Strengthening Programme” (SNIS).

- **TRINIDAD AND TOBAGO**

Institutional strengthening actions:

- Established Ministry of People to promote participation in civil society in efforts to prevent corruption.

- **UNITED STATES**

Actions related to technological systems or tools:

- Provision by the US Congress of Internet access to information on the legislative process, legislation, hearing schedules, transcripts, laws, offices, etc, in order to facilitate citizen participation; www.cspan.org, which provides television coverage of Congressional proceedings, as well as in-depth coverage of legislative and other governmental issues.

- **URUGUAY**

Laws:

- Adoption of a law providing for a new system for departmental and local decentralization and citizen participation.
- Adoption of a law introducing changes and additions to the law on departmental and local decentralization and citizen participation.

Institutional strengthening actions:

- Creation of municipalities that implement active participation of society in local government matters.

▪ **VENEZUELA**

Training actions:

- Holding awareness-raising sessions, conferences and workshops on “Social Oversight in the Fight against Corruption.”
- Implementation of the program entitled “Social Parliamentarianism in the Street.”

4.4. Mechanisms for participation in the follow-up of public administration

The information reported by the countries in general in their progress reports of September 2009, March 2010 and December 2010, describes 19 actions regarding the implementation of the recommendations related to mechanisms for the follow-up of public administration.

These actions pertain to the issuance of laws (1); adoption of other legal standards and/or measures (2); execution of training activities (9); and execution of institutional strengthening activities (7).

Please find below a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and in which their complete description can be found:

▪ **BOLIVIA**

Training actions:

- Development of national training workshops on access to information, anticorruption laws, social oversight, and accountability.

Institutional strengthening actions:

- Implementation of public accountability.

▪ **BRAZIL**

Training actions:

- Training of municipal councilpersons, local leaders, and citizens in general, among which teachers and students, on the auditing of the use of public resources, through the Program entitled “*Olho Vivo no Dinheiro Público*” (A Sharp Eye on Public Monies).
- Training of citizens in the following distance learning courses: “Social Monitoring,” “Bidding Processes and Contracts,” and “Government Budget.”

▪ **COLOMBIA**

Institutional strengthening actions:

- Implementation, in the furtherance of an Agreement between the National Planning Department and the Presidential Program for the Fight against Corruption, of the strategy for visible audits, involving the community in evaluating and implementing projects funded by resources coming from royalties.

Training actions:

- Holding, by the Office of the General Prosecutor of the Nation, of six congresses on citizen participation, for the purpose of disseminating the duties of citizens and public servants with respect to Public Administration.

▪ **ECUADOR**

Training actions:

- Holding workshops to raise citizen awareness about exercising citizen participation and social oversight.

Institutional strengthening:

- Creation of citizen watchdog groups in various provinces.

▪ **GUATEMALA**

Other legal standards and/or measures:

- Preparation of a draft law and regulations for the establishment of social audit commissions.

- Progress in drafting a practical manual on social auditing.

Training actions:

- Organization of seminars and certificate programs on social auditing promoted by the Office of the Comptroller-General.

- Conducting a certificate program on social management by the National Public Administration Institute (*Instituto Nacional de Administración Pública—INAP*).

▪ **MEXICO**

Laws:

- Adoption of the comprehensive amendment to the Law on Public Sector Procurement, Leasing, and Government Services and to the Law on Public Works and Services Related to the Latter, which provides for the status of Social Witness and its operation.

Training actions:

- Continuation of accountability exercises in the institutions comprising the Federal Government, with the participation of various social players.
- Launch of the System for Citizen Services, Participation and Monitoring.

Institutional strengthening actions:

- Implementation, at different stages, of the Integral System for Social Auditing.
- Continuation of the program for social witnesses based on the guidelines governing the participation of social witnesses in hiring/awarding of contracts by Federal Public Administration agencies and institutions.

- **NICARAGUA**

Institutional strengthening actions:

- Preparation (in practical terms) of social audits of the development of social projects administered by various State institutions.

- **PARAGUAY**

Institutional strengthening actions:

- Installation, by the Ministry of Public Works and Communications, of citizen watchdog groups through its Citizen Transparency and Participation Unit in public projects, granting opportunities for civil society and citizens in general, regarding these projects, to be involved in their decision making, calling for their own needs, and auditing the projects affecting their communities.

5. Assistance and cooperation (Article XIV of the Convention)

The information reported by the countries in general in their progress reports of September 2009, March 2010 and December 2010, describes 44 actions regarding the implementation of the recommendations related to assistance and cooperation.

These actions pertain to the issuance of laws (6); adoption of other legal standards and/or measures (1); execution of training activities (7); execution of international cooperation activities (27); and adoption or implementation of technological systems or tools (3).

Please find below a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and in which their complete description can be found:

▪ **ARGENTINA**

International cooperation actions:

- Entering into a cooperation agreement with El Salvador to carry out joint training and information exchange activities on the ethical performance of duties in public administration and regarding State assets; and training activities with Bolivia in statements of assets, transparency in hiring/awarding of contracts, general guidelines for investigation acts of corruption, and actions for the recovery of assets.

▪ **BELIZE**

International cooperation actions:

- Participation in UNODC organized training sessions.

▪ **BRAZIL**

Training actions:

- Training of public servants through the National Program for Training in Combating Corruption and Money Laundering.

- Training of public servants by the program entitled Anti-Corruption Program for Brazilian Government Officials, held in cooperation with the Brazilian Studies Institute of The George Washington University (Washington, D.C.).

▪ **CHILE**

Training actions:

- Holding, by the Office of the Comptroller-General, of various seminars where public officials have been provided, broadly and free of charge, with training on promoting probity and preventing corruption, addressing issues involving international treaties (United Nations, OAS and OECD).

International cooperation actions:

- Publication of the Agreement on Mutual Legal Assistance in Criminal Matters between the States Parties to MERCOSUR.

▪ **COLOMBIA**

International cooperation actions:

- Participation in the United Nations Pilot Programme against Corruption and at the events of the Andean Regional Seminar on the Prevention of and Fight against Corruption and the International Seminar on Mechanisms to Fight Corruption: Money Laundering and Recovery of Assets.

Actions related to technological systems or tools:

- Using the secure electronic communication system (“Groove”) facilitating secure and direct contact with judicial authorities of the Americas and taking advantage of technological breakthroughs, using a system for electronic scanning and transmission of legal aid, to improve management of and guarantee speed in the processing of the legal aid that is channeled through it.
- Use of the Information System for the Exchange of Evidence Abroad (*Sistema de Información para Intercambio de Pruebas con el Exterior*—SIPRAIN), which is a software that has all of the information on requests for legal aid received by the Office of the Attorney General of the Nation and the legal aid it requests from foreign authorities.

- **ECUADOR**

Other legal standards and/or measures:

- Adoption, by the Andean Council of Ministers of Foreign Affairs, of the Andean Plan for the Fight against Corruption.

- **GRENADA**

Training actions:

- Training undertaken in 2010 for officers within and outside of Grenada to ensure familiarity with mutual assistance provisions.

- **GUYANA**

Laws:

- Enactment of the Anti-Money Laundering and Countering Financing of Terrorism Act and of the Money Transfer Agencies (Licensing) Agencies Act 2009.

International cooperation actions:

- Continued technical assistance and funding on strengthening and improving fiduciary oversight, transparency and accountability and capacity building of the agencies with the Guyana/IDB funded Financial Fiscal Management Programme; the Public Service Reform programme, and the Millennium Challenge Account. The Guyana/IDB Citizen Security Programme and the Guyana/IDB Justice Sector Reform Programme are designed to strengthen these two arms of Law and Order.

- **MEXICO**

International cooperation actions:

- Training of public officials of the Technical Secretariat of the National System of Auditing of Services of the Ministry of National Planning and Economic Policy of Costa Rica on Letters of Commitment to the Public, aimed at improving the implementation of these models in this country.

- Delivery, to the Secretariat for the Prevention of Corruption and Strategic Information of the Office of the Comptroller-General of the Union of Brazil, of various materials and information on transparency and access to information, as well as other activities and programs carried out by the Secretariat for Public Administration.
- Working tour of a delegation of public officials from the Royal Canadian Mounted Police to the Secretariat for Public Administration, at which time the topic of developing a training project on intelligence and investigation was addressed.
- An internship, by the assistant prosecuting attorneys of the Ministry of Justice of Nicaragua in the Office of the General Prosecutor of the Republic of Mexico, sharing Mexico's experience in areas such as corruption investigation techniques, prosecution of crimes of corruption, reporting mechanisms, and prevention measures, among others.
- Holding of the Latin American Regional Conference: Commitment and Cooperation in the Fight against Corruption and Transnational Bribery in Mexico City, in the framework of the activities of the OECD-Latin America Anti-Corruption Programme of the Working Group on Bribery of the Organisation for Economic Co-operation and Development (OECD).
- Holding the International Seminar on "Combating Corruption in Mexico: legal aspects, best practices, and international cooperation."
- Participation in the Sixth Regional Anti-Corruption Conference for Asia and the Pacific, held in Singapore and organized by the government of that country and the OECD.
- Participation in the 41st Meeting of the Public Governance Committee (PGC) of the Organisation for Economic Co-operation and Development (OECD), held in Paris, France.
- Participation in the Eighteenth Session of Working Group I: Procurement, in the framework of the activities of the United Nations Commission on International Trade Law (UNCITRAL), held in New York, United States.
- Participation in the framework of the Pilot Program for Review of Implementation of the United Nations Convention against Corruption.
- Participation, as speaker, in the Cross-Regional Workshop to Promote the Ratification and Reporting on Implementation of the United Nations Convention against Corruption, held in Toronto, Canada.
- Participation in the Third Conference of the States Parties of the United Nations Convention against Corruption, held in Doha, Qatar.

▪ **NICARAGUA**

Training actions:

- Training aimed at public officials of the judicial branch of government and other institutions that are part of the court system in areas such as the new Criminal Code, oral litigation for new criminal proceedings, evidence, and organized crime, among others.

Actions related to technological systems and tools:

- Use of the secure electronic communication system (“Groove”) of the OAS Criminal Matters Network, providing direct and secure contact with judicial authorities of the Americas.

▪ **PARAGUAY**

Training actions:

- Organization, by the Ministry of Justice, of the seminar on “Citizen participation as tool to fight corruption” in the framework of the implementation of the Inter-American Convention against Corruption.

- Organization, by the Executive Branch of Government, through the Directorate General for Integrity, attached to the Civil Cabinet of the Office of the President of the Republic, of the National Forum on Fighting Corruption.

▪ **PERU**

International cooperation actions:

- Hiring consultancies with international experts to draw up sector and assessment programs on the fight against corruption.

▪ **UNITED STATES**

International cooperation actions:

- Provision by OGE of technical assistance briefings to International visitors, including visitors from 10 OAS countries on U.S. corruption prevention efforts, including codes of conduct, ethics training and counseling and financial disclosure systems; hosting by OGE of government representatives from various foreign countries at the 17th National Government Ethics Conference; co-sponsorship of an APEC Workshop titled “Applying APEC Anti-Corruption Principles and Preventing Conflicts of Interest,” attended by 4 other OAS countries.

▪ **URUGUAY**

Laws:

- Adoption of laws approving assistance and cooperation treaties with Peru, Colombia, Nicaragua, and Uruguay and adoption of the Inter-American Convention on Serving Criminal Sentences Abroad.

International cooperation actions:

- Preparation of the ‘Assessment Study on Corruption in Uruguay,’ an inter-agency project in collaboration with the Board on Transparency and Public Ethics, the Political Science Institute of the University of the Republic, and the Inter-American Development Bank.

▪ **VENEZUELA**

International cooperation actions:

- Signing of the New Esparta Declaration – UNASUR – At the III Summit of Presidents of the Judicial Branches of the Union of South American Nations (UNASUR), in which extradition was recognized as being an important mechanism of international cooperation. It was also acknowledged as a common principle the non-extradition of nationals for political crimes or for those crimes connected thereto; even when the act is statute barred, except in cases where the domestic legislation establish that some crimes are not statute barred.

6. Central authorities (Article XVIII of the Convention)

The information reported by the countries in general in their progress reports of September 2009, March 2010 and December 2010, describes 2 actions regarding implementation of the recommendations related to central authorities. These actions pertain to execution of institutional strengthening activities (2).

Please find below a very summarized overview of the above-mentioned actions, indicating the country that has reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and in which their complete description can be found:

▪ **NICARAGUA**

Institutional strengthening actions:

- Hiring of 41 public officials comprising the specialized staff working in the various units of the different public institutions in charge of fighting corruption (the Office of the General Prosecutor of the Republic, the National Police Force, and the Ministry of Justice).
- Budget consolidation through the donors fund and the national counterpart funding to central authorities.

5.2.2. Second Round of Review

1. Systems of government hiring (Article III, paragraph 5, of the Convention)

The information reported by the countries in general in their progress reports of September 2009, March 2010 and December 2010, describes 91 actions regarding the implementation of the recommendations related to systems of government hiring.

These actions pertain to the issuance of laws (17); adoption of other legal standards and/or measures (42); preparation and processing of draft laws (4); execution of training activities (5); execution of institutional strengthening activities (15); and adoption or implementation of technological systems or tools (8).

Please find below a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and in which their complete description can be found:

▪ **ARGENTINA**

Other legal standards and/or measures:

- Issuance of a decree certifying the Collective Bargaining Agreement for Staff of the National Government Employment System (*Sistema Nacional de Empleo Público*—SINEP); an administrative ruling approving the regulatory framework for filling permanent staff job vacancies of this System; and a resolution adopting the staff recruitment system of this System; and a resolution that implemented enforcement of the above-mentioned administrative ruling and other standards.

Institutional strengthening actions:

- Creation, in the area of the Head Office of the Cabinet of Ministers, of the Committee for the Coordination of Staffing Planning Processes.

▪ **BELIZE**

Other legal standards and/or measures:

- Issuance of Circular Memorandum establishing a new procedure for the creation of new posts and filling vacant posts; Services Commissions (Amendment) Regulation, 2009; Public Service (Amendment) Regulations, 2009.

Institutional strengthening actions:

- Country-wide tour of all government offices by the Minister of the Public Service and the CEO; process: “Revision Criteria for Appointment and Advancement in the horizontal Grades Consultation”; review of the technical grades by the Ministry of the Public Service.

▪ **BOLIVIA**

Institutional strengthening actions:

- Creation of a school for teaching and training public servants (Plurinational Public Administration School).

▪ **BRAZIL**

Other legal standards and/or measures:

- Issuance of a case law provision from the Federal Supreme Court forbidding either the direct or indirect practice of nepotism throughout Public Administration.

- Issuance of an Executive Decree, requiring Ministers of State and holders of special offices and management and advisory positions to report any familial relationship with others holding office by secondment or performing duties involving the public trust in the Federal Executive sector, under penalty of having disciplinary administrative proceedings filed.
- Issuance of an Executive Decree forbidding nepotism in federal public administration, including “cross-nepotism.”
- Issuance of an Executive Decree providing for mandatory transparency of recruitment criteria in job vacancy postings, as well as impartial parameters for the submittal and examination of applications and qualifications.

- **CANADA**

Other legal standards and/or measures:

- The Office of the Conflict of Interest and Ethics Commissioner issued an internal staffing manual for managers which specifically mentions that the Office has adopted the principles and values of the Public Service Employment Act.

Institutional strengthening actions:

- The Public Service Commission (PSC) is undertaking a comprehensive assessment of the Public Service Employment Act. Some key issues to look at are PSC oversight and accountability, recourse, and appointment policy.

- **CHILE**

Laws:

- Incorporation of the Public Executive Management System into various special procedures, as provided for by recent laws (10 are cited as an example), where the jobs that must be provided by this system are specified.

Other legal standards and/or measures:

- Issuance of a Presidential Instruction, reporting the will of the executive branch of government to continue promoting the development and application of the Public Executive Management System.

Actions related to technological systems or tools:

- Implementation of the Government Employment Portal, which is virtual online site informing the entire public about the government’s job market for full-time permanent staff positions and others of the State’s Public Service.

▪ **COLOMBIA**

Draft laws:

- Processing of two draft laws on the administrative career system in the legislative branch of government, which are now in the plenary session of the House of Representations for a second review.

Other legal standards and/or measures:

- Issuance of a decree and two resolutions of the National Public Service Commission on the recruitment process that started with Invitation 001 of 2005 to fill, by competitive recruitment, permanent career posts previously filled on the basis of temporary and interim contracts.

- Issuance of a joint circular from the Office of the General Prosecutor of the Nation and the National Public Service Commission, reminding legal representatives of public institutions that they are required to report Public Competitive Recruitment Processes for Filling Career Jobs (*Ofertas Públicas de Empleos de Carrera—OPEC*).

Institutional strengthening actions:

- Implementation of actions to advance the recruitment process begun by Invitation 001 of 2005 to provide, by competitive recruitment, for the career jobs that are currently being filled on the basis of temporary and interim contracts, as well as to provide for vacant posts from various entities with specific career systems and for the implementation of the special career system of the Office of the Attorney General of the Nation.

▪ **COSTA RICA**

Other legal standards and/or measures:

- Issuance of nine resolutions, updating the Manual on Employment Positions; regulations on competitive recruitment, for recruiting and appointing the internal auditor of the Municipal Promotion and Advisory Institute; a circular on guidelines for proper appointments to job vacancies; a circular on additional guidelines other than the above; guidelines of the Office of the Comptroller-General for institutions covered by the Public Service System; an agreement publishing the Manual of job descriptions for the Legislative Assembly (Congress); and a resolution of the Office of the Comptroller-General approving the General Manual on Integral Auditing.

Training actions:

- Training of public officials of the Unit for the Administration of Competitive Recruitment.

Institutional strengthening actions:

- Strengthening of the Human Potential Management process, by the Office of the Comptroller-General.

Actions related to technological systems or tools:

- Internet publication of the up-to-date Manual Describing Jobs and Duties (judicial branch of government); Internet publication of job vacancies and job description manual of the Ministry of Justice; and Internet publication of vacancies in the Office of the Comptroller-General.

▪ **ECUADOR**

Laws:

- Adoption of the Organic Law on Public Service; the Organic Law on the Legislative Branch of Government; and the Organic Law on the Judicial Branch of Government.

Other legal standards and/or measures:

- Amendment to the General Regulations for the Organic Law on the National Government Hiring System.

▪ **EL SALVADOR**

Other legal standards and/or measures:

- Adoption of amendments to the Public Service Law incorporating staff providing services to the State by means of employment contracts into the Administrative Career.

▪ **GRENADA**

Draft laws:

- Proposal by the Ministry of Legal Affairs in 2010 work plan to draft Public Service Bill to reform the public service.

Training actions:

- Training program hosted by the Department of Public Administration, to train newly recruited public servants of their duties and responsibilities.

Institutional strengthening actions:

- Survey carried out for members of the public service to assess the strengths and weaknesses of the Public Service, so as to improve and encourage efficiency within the system.

▪ **GUATEMALA**

Other legal standards and/or measures:

- Adoption and implementation of the manual of general standards and procedures.

Training actions:

- Implementation of a certificate program in public administration, including a module on human resources management and review of admittance into the public service.

▪ **GUYANA**

Actions related to technological systems or tools:

- Establishment of the government website www.eprocure.gov.gy on which all government advertisements and notices, job vacancies, and the procurement process for goods and services are posted as a part of its ICT strategy and its incremental progress towards e-governance.

▪ **JAMAICA**

Other legal standards and/or measures:

- Outlining, by the Judicial Services Commission, of procedures for the extensive advertisement of posts to fill vacancies for Resident Magistrates, Masters in Chambers, Puisne Judges and Judges of Appeal.

▪ **MEXICO**

Institutional strengthening actions:

- Design of various coordination and operation policies to prevent and correct potential failures to achieve the operating results and goals of the Professional Career Stream Service.

Actions related to technological systems or tools :

- Creation of the portal “*TrabajaEn*”, which has information on job vacancies in the government and how to compete for desired posts.

- Launch of the “RHNet” system, which is tool used to record the organization structures and jobs of the agencies and institutions of Federal Public Administration, as well as the procedures and queries regarding human resources planning, administration, and development in the Secretariat for Public Administration.

▪ **NICARAGUA**

Training actions:

- Training of executive and technical staff of human resources units, managerial staff, legal advisors and trade union leaders on those aspects related to appeal procedures under the jurisdiction of the Commission of Appeals of the Public Service, among others.

Institutional strengthening actions:

- Continued extension of the job classification system to 25 other institutions of Public Administration, which now have their own generic posts manual.

▪ **PANAMA**

Other legal standards and/or measures:

- Issuance of a resolution by the Directorate General for the Administrative Career Stream, approving the procedures to select, from among the country's organized associations, those that, in accordance with the criteria set forth, represent the users of public services, public servants of the administrative career system, the country's universities, the country's human resources managers, and the Heads of Human Resources Department of the public sector on the Technical and Governing Board of the Administrative Careers and on the Board of Appeals and Settlement of Administrative Careers.

▪ **PARAGUAY**

Draft laws:

- Drafting a preliminary draft Law Installing a Public Service Career System and Regulating Government Employment.

Other legal standards and/or measures:

- Issuance of a resolution by the Secretariat for Public Administration, providing for General Regulations on the Competitive Recruitment System for Entry and Promotion.

- Issuance of a resolution establishing the policy for consolidating job security for hired staff performing full-time permanent duties in public administration and recommending enforcement procedures.

- Issuance of a resolution approving the guide for inclusive and nondiscriminatory practices in Public Administration and ordering its dissemination and implementation in State organizations and institutions.

- Issuance of a resolution regulating procedures for preliminary administrative enquiries and creating a new roster of attorneys proposed as examining judges for preliminary administrative investigations (*registro de abogados/as jueces instructores para sumarios administrativos—RAJSA*).

- Issuance of a resolution approving the model regulations for the recruitment system for entry and promotion of public servants in the public sector and the appointment of public officials in positions of public trust in local municipal governments.

Institutional strengthening actions:

- Preparation of an Integrated System for Monitoring the Administrative Career Stream (*Sistema Integrado de Control de la Carrera Administrativa—SICCA*), still in the design stage, by the Ministry of Economy and the Secretariat of Public Administration, which would bring together the information that, with respect to public servants, is produced in these two public institutions, in the Office of the President of the Republic, and in all bodies and institutions of the Paraguayan State, on the basis of which specific and systematized reports would be obtained automatically and in real time.

- **PERU**

Institutional strengthening actions:

- Creation of the National Public Service Authority (SERVIR).

- **SAINT VINCENT AND THE GRENADINES**

Training actions:

- Development of training sessions on the drafting of job descriptions through the civil service, with support from the Caribbean Centre for Development Administration (CARICAD).

- **SURINAME**

Actions related to technological systems or tools:

- Adoption of a new automated civil service function system (FISO) applicable to all public servants.

- **URUGUAY**

Laws:

- Adoption of a decree providing guidelines and mechanisms for implementing the entry of public officials in the executive branch of government, establishing the minimum requirements for appointment in each one of the careers, as well as the recruitment procedures in each case.

- Adoption of two decrees, respectively setting standards governing the entry of public officials, the hiring of staff services, and the filling of job vacancies in the executive branch of government and the immediate hiring of technical staff in Public Administration.

- **VENEZUELA**

Laws:

- Adoption of the Organic Law on Public Defense.

Other legal standards and/or measures:

- Issuance of a decree implementing a Job Classification System governing the public service.

- Issuance of regulations on Public Competitive Recruitment for the Appointment of District Comptrollers and Permanent Heads of the Internal Auditing Units of National, State, District, and Municipal Public Institutions and their decentralized bodies.

2. Government Systems for the Procurement of Goods and Services (Article III, Paragraph 5, of the Convention)

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010 describes 94 actions carried out regarding the implementation of the recommendations related to systems for the government procurement of goods and services.

Those actions were: the enactment of laws (11); the adoption of other legal standards and/or measures (13); the preparation and processing of draft laws (4); the execution of training activities (17); the execution of international cooperation activities (6); the execution of institutional strengthening activities (9); and the adoption or implementation of technological systems or tools (19).

The following paragraphs offer a very summarized overview of these actions, indicating the countries that reported them in their progress reports of the dates given above, which may be found on the CD enclosed with this report and which contain a full description of them.

A very summarized overview of the above-mentioned actions is provided below, indicating the countries that have reported them in their progress reports of the above-mentioned dates, which are compiled in a CD attached to the present report and on which their complete description can be found:

▪ **ARGENTINA**

Training actions:

- Organization of training courses for public officials on ethics rules and the use of transparency tools in public procurement; production and distribution of the publication “Tools for Transparency in Management. Guide No.4. Public Purchasing and Contracting”; and conduction of a research project into public procurement and the distribution, as one of its results, of the publication “The State of Contracting 2. In-depth Study of Public Contracting.”

Institutional strengthening actions:

- Adoption of indicators for systems for the procurement of goods and services in the executive branch, and for systems for contracting public works in the executive, legislature, and judiciary, and in the national Public Prosecution Service.

Actions related to technological systems or tools:

- Creation of the Unified Integrated Local Financial Information System (SLU), which gathers together information on all goods and services purchases to take place during a given budget year.

▪ **BELIZE**

Laws:

- Preparation of a draft law, the Finance and Audit (Reform) (Amendment) Act, 2010.

International cooperation actions:

- Evaluation of the public procurement system through a consultancy with the IADB.

Actions related to technological systems or tools:

-Posting of procurement opportunities on:
www.governmentofbelize.gov.bz/opportunities_tenders.html;

▪ **BOLIVIA**

Other legal standards and/or measures:

- Adoption of a supreme decree updating the current national public procurement regime.

Training actions:

- Organization of national training courses, emphasizing municipalities and towns in the interior of the country.

Actions related to technological systems or tools:

- Consolidation of the electronic public procurement system.

▪ **BRAZIL**

Draft laws:

- Presentation to the National Congress of the draft Law on the Responsibility of Corporations for Acts of Corruption against Domestic and Foreign Public Administrations.

Other legal standards and/or measures:

- Issuing of the “Guide for Analyzing Allegations of Possible Breaches of Competition in Bidding Processes” and of the “Model Statement for Making Independent Proposals.”

Training actions:

- Publication of user manuals for reverse electronic auctions on the ComprasNet web site, together with training for auctioneers.
- Training of public officials in the program “Strengthening the Public Administration.”
- Training of public officials in the distance-learning course “Bidding and Contracts.”

▪ **CANADA**

Training actions:

- The Office of Small and Medium Enterprises released a new guide for business which aims at helping the public understand the basics of government procurement and how to do business with the Government of Canada, see www.buyandsell.gc.ca/sites/buyandsell.gc.ca/files/bpme-osme-100414-eng.pdf.

Institutional strengthening actions:

- Increased staff of the Office of Procurement Ombudsman and first annual report was tabled.

▪ **CHILE**

Laws:

- Enactment of the Law on Transparency in the Exercise of Public Functions and Access to Information from the Agencies of the State Administration, which contains specific provisions on the obligation of those agencies to provide information, through their web sites, on their contracting activities.

Other legal standards and/or measures:

- Enactment of a Supreme Treasury Decree amending the Regulations to the Law on Public Purchasing and Contracting as regards such issues as the establishment of bid assessment committees, assessment criteria, and the grounds for disqualification from inclusion in the Register of Suppliers of Public Goods and Services.

Training actions:

- Organization, by the Directorate of Public Purchasing and Contracting, of on-site and e-learning training activities, and skill-accreditation activities for purchasers using the Public Purchasing and Contracting System.

- Organization, by the Office of the Comptroller General, of various seminars where training has been provided, broadly and free of charge, on promoting probity and preventing corruption, addressing topics such as public contracting.

▪ **COLOMBIA**

Training actions:

- Organization of awareness-raising events and training courses, under the Connectivity Agenda program, on various topics related to e-government, for the benefit of public servants and the state's contractors.

- Organization, by the National Planning Department, of training courses on topics such as the use of royalties, access to resources from the National Royalties Fund, and contracting rules, and how investigations are to proceed when irregular use is made of royalties.

Actions related to technological systems or tools:

- Activities to connect all agencies to the Single Contracting Web Site and to continue with the implementation of the Electronic Contracting System (SECOB).

▪ **COSTA RICA**

Other legal standards and/or measures:

- Issuance of the Internal Regulations for Administrative Contracting; of the Organic Regulations of the Ministry of the Environment, Energy, and Telecommunications; and a directive from the Ministry of the Treasury on the obligation of reporting awards to small and medium-sized enterprises.

Actions related to technological systems or tools:

- Use of COMPRARED for the purchase of goods.

▪ **DOMINICAN REPUBLIC**

Actions related to technological systems or tools:

- Creation of the www.comprasdominicana.gov.do web site.

▪ **ECUADOR**

Laws:

- Enactment of the Organic Law on the National Public Contracting System.

International cooperation actions:

- Evaluation of the national contracting system, with the support of the IDB, and of indicators, prepared by a working group of the World Bank and OECD/DAC; and organization of an international consultancy with the IDB to establish a method for assessing suppliers.

Institutional strengthening actions:

- Creation of the National Public Contracting Institute.

Actions related to technological systems or tools:

- Permanent publication of bidding processes on the “compraspúblicas” web site.

▪ **EL SALVADOR**

Draft laws:

- Preparation of a draft law to update and strengthen the Public Administration Purchasing and Contracting Law.

International cooperation actions:

- Development of a project for strengthening the Public Administration Purchasing and Contracting System with the IDB.

Institutional strengthening actions:

- Creation of the Citizens’ Public Works Observatory within the Ministry of Public Works, Transportation, Housing, and Urban Development.

- Evaluation of the Public Administration Purchasing and Contracting System based on an OECD methodology for preparing a strategic plan for strengthening that system.

Actions related to technological systems or tools:

- Design of a new electronic system for public procurement (COMPRASAL II).

▪ **GRENADA**

Draft laws:

- Drafted new procurement legislation with the intention of placing before Parliament in 2011, in order to strengthen on the existing procurement system and ensure fairness and transparency in the procurement regime.

- Introduced bill to enable electronic procurement, and will allow for posting notices as well as contracts award notices.

▪ **GUATEMALA**

Other legal standards and/or measures:

- Adoption of a decree to amend the State Contracting Law, adding an exception, modifying the open contract procedure, and other provisions.

Training actions:

- Organization of training courses on the electronic public procurement system (GUATECOMPRAS).

Actions related to technological systems or tools:

- Consolidation and updating of the electronic public procurement system (GUATECOMPRAS).

▪ **GUYANA**

Laws:

- Enactment of the Procurement (Amendment) Act (No. 13 of 2010).

Actions related to technological systems or tools:

- Improvement and expansion of the contents of the National Procurement and Tender Administration website and improvement of internet connectivity through the provision of two fiber optic cables.

- Establishment of the government website www.eprocure.gov.gy on which all government advertisements and notices, job vacancies, and the procurement process for goods and services are posted as a part of its ICT strategy and its incremental progress towards e-governance.

▪ **JAMAICA**

Laws:

- Issuing of the Public Sector Procurement Regulations. Under these regulations, criminal sanctions are applied to breaches of Government of Jamaica procurement guidelines.

Other legal standards and/or measures:

- Issuing of a circular of the Ministry of Finance and the Public Service which provides that government contracts over a specified value must now be independently reviewed and endorsed by the National Contracts Commission before being awarded.

Institutional strengthening actions:

- More effective enforcement of Zero Tolerance Policy of the Office of the Contractor General (OCG) regarding its duty of filing reports on the award of government contracts.

Actions related to technological systems or tools:

- Increase, by the Office of the Contractor General, of its use of electronic communications to enhance transparency in the award of such contracts. This includes the publication of Quarterly Contract Awards (QCA) Reports on its website.

▪ **MEXICO**

Laws:

- Adoption of comprehensive amendments to the Law on Public Sector Purchases, Leases, and Services and to the Law on Public Works and Related Services, and enactment of their corresponding regulations.

Other legal standards and/or measures:

- Publication of the General Administrative Manual for Public Sector Purchases, Leases, and Services.

Actions related to technological systems or tools:

- Updating of the “CompraNet” on-line government procurement system, making it a transactional system that can conduct, organize, and classify historical information on procedures for the purposes of monitoring and evaluation and can receive on-line quotations in a streamlined fashion.

▪ **NICARAGUA**

Laws:

- Enactment of the Public Sector Administrative Contracting Law.

Training actions:

- Publication on the web page of the State General Procurement Directorate of the “Procedural Guide for Purchasing and Contracting in Emergency Situations or during Public Disasters” and of the “Guide for Contracting Absent Procedures in the Event of Emergency, Security, or other Public-interest Situations.”

International cooperation actions:

- Conclusion of the evaluation of the National Purchasing and Contracting System, with the support of the Inter-American Development Bank, and using the OECD-DAC/World Bank/IDB methodology.

Actions related to technological systems or tools:

- Continued expansion of the use of the State Administrative Contracting System (or the www.nicaraguacompra.gob.ni web site) to a further 12 public agencies and 38 municipalities.

- Implementation of the exclusions module in the State Administrative Contracting System (SISCAE), with which all public sector agencies and bodies will publish, on the www.nicaraguacompra.gob.ni web site, their purchases made through the exclusion of procedures.

▪ **PANAMA**

Laws:

- Amendments to the Law Regulating Public Contracting.

▪ **PARAGUAY**

Other legal standards and/or measures:

- Several circulars issued by the National Public Procurement Directorate (DNCP) on exceptions to bidding processes pursuant to Article 33 of the Public Procurement Law.

- Resolution issued by the DNCP approving the procedure for obtaining contracting code for public employee training.

Training actions:

- Establishment of the “Public Procurement Diploma Course” for officials from the contracting units of public agencies and municipalities.

- Organization by the CNCP of various training courses for procurement unit officials on the new procedures developed by the Directorate, in addition to regular courses on existing procedures.

Institutional strengthening actions:

- DNCP hiring of an international consultancy for the conceptual design of a Contract Management System, slated for implementation in 2011.

Actions related to technological systems or tools:

- Implementation of the Electronic Reverse Auction mechanism.
- Implementation of the obligatory use of standard forms as approved and published on the public procurement web site.

- **PERU**

Other legal standards and/or measures:

- Adoption of the supreme decree regulating the new State Contracting Law.

International cooperation actions:

- Organization of the first evaluation of the Peruvian state contracting system, with the support of the World Bank and the Inter-American Development Bank.

Actions related to technological systems or tools:

- Expansion of the coverage of the Electronic State Contracting System (SEACE).

- **TRINIDAD AND TOBAGO**

Institutional strengthening actions:

- Established Joint Select Committee to consider two draft laws on public procurement.

- **URUGUAY**

Institutional strengthening actions:

- Establishment of the State Procurement and Contracting Agency, to improve the conditions under which the State processes its procurement and to develop tools to ensure greater transparency in managing state purchasing.

- **VENEZUELA**

Laws:

- Enactment of the law partially amending the Public Contracting Law (LCP).

Other legal standards and/or measures:

- Decree issued enacting Regulations to the Public Contracting Law.

Training actions:

- Various training activities organized by the Public Prosecution Service.

3. Systems for Protecting Public Servants and Private Citizens who, in Good Faith, Report Acts of Corruption (Article III, Paragraph 8, of the Convention)

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010, describe 25 actions carried out regarding the implementation of the recommendations related to systems for protecting public servants and private citizens who, in good faith, report acts of corruption.

Those actions were: the adoption of laws (9); the adoption of other legal standards and/or measures (4); the preparation and processing of draft laws (7); the execution of training activities (1); the execution of institutional strengthening actions (3); and the adoption or implementation of technological systems or tools (1).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **ARGENTINA**

Draft laws:

- Proposal, made by the Anticorruption Office, for updating and a new public debate on a preliminary draft law for protecting whistleblowers and witnesses of acts of corruption.

▪ **BELIZE**

Institutional strengthening actions:

- Creation of the Integrity Commission.

▪ **BOLIVIA**

Laws:

- Adoption of Law 004 of March 31, 2010, which establishes the National Witness and Whistleblower Protection System, to be implemented together with other agencies related to the topic.

▪ **BRAZIL**

Draft laws:

- Presentation to Congress of the draft Law on Access to Public Information, which states that no public servant may be held administratively, criminally, or civilly responsible for reporting an act of corruption to a superior or other competent authority (if the superior is suspected of involvement).

▪ **CANADA**

Other legal standards and/or measures:

- The Canadian Security Intelligence Service, the Department of National Defence and the Communications Security Establishment have established internal procedures to disclose wrongdoings, including protection for whistleblowers.

Institutional strengthening actions:

- The Communications Security Establishment has established and staffed the position of 'Ethics Officer,' who is responsible for raising awareness of the mechanism for disclosure of wrongdoing, conducting investigations and protecting identity and privacy of person involved in a disclosure.

▪ **CHILE**

Other legal standards and/or measures:

- Implementation, by the Public Prosecution Service, of a project to provide specialized, immediate, and effective protection for those who have given or will give testimony in a criminal trial, as the victim, witness, or expert, and the families thereof, when in a situation of exceptional risk classified as a complex case.

- Agreement issued, by the Central Bank, amending its staff regulations and its Manual of Probity and Institutional Values, to include guarantees for civil servants who report breaches of probity.

Training actions:

- Organization, by the Office of the Comptroller General, of various seminars where training has been provided, broadly and free of charge, to public officials on promoting probity and preventing corruption, addressing topics such as the obligation of reporting acts of corruption and protections for whistleblowers.

▪ **COSTA RICA**

Laws:

- Enactment of the Law to Protect Victims, Witnesses, and Other Participants in Criminal Proceedings.

▪ **DOMINICAN REPUBLIC**

Draft laws:

- Preparation of a draft law (currently before the Chamber of Deputies) on the protection of public officials or citizens who report acts of corruption.

Institutional strengthening actions:

- Creation of the Victims and Witnesses Protection Unit.

▪ **GUYANA**

Laws:

- Enactment of the Evidence (Amendment) Act 2008, to allow for the use of and provision of facilities for audio-links in the court room in order to protect the identity of the witness, to reduce intimidation or fear of appearing in the court with the perpetrator.

▪ **JAMAICA**

Draft laws:

- Passage by the Senate of the Protected Disclosures (Whistleblower) Bill.

▪ **MEXICO**

Laws:

- Enactment of a decree amending, adding, and repealing various provisions dealing with protection for victims, plaintiffs, witnesses, experts, judges, magistrates, agents of the Public Prosecution Service, the police, and other participants, when so required by their involvement in criminal proceedings.

Draft laws:

- Presentation to the federal Senate of an initiative to amend Article 109 of the Constitution of the United Mexican States, setting the legal basis for the creation of a system to protect corruption whistleblowers and individuals involved in proceedings brought against public servants for acts of corruption.

▪ **NICARAGUA**

Laws:

- Enactment of the Law for the Prevention, Investigation, and Prosecution of Organized Crime and for the Administration of Seized, Forfeited, and Abandoned Property, and of the Regulations thereto.

▪ **PARAGUAY**

Draft laws:

- Preparation of a draft law creating the Program to Accompany and Protect Witnesses and Victims in Criminal Proceedings, and its referral to Congress.

▪ **PERU**

Laws:

- Enactment of the Law on Protection for Whistleblowers in the Administrative Area and on Effective Collaboration in the Criminal Area.

Draft laws:

- Preparation of the Regulations to the Law on Protection for Whistleblowers in the Administrative Area and on Effective Collaboration in the Criminal Area.

Other legal standards and/or measures:

- Adoption of the Regulations on the Comprehensive Program for the Protection of Witnesses, Experts, Plaintiffs, or Others Involved in Criminal Proceedings.

Actions related to technological systems or tools:

- Implementation of mechanisms for reporting corruption on the web pages of several ministries.

- **TRINIDAD AND TOBAGO**

Laws:

- Enactment of the law which allows for protection of whistleblowers in the government workplace for reporting acts of corruption or misbehavior.

- **UNITED STATES**

Laws:

- Enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act, which includes incentives and protections for whistleblowers that provide the SEC with information leading to an SEC enforcement action.

- **URUGUAY**

Laws:

- Enactment of a law containing specific provisions for protecting whistleblowers and witnesses.

4. Acts of Corruption (Article VI of the Convention)

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and 2010, describes 21 actions carried out regarding the implementation of the recommendations related to the criminalization of acts of corruption.

Those actions were: the adoption of laws (9); the preparation and processing of draft laws (1); the execution of training activities (8); the execution of institutional strengthening actions (1); and the adoption or implementation of technological systems or tools (2).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **CANADA**

Actions related to technological systems or tools:

- Statistics Canada has modernized the website of the Canadian Centre for Justice Statistics to conform to the Government of Canada Common Looks and Feel Standards for the Internet. Additionally, the search function upgraded and a new module on “statistics by subject, including a portal for crime and justice statistics, has been developed.
- Improvements made to court surveys of the Canadian Centre for Justice Statistics, including surveys that supply information on how corruption cases are processed by Canadian courts.

▪ **CHILE**

Laws:

- Enactment of a law “Amending the Criminal Code in the Regulation of Certain Crimes against the Public Administration,” and of another “Amending the Organic Courts Code and Law No. 19.913, in the Regulation of Certain Crimes against the Public Administration.”

Training actions:

- Organization, by the Office of the Comptroller General, of various seminars where training has been provided, broadly and free of charge, to public officials on promoting probity and preventing corruption, addressing topics such as the criminal responsibility of public officials.

▪ **COLOMBIA**

Institutional strengthening actions:

- Organization, by the National Unit Specializing in Crimes against the Public Administration in conjunction with the Judicial Police, of actions to prevent the cancellation of investigations due to statutory limitations in cases dealing with crimes against the public administration.

▪ **ECUADOR**

Laws:

- Enactment of the Organic Code of Planning and Finance; of the Law Amending the Law to Suppress Money Laundering; of the Law Amending the Internal Tax Regime Law; and of the Amending Law for Tax Equality.

▪ **GUYANA**

Laws:

- Enactment of the Anti-Money Laundering and Countering Financing of Terrorism Act and of the Money Transfer Agencies (Licensing) Agencies Act 2009.

▪ **MEXICO**

Laws:

- Enactment of a decree amending Article 217 of the Federal Criminal Code, increasing the punishments applicable to public servants for undue use of power and authority.

▪ **NICARAGUA**

Training actions:

- Training of state officials on matters related to complex offenses, in investigation techniques for corruption cases, and others.

▪ **PARAGUAY**

Training actions:

- Various training activities organized by the Public Prosecution Service.

▪ **THE BAHAMAS**

Draft laws:

- Penal Code Bill of 2010 provides new powers for the criminalization of acts of corruption, such as bribery and the bribery of public servants by persons having dealings with public bodies.

**VI: SUMMARY OF INFORMATION FURNISHED BY THE STATES ON OTHER
PROGRESS IN IMPLEMENTING THE CONVENTION**

This section of the report summarizes the information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010, regarding progress with implementation of the Convention not specifically related to the recommendations formulated to them in connection with the provisions analyzed during the first two rounds.

6.1. Comprehensive progress with the Convention provisions as a whole

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010, describes the execution of 21 comprehensive actions related in a crosscutting fashion to the implementation of the Convention provisions as a whole.

Those comprehensive actions were: the adoption of laws (6); the adoption of other legal standards and/or measures (3); the preparation and processing of draft laws (1); the execution of training activities (5); the execution of international cooperation activities (1); and the execution institutional strengthening actions (5).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **ARGENTINA**

Institutional strengthening actions:

- Organization, by the National Anticorruption Office in conjunction with officials of the provincial governments, of activities to promote transparency policies at the subnational level.
- Signing of a cooperation agreement between the National Anticorruption Office and one provincial government, for cooperation and technical assistance actions aimed at building institutional capacities for implementing transparency mechanisms and prevent corruption in the public administration.

Training actions:

- Implementation of the Distance Training System in Public Ethics (SICEP); and production and distribution of three publications: “SICEP – Distance Training System in Public Ethics”; “And What About You? Educational Tool for Crosscutting Topics in Ethical and Civic Training”; and “Resetting Society. Ideas of Young People about Corruption.”

▪ **BELIZE**

Other legal standards and/or measures:

- The Asset Recovery Regime, governed by the Money Laundering and Terrorism (Prevention) Act of 2008, which, inter-alia, gives the Financial Intelligence Unit of Belize the authority for investigation and prosecution of financial crimes.

▪ **BOLIVIA**

Laws

- Enactment of the new National Constitution, with specific provisions on preventing and combating corruption, including the non-applicability of statutory limitations to corruption offenses and causing the State economic harm, social oversight and accountability, etc.
- Enactment of a comprehensive anticorruption law, including provisions not specifically related to the implementation of recommendations formulated in connection with the Convention provisions selected for the first two rounds, such as illicit enrichment, transnational bribery, effective judicial procedures for seizures and forfeitures of the proceeds of corruption, creation of an agency responsible for national anticorruption policies, and other provisions.
- Enactment of an education law that includes provisions to promote corruption prevention and ethical values in school and university programs.

Other legal standards and/or measures:

- Enactment of two supreme decrees: one creating the Ministry of Institutional Transparency and Anticorruption Efforts as the agency responsible for designing and implementing anticorruption policies, programs and projects and for promoting the development of public ethics in public agencies, and the other establishing the National Transparency and Anticorruption Policy as the state policy for promoting transparency and for preventing and punishing corruption by strengthening

citizen participation, transparency in the public administration, the right of access to information, and institutional coordination.

▪ **CANADA**

International cooperation actions:

-Established the Anti-Crime Capacity Building Program to provide funding and technical assistance to States to combat and prevent criminal activity and help implement the Inter-American Convention against Corruption and the United Nations Convention against Corruption. This assistance is provided in the form of legislative development and drafting, as well as support for institutional capacity to investigate and prosecute corruption.

▪ **COLOMBIA**

Draft laws:

- Presentation to the legislature of a draft law to enact provisions to strengthen mechanisms for preventing, investigating, and punishing acts of corruption and the effectiveness of oversight over the public administration.

▪ **COSTA RICA**

Laws:

- Enactment of the Law Against Organized Crime, to serve as a tool for the investigation of organized crime cases and to address the topic of studying goods and funds and their seizure and forfeiture. It also provides for “cause without equity,” which allows accusations to be made for seemingly inexplicable increases in net worth.

- Enactment of the Law against Corruption and Illicit Enrichment in Public Service, which deals with, *inter alia*, transnational bribery and illicit enrichment.

▪ **UNITED STATES**

Laws:

- The issuance of an Executive Order titled, “Ethics Commitments by Executive Branch Personnel.”

Training actions:

- Training offered by the Office of Government Ethics (OGE) on tools to help agencies assess perceptions of their ethics programs and cultures. These are available over the internet.

Institutional strengthening actions:

- Increase in the staffing of the Asset Forfeiture and Money Laundering Section to target and recover the proceeds of foreign corruption laundered into or through the USA.

- Increase in staffing of the Asset Forfeiture and Money Laundering Section.

- The creation of a special Foreign Corrupt Practices Act unit within the Division of Enforcement of the US Securities and Exchange Commission.

6.2. Specific progress regarding certain provisions of the Convention different from those reviewed in the first two rounds of review^{8/}

Article III, paragraph 7, of the Convention, on the denial or prevention of favorable tax treatment for payments made in violation of the anticorruption laws:

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010, describes 15 actions carried out regarding progress with the implementation of the Convention provision addressing the denial or prevention of favorable tax treatment for payments made in violation of the anticorruption laws.

Those actions were: the adoption of legal standards and/or measures other than laws (10); the execution of training activities (3); and the adoption or implementation of technological systems or tools (2).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **BRAZIL**

Other legal standards and/or measures:

- Issuing of a Declaratory Interpretative Deed by the Secretariat of Federal Revenue, prohibiting the deduction from income tax of transnational bribery payments.

▪ **COLOMBIA**

Other legal standards or/and measures:

- Issuing, by the National Tax and Customs Directorate, of an administrative order establishing guidelines and procedures for tax payments and oversight; six instructions related to tax oversight programs to be carried out during 2010; and two resolutions related to mechanisms for access to sources of information (including financial information).

Training actions:

- Organization, by the National Tax and Customs Directorate, of training courses on the verification of tax returns, given to auditors from the oversight and payments processes; training received, by officials from the National Anticorruption Unit of the Office of the Prosecutor General, on topics such as state contracting and budgets; and development, by that office's School of Criminalistic and

8. With respect to the progress referred to in this section of the Report, it should be noted that on December 17, 2010, the deadline for the countries to report on their progress, 17 country reports for the Third Round of Review had been adopted, in which recommendations were made with regard to the provisions of the Convention in relation with these advances.

Forensic Studies and Investigations, of training modules on those topics and other criminal investigation matters.

Actions related to technological systems or tools:

- Implementation of the Operations Analysis Consultation Module in the single Model for Income, Services, and Automated Control (MUISCA), which will allow direct consultation of information on tax returns and customs statements in given years and of lists of records in the Single Tax Register.

▪ **PARAGUAY**

Actions related to technological systems or tools:

- Adoption, by the National Customs Directorate, of a system of electronic dispatches in order to reduce the possibilities of corruption.

Article III, paragraph 10, of the Convention, on preventing the bribery of domestic and foreign government officials

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010, describe 15 actions carried out regarding progress with the implementation of the Convention provision on the prevention of bribery of domestic and foreign government officials.

Those actions were: the adoption of legal standards and/or measures other than laws (4); the preparation and processing of draft laws (3); the execution of training activities (5); and the execution of institutional strengthening actions (3).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **BRAZIL**

Draft laws:

- Presentation to Congress of a draft law to hold corporations responsible for acts of corruption against national and foreign public administrations.

Other legal standards and/or measures:

- Resolution issued by the Board of the Chamber of Foreign Commerce requiring the signature of an "Exporter's Statement of Commitment" for funding and credits to be awarded.

Institutional strengthening actions:

- Launch of two National Registers of Companies: one of companies subject to sanctions by agencies or entities of the public administration and one of companies committed to ethics and integrity.

▪ **CHILE**

Other legal standards or/and measures:

- Adoption and commencement of gradual implementation of International Financial Reporting Standards (IFRS).
- Circular issued, by the Superintendency of Securities and Insurance, requesting information from external audit companies and external auditors on steps taken to disseminate the role of external auditors in the Bribery Prevention System.

Institutional strengthening actions:

- Updating the regulatory structure for the agencies empowered to audit bodies subject to the oversight of the Superintendency of Securities and Insurance, assigning that function to external auditing companies.

▪ **COLOMBIA**

Draft laws:

- Inclusion, in the draft law enacting provisions to strengthen mechanisms for preventing, investigating, and punishing acts of corruption and the effectiveness of oversight over the public administration, of an article stipulating that professional secrecy is not to apply in corruption cases.

Other legal standards and/or measures:

- External circular issued by Superintendency of Corporations, requiring the implementation of the Money Laundering and Terrorism Funding Risk Administration System.

Training actions:

- Organization, by the Superintendency of Corporations, of actions to raise awareness and promote integrity among business owners and company legal representatives, such as conferences on preventing money laundering and the funding of terrorism; corporate social responsibility; and managerial responsibility.
- Production, by the Superintendency of Corporations and the Bogotá Chamber of Commerce, of the booklet "Corporate Governance of Family Companies in Bogotá," analyzing the information reported by companies in the 2010 Business Practices Report.

▪ **PARAGUAY**

Draft laws:

- Promotion, by the College of Accountants of Paraguay, of the draft Professional Registration Law.

▪ **PERU**

Training actions:

- Organization, by the College of Public Accountants, of specialization and professional updating courses.

Article VI of the Convention, on the criminalization of acts of corruption

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010, describes one action carried out regarding progress with the implementation of the Convention provision on the criminalization of acts of corruption. That action involved the presentation of draft laws.

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **BRAZIL**

Draft laws:

- Presentation to Congress of a draft law increasing the penalties for the crimes of embezzlement, graft, active and passive bribery, and corruption in international commercial transactions.

Article VIII of the Convention, on transnational bribery

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010, describes 8 actions carried out regarding progress with the implementation of the Convention provision on transnational bribery.

Those actions were: the adoption of laws (3); the preparation and processing of draft laws (4); and the execution of international cooperation activities (1).

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **ARGENTINA**

Draft laws:

- Presentation to the legislature of three bills: one on criminal responsibility for actions taken through a third party (individual or corporate body) and the criminal responsibility of corporate bodies; one regulating jurisdictional matters, to allow domestic criminal proceedings to be instituted for bribery committed abroad; and one with an autonomous definition of foreign public servant.

International cooperation actions:

- Participation, as a member state, in the mechanism of an international organization (OECD) dealing with transnational bribery.

▪ **CHILE**

Laws:

- Enactment of a law establishing the criminal responsibility of corporate entities in the crimes of money laundering, funding of terrorism, and bribery of domestic and foreign public officials, and enactment of another law amending the penalties for various crimes against the public administration, including the different forms of bribery.

Draft laws:

- Presentation to the legislature of a draft law to strengthen the regulations governing statements of interests and net worth, by including such measures as expanding the activities and goods to be declared in order to increase the possibilities of detecting unjustified enrichment.

▪ **PERU**

Laws:

- Enactment of a law criminalizing transnational bribery.

Article XIII of the Convention, on extradition

The information reported by the countries as a whole in their progress reports of September 2009, March 2010 and December 2010, describes two actions carried out regarding progress with the implementation of the Convention provision on extradition. Those actions involved the adoption of laws.

What follows is a very summarized overview of the above-mentioned actions, indicating the countries that have reported them in their progress reports on the above-mentioned dates, which are compiled in the CD attached to the present report and on which their complete description can be found:

▪ **URUGUAY**

Laws:

- Enactment of two laws approving extradition treaties between Uruguay and, respectively, Panama and Peru.

C. PART THREE: SUMMARY OF INFORMATION FURNISHED BY THE COUNTRIES ON DIFFICULTIES IN IMPLEMENTING THE RECOMMENDATIONS FROM THE FIRST TWO ROUNDS OF REVIEW

In the progress reports of September 2009 and of March and December 2010, ten countries (Belize, Colombia, Guatemala, Guyana, Paraguay, Peru, Trinidad and Tobago, Saint Vincent and the Grenadines, Suriname, and Venezuela) reported difficulties in implementing the recommendations formulated for them during the first two rounds.

General difficulties:

Six countries reported difficulties related to circumstances that have had a general impact on the recommendation implementation process; these are summarized in the following paragraphs:

▪ **BELIZE**

- Difficulty for small countries like Belize with extremely limited resources (human, financial, technical), and the need to prioritize between immediate citizen needs and complying with International obligations.

- Difficulty with recommendations dealing with the adoption or amendment of legislation, due to the processes involved with such undertakings, particularly when the recommendation contemplates specific language.

- Difficulty with the short time frame between the adoption of reports and the provision of information on implementation.

▪ **GUYANA**

- Absence or shortage of human, financial, and technical resources, and a need for political players to reach consensus on decisions.

▪ **SAINT VINCENT AND THE GRENADINES**

- In preparing legislation to meet the recommendations, the difficulty is ensuring their effective implementation in the context of a small island state with serious limitations on human and financial resources.

▪ **SURINAME**

- Electoral process and agenda for processing and approval national budget.

▪ **TRINIDAD AND TOBAGO**

- Decision from the High Court prohibiting the application of integrity provisions to judges.

- Conflicting information on whether a norm, subject to a recommendation, is in force.

▪ **VENEZUELA**

- Delay in the specific changes recommended by the Committee of Experts since the agencies and entities of the public administration are developing the new legal and regulatory structure needed to introduce the modifications required by the new Constitution of 1999.

Difficulties with the implementation of recommendations related to specific provisions of the Convention:

Seven countries reported difficulties related to circumstances having a specific impact on the process of implementing recommendations of certain Convention provisions; these are summarized in the following paragraphs:

In connection with Article III, paragraph 1, of the Convention, related to standards of conduct for preventing conflicts of interest:

▪ **COLOMBIA**

- Lack of resources for providing training on the provisions for preventing conflicts of interest.

▪ **GUATEMALA**

- Difficulties among various social and institutional stakeholders in reaching agreements on the content of the reforms.

▪ **PERU**

- Very recent creation of the agency responsible for implementing the recommendation; fragmented regulations.

▪ **TRINIDAD AND TOBAGO**

- Decision from the High Court prohibiting the application of integrity provisions to judges.

In connection with Article III, paragraph 1, of the Convention, related to standards of conduct for the proper conservation and use of resources entrusted to government officials:

▪ **COLOMBIA**

- Failure to implement the internal control evaluation model in some territorial entities on account of technological inadequacies.

▪ **PERU**

- Very recent creation of the agency responsible for implementing the recommendation; fragmented regulations.

In connection with Article III, paragraph 4, of the Convention, related to systems for registering income, assets, and liabilities:

- **GUATEMALA**

- Shortage of technology and of inter-institutional cooperation.

- In connection with Article III, paragraph 5, of the Convention, related to systems for government hiring:

- **COLOMBIA**

- Changes in the constitutional framework.

- **GUATEMALA**

- Lack of financial, technological, and human resources, and lack of inter-institutional consensus.

- Interpretation of municipal autonomy hindering implementation of the recommendation.

- **PERU**

- Very recent creation of the agency responsible for implementing the recommendation.

In connection with Article III, paragraph 5, of the Convention, related to systems of government procurement of goods and services:

- **GUATEMALA**

- Absence of mechanisms for verifying compliance with the legal regime.

- **PARAGUAY**

- Doubts regarding the enforcement of the procurement legal norms in various state agencies, such as the legislature.

- Interpretation of municipal autonomy hindering implementation of the recommendation.

In connection with Article III, paragraph 8, of the Convention, related to systems for protecting public servants and private citizens who, in good faith, report acts of corruption:

- **SURINAME**

- The country's small population hampers the effectiveness of whistleblower protection.

In connection with Article III, paragraph 9, of the Convention, related to oversight bodies, with the aim of developing modern mechanisms for preventing, detecting, punishing, and eradicating corrupt practices:

▪ **GUATEMALA**

- Need for all oversight bodies to report institutional strengthening actions.

In connection with Article III, paragraph 11, of the Convention, related to mechanisms to promote the participation of civil society and nongovernmental organizations in efforts to prevent corruption, specifically with regard to access to public information:

▪ **BELIZE**

- Difficulty for small countries like Belize to conduct comprehensive review of rules and regulations while strengthening existing systems and carrying out comprehensive evaluations of the use and effectiveness of existing mechanisms on access to information.

▪ **GUATEMALA**

- Shortcomings in the access to information legislation, and lack of resources for implementing the recommendation.

In connection with Article III, paragraph 11, of the Convention, related to mechanisms to promote the participation of civil society and nongovernmental organizations in efforts to prevent corruption, specifically with regard to mechanisms for consultation:

▪ **GUATEMALA**

- Lack of technology.

In connection with Article III, paragraph 11, of the Convention, related to mechanisms to promote the participation of civil society and nongovernmental organizations in efforts to prevent corruption, specifically with regard to mechanisms to encourage participation in follow-up of public administration:

▪ **SURINAME**

- Lack of cooperation from nongovernmental organizations.

In connection with Article VI of the Convention, related to the criminalization of acts of corruption:

▪ **GUATEMALA**

- Sluggishness in the legislative process.

In connection with general recommendation 4.1 from the second round, related to designing and implementing training programs for public servants responsible for implementing the systems, standards, measures, and mechanisms considered in that round:

- **PERU**

- Very recent creation of the agency responsible for implementing the recommendation.

D. PART FOUR: MAIN PROGRESS REPORTED BY THE COUNTRIES REGARDING THE IMPLEMENTATION OF THE RECOMMENDATIONS AND OTHER MEASURES PROVIDED FOR IN THE CONVENTION

This section of the report provides a complete transcription of the information reported by each of the countries in their introductions to their December 2010 progress reports indicating, as agreed on by the Committee in its September 2010 meeting, what they consider their main achievements with implementing both the recommendations and measures suggested by the Committee in the first two rounds and with other measures provided for in the Convention.

ARGENTINA

1. Both houses of the National Congress – the Senate and the Chamber of Deputies – had various draft laws relating to access to information under consideration during 2010. In September 2010, the Senate approved a text and sent it to the Chamber of Deputies for consideration. The draft is expected to become law during the 2011 congressional session.

2. On May 10, 2010 the executive branch sent three draft laws to Congress. Those laws would provide better tools for combating corruption, and would in particular strengthen policies against transnational bribery:

2.1. Draft law 638, which would establish the criminal liability of persons acting through a third party (natural or legal persons) as well as legal persons (adding articles 35, 35 and 76 to the Penal Code (PC)): www.anticorrupcion.gov.ar/documentos/OCDE%20-%20Proy%20Ley%20638-10.pdf

2.2. Draft law 639, which governs the question of jurisdiction, allowing criminal action to be initiated in Argentina for bribes committed abroad (reforming PC article 1): www.anticorrupcion.gov.ar/documentos/OCDE%20-%20Proy%20Ley%20639-10.pdf

2.3. Draft law 640, which establishes the autonomous definition of foreign public official (reforming PC article 77): www.anticorrupcion.gov.ar/documentos/OCDE%20-%20Proy%20Ley%20640-10.pdf

2. In light of the recommendations of the MESICIC Committee of Experts (which has suggested that countries with a federal structure, such as Argentina, should make efforts to implement the Convention at the provincial and municipal levels), the Anticorruption Office is pursuing a number of activities to promote transparency policies at the sub-national level. During 2010, discussions were held with government officials from the provinces of Chaco, Tucumán, Salta, Entre Ríos, La Pampa and Santa Fe to make plans for interagency linkages and cooperation, and joint activities were conducted with the provinces of Tierra del Fuego and Santa Fe and with the Permanent Forum of Administrative Investigation Officials and Anticorruption Offices. In this

context, on May 27, 2010 the federal Anticorruption Office signed a framework agreement for cooperation with the government of the Province of Tierra Del Fuego, Antártida e Islas del Atlántico Sur to promote cooperation and technical assistance for building institutional capacities to implement transparency and corruption prevention mechanisms in public affairs. The agreement is accessible at: www.anticorruccion.gov.ar/Documentos/Ac%20coop%20-%20Gob%20T%20del%20Fuego.pdf.

4. On May 20, 2010 the Anticorruption Office of Argentina signed a cooperation agreement with the Government Ethics Tribunal of the Republic of El Salvador, with a view to establishing a forum for cooperation between the parties involving joint training activities and the exchange of information to help develop an organizational culture that will promote the ethical performance of public functions and respect for State assets.

The web page of the Anticorruption Office contains a copy of a cooperation agreement: www.anticorruccion.gov.ar/documentos/Ac%20coop%20-%20TE%20El%20Salvador.pdf

5. Between September 22 and 24, 2010, the Anticorruption Office hosted a delegation of officials from the Ministry for Institutional Transparency and Fighting Corruption of the Plurinational State of Bolivia. The visit included training activities in the use of sworn statements for public officials, transparency and procurement, general guidelines promoted by the Anticorruption Office for investigating acts of corruption, and steps taken to recover assets.

BELIZE

Since becoming a Party to the Inter-American Convention against Corruption (“the Convention”) in 2002 and joining the Mechanism for Follow-Up on the Implementation of the Convention (MESICIC) in 2003, Belize has been steadfast in its fight against corruption. It has repeatedly shown in no uncertain terms that it is committed to fight corruption domestically and to use its best efforts to assist its fellow countries to fight this plague, which has no regard for international boundaries.

In March 2008, the present Government of Belize was brought to power on a heavy campaign against corruption. Between June 2008 and December, 2010, the period covered by the present Report, the Government of Belize has undertaken a number of positive actions and measures to fight corruption in general, and to implement a number of Recommendations and Measures suggested by the Committee of Experts of the MESICIC during the first two Rounds of review. These include:

1. Adoption/Amendment of Legislation:

1.1. Prevention of Corruption Act, 2007, which, inter alia, makes provisions for strengthening measures to prevent and combat corruption and corrupt activities, provides for the offence of corruption and offences relating to corrupt activities, provides for investigative measures in respect of corruption and related corrupt activities, and provides measures for establishing probity, integrity and accountability in public life;

1.2. Belize Constitution (Sixth Amendment) Act, 2008, which, inter alia, sought to enlarge the membership of the Senate to ensure that Senators nominated by the Opposition and non-governmental organizations together constitute the majority, sought to extend the powers and functions of the Senate to enable them to initiate and conduct public enquiries into mismanagement or corruption by persons in the central government of public statutory bodies,

and provides for the expeditious submission of reports by the Auditor General to the National Assembly;

1.3. Freedom of Information (Amendment) Act, 2008, which, inter alia, was passed to invalidate secrecy provisions in public contracts, to reduce the categories of exempt documents, to penalize unreasonable refusal or failure to provide access to public documents;

1.4. Finance and Audit (Reform) (Amendment) Act, 2010. This amendment is presently a Bill. It seeks, inter alia, to enhance transparency in the tendering process for the Government procurement and sale contracts, and to restore the Financial Orders and Stores Orders to their original status of subsidiary legislation.

2. Adoption and dissemination of a National Plan of Action for the implementation of the Recommendations of the MESICIC for Belize.

3. Providing the widest measure of legal assistance requested by other countries to assist them in their investigations and prosecution of acts of corruption.

BOLIVIA

1. Creation of the Ministry for Institutional Transparency and Fighting Corruption, MTILCC, by Supreme Decree 29894 February 7, 2009, with two vice-ministries: (i) the Vice Ministry for Prevention, Promotion of Ethics and Transparency; and (ii) the Vice Ministry for Fighting Corruption. The new Ministry has the following powers: to formulate and execute policies, programs and projects for ethical and transparent management and for preventing and combating corruption, to strengthen citizen participation in the fight against corruption, to design policies and take actions to recover State assets diverted through acts of corruption, and to enforce international conventions and agreements against corruption.

2. Creation of Transparency Units in each of the 20 government ministries. The MTILCC has coordinated the establishment of these units and has promoted and consolidated similar units in the concentrated and decentralized institutions and State enterprises as well as in the autonomous municipal, departmental and indigenous community governments through the National Transparency Program, which includes: access to public information, ethical behavior by public servants, social oversight, and accountability. Several ministries have approved their own codes of conduct.

3. Promulgation in July 2009 of Supreme Decree 214 on the National Policy for Transparency and Fighting Corruption.

4. Holding of the first accountability exercise for the 20 government ministries in December 2009; similar sessions were held with local governments during 2010.

5. Promulgation of Law 004, the “Marcelo Quiroga Santa Cruz” Law on Corruption, Illicit Enrichment, and the Investigation of Wealth on March 31, 2010, which imposes serious penalties for corruption, allows the investigation and punishment of illicit enrichment, incorporates into domestic law the crimes stipulated in international conventions such as transnational bribery and obstruction of justice. It includes creation of: (i) an integrated system of anticorruption information and recovery of State assets, SIIARBE, for the purpose of creating an interagency information base for timely detection and processing of acts of corruption and for the recovery of State assets as well as debts created by acts or crimes against the public function; (ii) System for protection of witnesses and

reporters of acts of corruption; (iii) the National Anticorruption Council, which defines anticorruption policies and includes civil society participation in combating corruption.

6. Recovery of State funds through the execution of surety bonds in cases where private international firms have committed irregularities subject to anticorruption investigation.

7. International legal cooperation and assistance against corruption, especially with the Republic of Peru, which allowed the repatriation of two former government officials to stand trial for corruption.

8. Formulation of the Law on Transparency and Access to Public Information, currently under debate in the Legislative Assembly.

9. Creation of the Bolivian Institute for Studies in Transparency and Fighting Corruption.

10. Development of the Action Plan for Implementing the MESICIC Recommendations, with support from the OAS.

11. Development of the second annual round of Presenting Accounts by the Ministries of the Executive Branch, Prefectures and Municipalities. The 20 Ministries of the Executive Branch, in addition to the 139 public sector entities, 52 municipalities and 5 governments of the country presented their accounts to civil society and to the general population.

BRAZIL

1. On December 9, 2008 the Office of the Federal Comptroller General (CGU) launched the National Register of Disqualified Firms (CEIS), listing companies that have been sanctioned by organs and entities of the public administration at the national and sub-national levels.

2. On May 13, 2009 a draft law on access to public information was submitted to the national Congress. The draft law has already been approved by the Chamber of Deputies and is now in the final stages of processing by the Senate.

3. On May 27, 2009 Complementary Law 131 was published, requiring federative entities to make real-time disclosure of detailed information on their budgetary and financial management.

4. On January 6, 2010 the Public Services Charter (*Carta de Serviços ao Cidadão*) was instituted pursuant to Regulation 1 of the Secretariat of Management.

5. On February 8, 2010 a draft law was submitted to the National Congress to make legal persons criminally liable for acts of corruption against national and foreign public administrations.

6. In April 2010 the CGU launched two separate portals within the Transparency Portal, containing information on the Soccer World Cup in 2014 and the Olympic and Paralympic Games in 2016.

7. In June 2010, decree 7203 was issued, banning nepotism in the federal public administration.

8. On August 17, 2010, Resolution 62 of the Council of Ministers of the Chamber of Foreign Trade was prepared, making financing and credit for exporters conditional upon signature of a declaration of commitment.

9. On December 9, 2010 the CGU launched the National Register of Companies Committed to Ethics and Integrity (the "Pro-Ethics Business Register").

CANADA

1. The Canadian Centre for Justice Statistics has improved the availability and the utility of its data holdings to allow users to more readily access and download its products including all analytical reports and a selection of statistical tables.

2. The Values and Ethics Division of the Treasury Board Secretariat and the Canada School of Public Service launched, in December 2008, an on-line course for all federal public servants, entitled "Paving the Way". The course content covers the Values and Ethics Code for the Public Service, the *Public Servants Disclosure Protection Act* and other policies in the field of values and ethics in the federal public service. To date, over 60,000 public servants have taken the course.

3. Canada increased its investment in combating criminal activity in the Americas by establishing the Anti-Crime Capacity Building Program (ACCBP) in December 2009. The ACCBP provides \$15 million in funding and technical assistance to States and to international institutions to combat and prevent criminal activity. In 2009/10, the OAS received CAD \$1.38 million in funding via the ACCBP. Through the ACCBP, capacity-building and technical assistance is available to Latin American and Caribbean States to effectively implement the *Inter-American Convention against Corruption* (IACAC) and the *United Nations Convention against Corruption* (UNCAC) requirements.

4. In March 2010, the Department of Foreign Affairs and International Trade launched a revised departmental policy and procedure for reporting allegations of bribery abroad by Canadians and Canadian companies. It is designed to facilitate law enforcement by Canadian authorities and will be included in the training for all officers preparing to be posted abroad.

CHILE

1. Criminal liability for legal persons in the crimes of money laundering, terrorist financing, and bribery (Law 20,393 of December 2009).

- Establishes the criminal liability of legal persons for the crimes of money laundering, terrorist financing, and bribery.

- The foregoing measure has been taken in compliance with international commitments that establish the liability of legal persons for the commission of specified crimes.

- As an additional measure, pursuant to Presidential instructions 6 and 7 of this year, the CAIGG (Internal General Government Auditing Council) requested department heads to certify and report, among other things, "any suspicious behavior or complaint of bribery of a foreign public official".

2. Publication of declarations of interest and net worth (Law 20,414).

- Constitutional reform relating to transparency, State modernization and political quality, of January 2010, amending article 8 of the Constitution to provide that declarations of interest and net worth must always be made public.

- Supplementary to the foregoing, the President of the Republic, acting through the CAIGG, asked department heads to submit information on authorities' and officials' compliance with the duty to declare their interests and net worth.

3. Ineligibility for favorable tax treatment

3.1. Access to banking information by the tax authority (Law 20,406 of December 2009).

- Establishes rules on access to banking information by the tax authority, and extends that power to the ordinary courts.

- Extends this power to the independent tax and customs courts, in cases where this is necessary to resolve a dispute over tax violations punishable by a fine and imprisonment.

3.2. Strengthening and improving the tax and customs jurisdiction (Law 20,322 of 2009).

- Specialization of the courts of appeals in tax matters.

- Speeding the handling of cases under appeal.

- Creation of tax tribunals of first instance, which in their work are to be independent of any administrative interpretation of the tax law.

4. Mechanisms for access to information (Law 20,285 of 2008 on transparency in the exercise of the public function and access to information held by organs of the State administration).

- Public information may be accessed through two channels. The first is via the webpage of each institution: the Transparency and Access to Information Law requires all State agencies to maintain up-to-date information on their websites.

- The second channel is by submitting a request for information; if this is not available at the institution's webpage, it can be requested directly from the institution via the web, or in person at its offices. Since entry into force of law 20,285 of April 20, 2009 and until November 30 this year, a total of 57,076 requests for information were received in agencies of the central State administration (source: *Informe Estadístico 20, Comisión de Probidad y Transparencia*: www.leydetransparencia.cl/documentos/informes_estadisticos/Informe_estadistico_20.pdf)

- In this last case the institution has up to 20 working days, extendable to 30 working days, to respond to the request.

- If the information is denied or is delivered incomplete, a complaint may be filed with the Transparency Council, an independent body responsible for enforcing the Transparency and Access to Information Law. Since entry into force of Law 20,285 on April 20, 2009, and until November 30 of this year, the Council received a total of 1501 cases (taking the date of registration in the Transparency Council). Between April 20, 2009 and November 30, 2010 a

total of 1328 cases were fully processed, representing 88.5% of all cases. Of those cases, 91 (7%) produced decisions approving withdrawal of claim, while 750 (56%) produced decisions upholding the claim, and 487 (37%) were ruled inadmissible.

COLOMBIA

In compliance with the rules established in the Rules of Procedure of the MESICIC Committee of Experts and in light of the decision taken at the last plenary meeting of the body, in September 2010, the Republic of Colombia hereby presents a report on progress in implementing the recommendations formulated by the committee, as well as other programs relating to implementation of the Convention during 2010. (The report refers to this period, bearing in mind that Colombia presented a detailed report in March of this year on progress in implementing the recommendations from the first and second rounds, corresponding to the year 2009).

1. In order to move forward in the fight against corruption the Colombian government presented draft law 142 of 2010, issuing rules to strengthen the mechanisms for preventing, investigating and punishing acts of corruption, and for ensuring effective control of public management. The draft was prepared at government initiative through a participatory process that involved a working party comprising the Prosecutor General's Office, Attorney General's Office, Comptroller General's Office, the Presidential Program against Corruption, the Auditor General's Office, and civil society (*Transparencia para Colombia*), as a way of reflecting not only the government's commitment but also that of the State in combating corruption.

This draft law addresses the main causes that generate corruption, drawing for this purpose on standards of those international instruments to which Colombia is party, and in particular, with respect to the Inter-American Convention, the recommendations of the MESICIC Committee of Experts, through the following proposals:

- Adjusting the Colombian legal framework to the standards of the international instruments to which Colombia is a party, taking into account for this purpose the parameters of the United Nations Convention and the Inter-American Convention against Corruption. In relation to the latter Convention, particular account was taken of several recommendations.

- Closing off opportunities for corrupt persons to use the law in their favor. In this context, it was found that one of the principal channels used for diverting public funds is through procurement contracts. Today, the legal framework contains a chapter of provisions to prevent and combat corruption in public procurement.

- Improving levels of transparency in management by the public administration in general, through measures relating to public information, citizen participation and a culture of legality, among other issues, in the chapter on institutional and pedagogical policies.

- Discouraging acts of corruption by eliminating the perception of impunity that encourages corrupt behavior. A number of measures have been taken here, such as extending the term of the statute of limitations and excluding favorable treatment and substitute penalties for crimes against the public administration relating to corruption, maintaining favorable treatment only for collaboration, where this is effective, and extending this exception to legal representatives of head offices and subsidiaries when they engage in the crime of transnational bribery. As well, penalties are stiffened for crimes that affect health resources, as such crimes are considered not

only to affect the public administration and the economic and social order, but also to jeopardize the achievement of public health objectives.

- Strengthening the commitment of public accountants to combating corruption. Penalties will now include cancellation of registration, in addition to the provisions of article 26 of Law 43 of 1990, for a public accountant who fails to report or advise the disciplinary authority or corresponding prosecutor of acts of corruption encountered in the exercise of his duties, when acting as a statutory auditor. Professional secrecy will not apply in cases of corruption.

- Encouraging commitment on the part of various players outside the public sector, among the general public, to confront and disrupt corruption. To this end a number of measures have been targeted at providing training through the education system in values, ethics, and the fight against corruption.

- Giving a new impetus, through the National Morality Commission and the Citizenship Commission, to coordinated action among all branches of government at the national and sub-national level, the private sector, and civil society.

2. Finally, it is important to note that fighting corruption and promoting transparency have been included in the National Development Plan, in this way reflecting the importance that these issues have for the government of President Juan Manuel Santos

The National Development Plan presented by the national government can be consulted at: www.dnp.gov.co/PortalWeb/LinkClick.aspx?fileticket=3irsD5MAf-g%3d&tabid=1157

COSTA RICA

1. Strengthening the senior oversight bodies with respect to their powers to enforce the provisions of the Inter-American Convention. This was achieved through creation of the Office of the Prosecutor for Finance and the Public Service (*Fiscalía Penal de Hacienda y de la función Pública*, Law 8221 published in *La Gaceta* #65 of April 4, 2002), the Office of the Public Ethics Prosecutor (*Procuraduría de la Ética Pública*, Law 8242 published in *La Gaceta* #83 of May 2, 2002) and the Criminal Court for Finance and the Public Service (*Jurisdicción Penal de Hacienda y de la Función Pública*, Law 8275 published in *Gazette* #94 of 817 2002), as well as Law 8823, reforming various laws on participation by the Comptroller General of the Republic for simplifying and strengthening public management, published in *La Gaceta* #105 of June 1, 2010.

2. Issuance of the Law against Corruption and Illicit Enrichment in the Public Service. Law 8422 published in *La Gaceta* #212 of October 29, 2004. Among other aspects, that law broadened the concept of public official and established the duty of probity. As well, it contains a chapter on the "Preventive Regime", which covers the regime of abstentions, prohibitions, sworn statement of assets, and administrative and civil liability, as well as another section relating to "Offenses", which includes such crimes as illicit enrichment, issuing a false sworn statement; receiving, legalizing or concealing goods; legislation or administration for one's own ends; irregular overpricing; falsehood in the reception of contracted goods and services; influence peddling; and transnational bribery, among others.

3. Strengthening the system for protecting public officials and private citizens who in good faith report acts of corruption. The reform of article 8 of the law against corruption and illicit enrichment in the public service seeks to achieve this objective by establishing that persons who in

good faith report acts of corruption shall be protected by the administrative police authorities. To this may be added the issuance of Law 8720, published in *La Gaceta* #77 of April 22, 2009, on "Protection of victims, witnesses and other persons involved in the penal process", which deals very specifically with the issue of protecting the rights of victims and with measures of protection (procedural and non-procedural), while enhancing the confidentiality of the information.

4. The Law against Organized Crime, Law 8754 published in *La Gaceta* 143 of July 24, 2009, constitutes a tool for investigating cases considered as stemming from organized crime, cataloging as a special type of procedure that involves a platform of police information, examination of assets and capital, and action for seizure and forfeiture. It also includes the "*Causa sin Patrimonio*", which allows for prosecution, retroactively for up to 10 years, of a public official or person under private law whose net worth has increased without any apparent justification.

5. Mechanisms to encourage civil society to participate in the prevention of corruption. These include Executive Decree 34587 on the creation, organization and functioning of the National System of Service Controllers; adoption of the "popular initiative" law (Law 8491, published in *La Gaceta* #66 of April 3, 2006), which allows any citizen to submit to the legislative assembly a draft law or partial reform to the Constitution; creation within the legislative assembly of the "office of public initiative", which receives suggestions, proposals and draft laws; and finally, disclosure via Internet of procurement procedures (COMPRARED) or institutional projects that are underway.

DOMINICAN REPUBLIC

1. Action plan. An action plan has been prepared for implementing the MESICIC recommendations in the Dominican Republic, and it was put to consultation among the various sectors of the country in sessions held on April 19 and 20, 2010.

2. Conflict of interests. Under the auspices of the National Ethics and Anticorruption Commission, the Administrative Corruption Prosecution Division (DPCA) and the Justice Modernization Commission have prepared a draft law for preventing conflicts of interest, together with mechanisms for its enforcement. The draft law will be validated during the coming year with various sectors of Dominican society, and will then be submitted to Congress.

3. Civil service. The Dominican Republic has prepared and implemented a civil service law that meets the general guidelines of the Convention, notably the holding of public competitions to fill positions within the public administration. Public servants are to be selected on the basis of competence, merits, and equity, among other criteria established by law 41-08, its regulations, and the recently proclaimed Constitution of the Dominican Republic.

4. Participatory initiatives against corruption (IPAC). With the support of multilateral cooperation agencies, a set of proposals covering measures in 10 areas has been put together, emerging from discussions involving civil society organizations, international agencies and government. The executive branch has approved these measures and has identified the agencies and persons responsible for carrying them out.

The National Ethics and Anticorruption Commission has been given the task of monitoring implementation of measures in the 10 areas covered: government procurement; the civil service; financial management; access to information; infrastructure; health; education; energy; water; and oversight bodies.

5. Access to information. The adoption of a law (Law 200-04 and Regl. 130-05), establishing rules and regulations in this area, where none existed before, represents an achievement. As further evidence of the impact that this issue has had in the country, we may cite the following developments:

- 110 information offices have been established, each headed by an information officer.
- Civil society entities are monitoring and enforcing this rule.
- Establishment of an oversight body.
- Giving constitutional status to the right to information.

ECUADOR

As of September 28, 2008, Ecuador has had a new constitution which was overwhelmingly approved by referendum. This new constitution not only reaffirms the rights secured during the past decade in Ecuador, but also expands those rights and recognizes additional ones; the collective rights of indigenous peoples are extended through recognition of the plurinational nature of the State; the right to free and universal education is extended to cover higher education (free undergraduate courses in public universities); it includes the rights of nature, which must be considered as different and additional to the rights of persons and are directly prejudiced by environmental damage. Justice, public legal defense, and health are to be free and universal; and retirement is added as a universal right of older persons.

Another new feature in this constitution is the creation of the Transparency and Social Oversight Function (*Función de Transparencia y Control Social*, FTCS), giving assurance of the right to citizen participation and social oversight by Ecuadorian citizens, whether in an organized or individual manner.

Conceptually, the new constitution stands in contrast to the usual economic preoccupations of "development". While the 1990 constitution speaks of "efficiency", "competitiveness" and "quality", the 2008 charter insists on food sovereignty, solidarity, social justice, and the multiple human dimensions of development. While it was formerly a permanent objective of the economy to maintain "macroeconomic balances", the new constitution makes it an objective of economic policies "to maintain economic stability, understood as the highest level of production and employment sustainable over time, within the biophysical limits of nature."

In short, it sets out a new and multidimensional concept of development as "living well" or, in Quechua terms, "*sumac kawsay*", an expression that includes at the same time the notions of "beauty", "harmony" and "balance".

Article 204 of the Constitution of Ecuador declares: "The people are the mandator and prime auditor of public power, in the exercise of their right to participation. The Transparency and Social Oversight Function shall promote and foster monitoring of public entities and bodies and of natural persons or legal entities of the private sector who provide services or carry out activities for the general welfare, so they shall conduct them with responsibility, transparency and equity; it shall foster and encourage public participation; it shall protect the exercise and fulfillment of rights; and it shall prevent and combat corruption. The Transparency and Social Oversight Function shall be comprised of the Council for Public Participation and Social Oversight, the Office of the Human

Rights Ombudsman, the Office of the Comptroller General, and the Superintendencies of Banks and Insurance, Corporations, and Telecommunications.”

The main developments with respect to implementing the recommendations of the Committee are these:

1. Training for officials of the member institutions of the FTCS. This responsibility was shifted during 2010 from the Office of the Ombudsman to the Office of the Comptroller General, as chair of the FTCS for the years 2011 and 2012.

2. Preparation of a document on Articulation of the National Plan against Corruption.

3. Enforcement of the requirement to submit annual reports for overseeing observance of the right of access to public information, pursuant to the Organic Law on Transparency and Access to Public Information.

GUATEMALA

One of the most important achievements during this period was certainly the promulgation of the *Extinción de Dominio* (Seizure and forfeiture) law, which also calls for the elimination of *sociedades anónimas* (limited-liability corporations), and which is to come into effect six months after its promulgation.

There was further progress with respect to access to information, and better institutional performance in terms of complying with the Access to Public Information Law. Legal steps have also been taken and judgments have been issued in several high-profile cases of corruption, tax evasion etc.

It should be noted that the *Equipo Impulsor*, a team comprising various institutions, has been set up to promote the Inter-American Convention. It will serve as the support unit for Guatemala's expert in the MESICIC process and it constitutes the platform for coordinating implementation of the action plan for giving effect to the recommendations of the Committee of Experts from the first and second rounds.

GUYANA

Guyana has since its accession to the Inter-American Convention against Corruption in December 2000, and, moreso since its presence in the Committee of Experts, made efforts to implement its treaty obligations and to comply with the Committee's recommendations of the First and Second Rounds of Review.

It should be noted that the timing of Guyana's ratification of the Convention and its First and Second Reviews coincide with the most progressive and robust period of constitutional (1999-2003), parliamentary (2004-2006) and legislative reform (2003- 2006 and on-going) in the country's history.

The new constitutional provisions radically departed from the 1980 constitution providing for the framework of democratic governance. Oversight, accountability and transparency of the executive were the foundation of the major reforms in the constitutional provisions in relation to an expanded Parliamentary committee system, enhanced and strengthened role and functions of specific existing parliamentary standing committees such as the Public Accounts Committee, and the

appointment of the three Service Commissions (Public, Judicial and Police) as well as 5 Human Rights Commissions through a specific parliamentary consensual mechanism, which are all essential components to the exercise of oversight of the executive and transparency in the operations of the state and its agencies. These have been detailed in the reports of Guyana and its recent response in preparation of its Third Round review. However, it needs to be pointed out that these constitutional reforms and the concomitant parliamentary and legislative reforms are only 7 or less years and in different stages of implementation.

Prior to 2008, and since then, as reported, Guyana has succeeded in introducing and enacting a sound legislative framework that has included fundamental changes to the financial, fiscal and banking sector, fiduciary oversight, a procurement framework and oversight of the procurement of goods and services, judicial reform and judicial review (the Judicial Service Commission Rules 2010, the High Court Rules 2010 as well as the Judicial Review Act No. 23 of 2010 were enacted in November 2010. The Time Limit for Judicial Decisions Act No. 9 of 2010 which includes a reporting mechanism to Parliament strengthens oversight), and strengthening of criminal offences against money laundering, bribery and proceeds of crime and provided for Mutual Assistance in Criminal Matters.

To support these reforms, administrative mechanisms, policies, protocols and guidelines have been introduced to improve oversight of public officials, accountability and transparency in the operations of government and its agencies.

As a result there has been a significant improvement in the availability of government information over the last 2 years to the public, this has resulted from improved data collection, reporting capacity across the state sector as well as improved access to information technology by the state agencies and the public. One of the major developments since 2009 has been the development of the country's ICT Strategy with somewhat improved connectivity thereby allowing government agencies to establish websites which provide valuable information to the public.

Thus, in addition to the submission of all government policies, annual reports and accounts of government agencies to the Parliament (the Opposition actively uses the Question period in the Order Paper at each sitting to raise issues with government Ministers. In this 9th Parliament (2006-2011) over 475 written questions have been posed to Ministers and answered in the National Assembly), government policy, programmes and data are posted on an array of various websites. Examples of key ministries/ agencies that have websites and which were recently expanded and improved – the Guyana Revenue Authority (the intelligence hotline allowing for anonymity through the Guyana Revenue Authority's website www.revenuegy.org proves useful to exposing corruption as well as the invitation to the public to suggest an audit on the Audit Office of Guyana's website), the National Procurement and Tender Administration (the National Procurement and Tender Administration website (see <http://nptaguyana.org/procurement>) most recent minutes at the time of reporting are dated December 10, 2010. One can access minutes dating back to 2007, standard bidding documents, tender notices posted whilst the contract awards are publicly announced weekly. These initiatives continue to be part of an ongoing process to improve transparency and accountability), the Guyana Information Agency, the Audit Office of Guyana, Go-Invest, Low Carbon Development Strategy, Ministries, and state agencies etc).

To further this objective, the installation of the two fiber optic cables will expand and enhance the country's connectivity and thus improve access to information and thus oversight. A vast array of government information which is now posted on ministries/ state agencies' websites will reach more

people in the country especially the far interior and therefore enhance their access to information and contribute to greater transparency and oversight of government.

Of significance has been the establishment of the government website www.eprocure.gov.gy (through the enactment of the Procurement (Amendment) Act (No. 13 of 2010)) in August 2010 on which all government advertisements and notices, job vacancies, and the procurement process for goods and services are posted as a part of its ICT strategy and its incremental progress towards e-governance.

Thus, with improved reporting from the oversight bodies, greater capacity being developed within state agencies, use of modern information-based technology and information-management systems, changes in policy making and efforts to rectify weaknesses of a systemic or administrative nature are easier and more effectively addressed (the introduction of TRIPS (Tax Revenue Integrated Processing System) and IFMAS (the Integrated Financial Management and Accounting System) across all ten administrative regions and government agencies have vastly strengthened revenue collection, more efficient management of financial resources, improved budget forecasting, planning and implementation, and, accountability and transparency).

Guyana has developed layers of citizen participation and involvement (these include the Guyana Chapter of Crime Stoppers, a broad-based National Commission on Law and Order, the inclusion on state boards of representatives of the business community, labour movement, religious bodies, and representatives of the parliamentary political parties, etc., and hotlines on websites to expose corruption anonymously). Sectorally and at regional levels, civil society and communities are involved in various issues of national and neighborhood concerns including the procurement of goods and services and in particular the execution of public works. Community members are outspoken on their views of corruption, non- or poor performance of elected officials and expose shoddy work by contractors. The media also plays an active role in this area. These measures continue to be in operation.

An Access to Information Bill is under review and it is anticipated that it shall be tabled in early 2011.

Guyana has benefitted from considerable technical assistance and funding on strengthening and improving fiduciary oversight, transparency and accountability and capacity building of the agencies from 2004 to the present with the GoG/IDB funded Financial Fiscal Management Programme, the GOG/IDB Public Service Reform programme, and the Millennium Challenge Account/MCC. The GOG/IDB Citizen Security Programme and the GOG/IDB Justice Sector Reform Programme are designed to strengthen these two arms of Law and Order, complement the previous interventions and further implementation of the Convention.

In concluding, the government has invested considerable efforts in resources- financial, technical, legislative and administrative reforms, and expended political will and energy in a reform process to improve transparency, accountability and good governance. These reforms will make it easier to detect acts of corruption and reduce the opportunities for corruption as well as improve the effectiveness of the law enforcement agencies and the judicial system. The reform process is on-going.

Guyana continues to strive to implement the Convention within its human, physical and financial resources available. Like all developing countries, there are always challenges and competition between and for limited resources- human, financial and technical.

JAMAICA

1. March 2010 – Enactment of the Financial Investigations Division Act: The Act establishes the Financial Investigations Division with responsibility for investigating financial crimes which include any offence involving money, fraud, dishonesty or other benefit.

2. December 2010- Passage by the Senate of the Protected Disclosures (Whistleblower) Bill. The Act, when it comes into force, will facilitate the disclosure of information regarding corrupt practices and affords protection to those making such disclosures.

3. The Corruption Prevention (Special Prosecutor) Bill is expected to be debated during the 2010/2011 legislative year by Parliament. A joint select committee of Parliament has just completed within the past week its report on an examination of the Bill. That report is ready to be submitted to Parliament for debates to take place early in the calendar year. The Bill when passed will establish the Office of the Special Prosecutor for Corruption which will act independently and be charged with investigating and prosecuting corrupt conduct.

4. The resources for the Commission for the Prevention of Corruption were increased following a review of the organizational structure. There is currently a new staff structure, inclusive of investigators.

5. In December 2008, the Public Sector Procurement Regulations came into force. Under these regulations, penal sanctions are applied to breaches of Government of Jamaica procurement guidelines.

6. The Office of the Contractor General has significantly increased its oversight of the award of government contracts and has increased its use of electronic communications to enhance transparency in the award of such contracts. This includes the publication of Quarterly Contract Awards (QCA) Reports on its website.

7. As of February 2010, the rigidly enforced Zero Tolerance Policy of the Office of the Contractor General (OCG), which was first introduced in October 2006 to sanction Public Bodies which refuse to comply with the lawful requisition of the OCG to file a report on the award of government contracts, has succeeded in producing an unprecedented and record 100% compliance rate for the fourth consecutive quarter running and for the entire 2009 year. This compares to the low compliance rate of 13% which was first recorded when the new reporting regime was introduced in May 2006.

8. Pursuant to Ministry of Finance and the Public Service circular #36 of 22 September 2008, government contracts over a specified value must now be independently reviewed and endorsed by the National Contracts Commission before being awarded.

9. The Judicial Services Commission has recently outlined procedures for the extensive advertisement of posts to fill vacancies for Resident Magistrates, Masters in Chambers, Puisne Judges and Judges of Appeal in order to ensure transparency in appointments.

10. The Commission for the Prevention of Corruption which is charged with reducing corruption in public life by receiving and analyzing statutory declarations of the assets, liabilities and income of public servants, obtained funding over the period under review to improve its staff complement by hiring additional investigative staff, including financial analysts to strengthen its work. The Commission has held several hearings with declarants, as required under the Corruption Prevention Act, in cases where the Commission was of the opinion that further information or an investigation was necessary in respect of statutory declarations. From those hearings, several matters were referred to the Director of Public Prosecutions and several have been heard by the Courts.

11. The Access to Information Unit has implemented extensive Public Education Programmes targeting various groups island-wide. Major Media Promotions of Access to Information have been conducted during the period 2008-2010. Seven thousand eight-hundred and thirty-two (7832) members of the public were sensitized on Access to Information rights through direct face-face sensitization sessions during the period June 2008-September 2009 alone.

MEXICO

Consistent with the commitments acquired upon ratification of the Inter-American Convention, in 2008 Mexico introduced the National Accountability, Transparency and Anti-Corruption Plan 2008-2012 (PNRCTCC), setting forth the objectives and strategies that the federal government will follow to prevent and punish bribery. This program will also involve the design of instruments for measuring progress in meeting the established goals.

On this basis, strategies have been outlined and a number of important steps have been taken to prevent bribery in the procurement process. These include the presence of citizen witnesses or “watchdogs”, who may or may not be members of NGOs, and who participate with voting rights in procurement procedures undertaken by agencies and entities of the Federal Public Administration, at the end of which they issue a public statement on the conduct of the proceedings.

Mexico has also established *CompraNet*, an electronic system for publishing government information on procurement, leases and services. This has proven a key tool, as it facilitates the contracting of goods, services, leases and public works and strengthens the budget and accounting system in its various components. As well, it has meant substantial improvements in transparency and accountability.

In addition to the government's transparency policies, these tools give civil society the power to demand accountability on the part of government, and at the same time they prevent public officials from showing favoritism in decisions relating to the procurement of goods and services.

Along with the introduction of this technology, measures have been taken to enhance the professionalism of public servants. Through the “*TrabajaEn*” portal, members of the general public can learn about Government vacancies and can apply for positions for which they are suited. The Professional Career Service ensures that civil service positions are held by qualified persons, and in this way it serves to enhance the efficiency of government action while avoiding nepotism.

Efforts have also been pursued to create a culture of legality among public servants as well as within civil society. To this end a number of training courses have been offered to make public servants aware of their responsibilities when it comes to decision-making. Distinguished Mexican

academics have also published articles and competitions have been held to encourage civil society to become involved in combating corruption.

NICARAGUA

Pursuant to the Rules of Procedure of the MESICIC Committee of Experts, Nicaragua presents this progress report for the period June 2008 to December 2010, describing the principal areas of progress in our country in implementing the recommendations from the first and second rounds of review.

1. Following is a listing of significant recent legal developments of a criminal and administrative nature that relate, to some degree, to the punishment and prevention of acts that could constitute corruption:

1.1. Law 641, the Criminal Code, published in the official Gazette nos. 83, 84, 85, 86 and 87 of May 5, 6, 7, 8 and 9, 2008.

1.2. Law 681, "Organic Law of the Comptrollership General of the Republic and of the Control System for the Public Administration and Oversight of State Assets and Resources", published in the Official Gazette no. 113 of June 18, 2009.

1.3. Law 662, "Law on Transparency in Nicaraguan State Entities", published in the official Gazette no. 190 of October 3, 2008

1.4. Law 691, "Law on Simplification of Procedures and Services in the Public Administration", published in the official Gazette no. 144 of August 3, 2009.

1.5. Law 735, "Law on Prevention, Investigation and Prosecution of Organized Crime and the Administration of Seized, Confiscated and Abandoned Properties".

1.6. Laws 737, "Law on Administrative Procurement in the Public Sector", published in the official Gazette no. 213 on November 8, 2010.

1.7. Executive Decree 35-2009, "Code of Ethical Conduct for Public Servants of the Executive Branch", published in the official Gazette no. 113 of June 18, 2009.

1.8. Decree 70-2010, "Regulation to the Law on Prevention, Investigation and Prosecution of Organized Crime and the Administration of Seized, Confiscated and Abandoned Properties", published in the official Gazette no. 223 of November 22, 2010

1.9. Manual on Organization and Functions of the special unit responsible for investigating and prosecuting crimes of corruption.

1.10. Approval of regulations governing the judicial career, by Agreement (*Acuerdo*) 51 of the Supreme Court of Justice, pursuant to the powers conferred by article 164 of the Constitution and the organic law of the judiciary, the purpose of which is to develop the legal standards contained in Law 501, the Judicial Career Law, and specifically the administrative and financial management of the judiciary and the systems of entry, promotion and filling of vacancies in the judicial career, in accordance with the principles of merit, responsibility, equality, publicity, stability, impartiality, independence and specialization.

2. We wish to highlight the particular importance that Nicaragua attaches to institutionalizing the cooperative links that have been forged between operators of the Nicaraguan criminal justice system responsible for the prosecution, investigation and trial of corrupt acts. On this point, we wish to specify some of the interagency agreements now in force:

2.1. Agreement between the Ministry of Justice, the National Police Force and the Office of the General Prosecutor of the Republic to Investigate, Prosecute and Recover the Assets that are Proceeds of Crimes of Corruption and Related Crimes, signed by the heads of those agencies on March 27, 2009 (www.pgr.gob.ni).

2.2. Presidential *Acuerdo* 227-2010, “National Commission for the Integral Development of Good Governance”, published in the official Gazette no.185 of September 29, 2010, the principal task of which will be to implement the National Strategy for the Integral Development of Sound Public Administration. This presidential order establishes the commission, with the participation of State institutions as well as organized civil society.

3. As well, we wish to note the interagency coordination and activities conducted for the purpose of implementing the Code of Ethical Conduct for Public Servants of the Executive Branch, thanks to which efforts have been coordinated between the institutions through the designation of 58 ethics officers and the establishment of the interagency network of public ethics promoters. A total of 3689 public servants of the executive branch have been trained and certified in a series of 103 training events.

4. The Government of Nicaragua attaches great importance to having a specialized training program for public servants of the executive branch and local governments, open as well to secondary and university students, private entrepreneurs, and the organized citizenry, in order to help them understand, respect and enforce rules and procedures that will guarantee the transparent handling of public resources. In the period covered by this report, 19,906 persons participated in 519 training events.

5. Nicaragua is receiving support from the Donor Countries’ Anticorruption Group with a view to increasing transparency in public administration and strengthening public institutions, enhancing their capacities and ensuring the support of society through citizen participation in promoting ethical values among youth. Since 2002 the Donor Countries’ Anticorruption Program has signed several support agreements in the fight against corruption. The following institutions are participating in this program: Office of the General Prosecutor, Office of Public Ethics, National Anti-Drugs Council, National Police Force, and Office of the Attorney General.

PANAMA

1. Standards of conduct for ensuring the proper conservation and use of resources entrusted to government officials in the performance of their duties, and mechanisms to enforce compliance. Under the mandate of article 281 of the Constitution, Law 67 of November 14, 2008 created the Court of Auditors to replace the Government Property Directorate of the Office of the Comptroller General, which was responsible for judging the accounts of public servants and private individuals operating as employees against management agents when redress is due from them.

2. Standards of conduct and mechanisms relating to the 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. The majority of Panamanian institutions have now adopted their own codes of ethics: for example, the National Secretariat of Science, Technology and Innovation adopted its code of ethics by means of resolution 229 of November 19, 2009, and the Supreme Court of Justice, by Agreement 1088 of October 26, 2009, created the Office of Judicial Ethics. See www.senacyt.gob.pa, www.organojudicial.gob.pa

3. Oversight bodies. By Executive Decree 232 of July 21, 2009, the National Council for Transparency against Corruption and its Executive Secretariat were restructured, giving the Executive Secretary new functions that range from receiving complaints and conducting administrative investigations to filing complaints with the competent authorities, without neglecting the previously established functions of prevention and education.

4. Systems of government hiring. Resolution 007/2010 of February 22, 2010, of the General Directorate of the Administrative Career, approved the procedure for selection from among the country's organized associations (*gremios*) which, in accordance with the established rules, are to be representative of the users of public services, the public servants of the administrative career, the universities, the human resource administration sectors of the country, and the heads of the human resources department of the public sector, vis-à-vis the Technical and Governing Board of the Administrative Career and the Appeals and Conciliation Board for the Administrative Career. The purpose of the resolution is to designate associations that are representative with respect to matters relating to the protection of rights and the defense of public servants, whether or not accredited in the Administrative Career System.

5. Systems of government procurement of goods and services. Our future plans include implementation of version 2.0, which will come with a more streamlined and user-friendly design to complement the online procurement cycle. We will be careful to ensure that best procurement practices are applied, implementing bulk purchases, and we will create a bidders system to keep historical records on each supplier.

PARAGUAY

1. Strengthening the organs of State control

The Standard Model of Internal Monitoring for Public Institutions of Paraguay (MECIP) was launched at the beginning of 2010, as a means to strengthen the system for controlling resources of the public administration. This model seeks to implement an institutional culture of self-supervision in order to generate timely actions and mechanisms for prevention and operational control as well as the evaluation and ongoing improvement of public institutions. As a management tool, it empowers officials to manage public resources more efficiently and effectively. Officials are now being trained in preparing the procedures needed to implement the internal monitoring system, in accordance with the Constitution, laws and prevailing regulations. This will allow for the adequate conservation and use of allocated resources, through processes of self-supervision, self-regulation, and self-management.

The following institutions have adopted the MECIP: Ministry of Public Works, National Customs Department, Ministry of the Interior, Ministry of Agriculture and Livestock, Ministry of Finance, Ministry of Education and Culture, Ministry of Public Health, the Supreme Court of Justice, the Attorney General's Office, and the National Congress.

2. Implementation of codes of ethics in various public institutions in order to crystallize the modus operandi of public institutions and to render it independent of specific individuals, places, or the passage of time.

The following institutions have adopted a code of ethics: Comptroller General's Office, Chamber of Deputies, Supreme Court of Justice (which approved the Code of Judicial Ethics of the Republic of Paraguay), National Customs Department, Auditor General's Office, Ministry of Education and Culture, Ministry of Public Works and Communications, Ministry of Agriculture and Livestock, Ministry of Finance, National Public Procurement Department, National Institute of Technology, Standardization and Metrology, Ministry of National Defense, and the Ministry of the Interior.

3. Strengthening public institutions by implementing computerized systems. Paraguay has strengthened its public institutions with the introduction of web pages in various branches of government. This process facilitates public access to information relating to the government procurement system, and also offers advice on how to comply with tax obligations, helping in this way to optimize the tax collection system and make it more transparent.

The National Government Procurement Department makes publicly available all relevant information on the government procurement system, through its webpage.

The *Sistema Marangatú* of the State Taxation Department (SET) of the Ministry of Finance is a computerized system that supports the work of tax administration officials and facilitates taxpayer compliance, through various registry modules that include private data (address, representatives etc.) and sworn declarations (revealing business turnover through taxable and non-taxable income, as well as deductible and nondeductible expenses).

The webpage of the SET was established in 2010, and is already one of the most visited public sector web pages in the country.

The Attorney General's Office has been incorporated into the Secure Electronic Communication System (GROOVE) of the Hemispheric Information Exchange Network for Mutual Assistance in Criminal Matters and Extradition.

4. Mechanisms for public access to the public management system of the different branches of government. In order to strengthen the mechanism for citizen complaints, the Comptroller General's Office (CGR) has ruled that complaints may be submitted anonymously and without the requirement of backup documentation. Complaints may be submitted orally, in writing or via Internet at the following address: controlciudadano@contraloria.gov.py, or through the complaints form found at the link www.contraloria.gov.py/controlciudadano. This initiative is backed by CGR resolution 1036 amending the procedure for submitting complaints via the Department of Citizen Oversight.

The National Public Procurement Department makes available to the public, information on the government procurement system. It has established a readily accessible virtual window within its webpage for filing complaints, with whistleblower protection mechanisms.

The National Customs Directorate, pursuant to the Customs Code, is implementing the "One-Stop Shop for Importers" (*Ventanilla Única del Importador*, VUI). This system will reduce the time and cost of processing, improve controls, and make for more transparent management of processes

that involve pre-and post-shipment authorization. It operates as a portal at the institution's website (www.aduana.gov.py), where importers can apply for their authorizations via Internet, and the entire process is conducted electronically. The system is geared exclusively to imports of goods that require "extra-customs" authorization, simplifying and automating the procedures integrated into the SOFIA system.

In 2010 the Supreme Court of Justice held (in addition to its regular modes of "judicial governance" training sessions) an open house for the citizenry, in which it provided detailed information on administrative management of the judiciary. This initiative seeks to make the work of the Supreme Court more transparent, as well as to encourage greater citizen participation.

5. Boosting the human resources of the public administration in order to improve the level of service to the citizens. In an effort to raise the standard of quality of public services, a diploma course in public management for human development has been introduced. 142 senior and middle-level managers have received training in various public institutions, with high-level technical and theoretical tools dealing with public management. The main topics of training are public ethics, strategic planning and management, organizational development, leadership and conflict management. The new approach seeks to boost the government's response capacity in its various areas of activity and to make the changes needed to ensure greater inter-agency coordination. For the period 2011-2013, the intent is to train 600 officials at various levels.

6. Training. The Ministry of Finance and the Comptroller General's Office have established an agenda for training in using the MECIP, targeted at the following institutions: Ministry of Public Works, National Customs Department, Ministry of the Interior, Ministry of Agriculture and Livestock, Ministry of Finance, Ministry of Education and Culture, Ministry of Public Health, Supreme Court of Justice, Attorney General's Office, and the National Congress.

The courses on "Attribution of payments: payment facilities (Hechauka)" organized by the SET in order to instruct taxpayers in how to use the Marangatú system for filing or amending their tax returns.

Tax education information is available to the public at the SET website.

The Attorney General's office held a seminar in December 2010 on "public participation as a tool in the fight against corruption", in the context of implementing the Inter-American Convention.

7. System for hiring public employees. Paraguay is gradually and systematically introducing a competition system for selecting public officials, pursuant to the Public Service Law.

Resolution 666/09 approved standard regulations for the hiring and promotion of public servants and the appointment of persons to "positions of trust" in local and municipal governments.

Resolution SFT 50/2008 approved the General Regulations for the Selection System for Entry and Promotion in the Public Service, in permanent positions, through the holding of public competitions, pursuant to Articles 15 and 35 of Law 1626/2000 on the Public Service

PERU

1. Law 29,542, on protection for "whistleblowers" in the administrative sphere and effective collaboration in the penal sphere. Its purpose is to provide protection and benefits for public servants

and officials, and for ordinary citizens as well, who in good faith report arbitrary or illegal acts that occur in any public entity and that can be investigated or punished administrative channels. It establishes a monetary penalty, without prejudice to civil and criminal liability in the case of malicious reporting. The regulations to Law 29,542 have been prepared and are pending approval: they regulate the reporting requirements, for which the Comptroller General's Office will be responsible, and establish the protection measures and benefits that are to be applied.

2. Supreme Decree 03-2010-JUS approved the regulations to the Comprehensive Protection Program for witnesses, experts, victims and collaborators involved in the penal process. It establishes rules, procedures, guidelines and requirements relating to the protection measures to be accorded witnesses, experts, victims and collaborators who find themselves at risk because of their participation in the penal process, and extends these measures to cover their spouse, partner, parents, children and siblings.

3. Standard Transparency Portal. Supreme Decree 063-2010-PCM approved implementation of the Standard Transparency Portal, a project developed with German technical assistance (GTZ), and Ministerial Resolution 200-2010-PCM approved Directive 001-2010-PCM/SGP setting out implementation guidelines for all entities of the public administration, at the three levels of government. This tool makes it possible to record and update mandatory information on government management, using a standard presentation with user-friendly graphics and clear language (definitions have been translated into simple language that is understandable to the public); it offers statistical graphics and applies the interoperability rule, articulating different administrative systems such as the payroll database, budgetary information and government procurement data, through the Peruvian Government Portal (www.peru.gob.pe).

4. Sectoral anticorruption plans. The Ministry of Health has approved Supreme Resolution 384-2010-MINSA, the Health Ministry Plan for the Promotion of Ethics, Transparency and the Fight against Corruption, 2010-2011", with the general objective of promoting efficient, transparent and participatory public management, intended to provide comprehensive public access to health and to eradicate corruption.

Through Ministerial Resolution 0505-2010-AG, the Ministry of Agriculture has given priority to preparing an anticorruption plan covering forests and wildlife. The General Directorate of Forests and Wildlife of the Agriculture Ministry has been charged with executing and coordinating the steps needed to prepare that plan within the framework of the trade promotion agreement signed with the United States, and the objectives set forth in the National Plan against Corruption.

5. Enforcement powers of the Comptroller General's office. Law 29,622 has expanded the powers of the Comptroller General's office to impose administrative sanctions, spelling out the conduct covered, the types of penalties, and their degree of severity.

TRINIDAD AND TOBAGO

A. First Round of Review:

Recommendation: *That the Republic of Trinidad and Tobago consider strengthening the implementation of laws and regulatory systems related to conflicts of interest.*

Steps taken (2008): The Integrity in Public Life Act 2000 was amended to provide for the protection of whistleblowers who in good faith report acts of corruption, and offers employment protection for those persons acting in good faith.

Recommendation: *That the Republic of Trinidad and Tobago consider strengthening the implementation of laws and regulatory systems related to conflicts of interest.*

Steps taken (2009): By High Court Action 1735 of 2005 the Supreme Court ruled that to require Judges to report to the Integrity Commission would constitute a breach of their terms and conditions and as such they should not be required to report. The Court further ruled that Judges and Magistrates in Trinidad and Tobago were not subject to the Integrity in Public Life Act 2000.

Recommendation: *That the Republic of Trinidad and Tobago review and amend regulations to ensure that the disciplinary process of the Police Service Commission is efficient and effective.*

Steps taken (2009): The passage of the Police Service Amendment Act of 2006, The Constitution Amendment Act of 2006 and the Police Service Regulations 2006 placed the power of discipline in the hands of the Commissioner of Police for all ranks under the rank of Deputy Commissioner of Police.

Recommendation: *That the Republic of Trinidad and Tobago consider including in appropriate legislation provisions to protect whistleblowers who report acts of corruption from threats and acts of retaliation.*

Steps taken (2009): The Justice Protection Act 2000 establishes an Authority for the administration of the protection of witnesses.

Recommendation: *That the Republic of Trinidad and Tobago strengthen oversight bodies in their functions related to enforcement of Articles 1, 2, 4, and 11 of the Convention.*

Steps taken (2009): Programmes have been implemented for the extensive training of Permanent Secretaries and Heads of Department.

B. Second Round of Review:

Recommendation: *That the Republic of Trinidad and Tobago adopt a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including protection of their identities, in accordance with its Constitution and the basic principles of its domestic legal system.*

Steps taken (2009): The Integrity in Public Life Act 2000 was amended to provide for the protection of whistleblowers who in good faith report acts of corruption.

UNITED STATES

Below are the principal developments that have taken place in the United States between June 23, 2008 and December 17, 2010, with respect to the implementation of the recommendations and measures suggested by the Committee of Experts in the first two rounds of review, as well as other measures provided for in the Inter-American Convention against Corruption.

1. Transnational Bribery—Criminal Enforcement Statistics: Since the beginning of 2009, the Criminal Division of the Department of Justice (DOJ) has charged more than 50 individuals with offenses related to the Foreign Corrupt Practices Act (FCPA), the statute that criminalizes bribery of foreign public officials. In 2010, the DOJ imposed the most criminal penalties in FCPA-related cases in any single 12-month period ever—well over USD \$1 billion.

2. Transnational Bribery—Civil and Administrative Enforcement Statistics: In 2008 and 2009, the Securities and Exchange Commission (SEC) brought over 32 enforcement actions against persons and entities for violations of the FCPA, the statute that criminalizes briber of foreign public officials. In 2010, the SEC filed 20 cases against 21 companies and 7 individuals with over USD \$484.7 million in disgorgement, interest and civil penalties.

3. Kleptocracy Asset Recovery Initiative: Launched in 2010, the DOJ is increasing staffing in its Asset Forfeiture and Money Laundering Section to target and recover the proceeds of foreign official corruption that have been laundered into or through the United States.

4. New SEC FCPA Unit: In January 2010, the SEC's Division of Enforcement created a specialized FCPA unit with approximately 30 attorneys. In addition, the SEC has other trained investigative and trial attorneys outside the FCPA unit who pursue additional FCPA cases. The FCPA unit also has in-house experts, accountants, and other resources such as specialised training, state-of-the-art technology and travel budgets to meet with foreign regulators and witnesses.

5. Strengthened Whistleblower Protections and Incentives: Section 922 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, which was signed into law by President Obama on 21 July 2010, amends the Securities Exchange Act of 1934 to include incentives and protections for whistleblowers that provide the SEC with new information that leads to an SEC enforcement action. Qualified whistleblowers will be awarded between 10% and 30% of the monetary sanctions imposed and collected, including amounts collected in related actions brought by the Attorney General of the United States, regulatory authorities, self-regulatory organizations and/or criminal cases brought by a State Attorney General. In addition to the financial incentives provided by the Dodd-Frank Act, the Securities Exchange Act also provides protection for individual whistleblowers who provide information to the SEC. The Act expressly prohibits employers from retaliating against whistleblowers. Whistleblowers who are the victims of retaliation are entitled to be reinstated at their pre-whistle-blowing level of employment, double back pay with interest, and compensation for reasonable attorneys' fees, litigation costs, and expert witness fees.

6. Disclosure of Payments for Extractive Industries: Section 1504 of the Dodd-Frank Act requires reporting issuers engaged in the commercial development of oil, natural gas, or minerals to disclose in an annual report certain payments made to the United States or a foreign government. This information must be provided in an interactive data format, and the Commission must make a compilation of the information available online.

7. Ethics Pledge for all Full-time Political Appointees: The day after his inauguration (January 21, 2009), President Obama signed Executive Order 13490, "Ethics Commitments by Executive Branch Personnel." Among other things, this Executive Order requires every full-time, political appointee appointed on or after January 20, 2009 to sign an Ethics Pledge. The first annual report on the implementation of the Pledge, researched and compiled by the U.S. Office of Government Ethics (OGE), (http://www.usoge.gov/directors_corner/reports/rpt_exorder13490.pdf), provides information on the number of full-time appointees employed during the calendar year, those

appointees required to sign the Ethics Pledge, the number and names of those who received waivers to any Ethics Pledge provision, and where appropriate, recusals or ethics agreements for those appointees who were registered lobbyists within the two years prior to their appointment. The report also collects, in one place, all of OGE's published guidance on the Pledge requirements.

Please note that the rest of the information for the preparation of the Progress Report is covered in our submission for the Third Round of Review, which will be considered at the same time as the national progress report.

URUGUAY

1. Intensive efforts at training and publicity concerning anticorruption legislation. Over the last two years, the Transparency and Public Ethics Board (JUTEP) has conducted a broad series of courses, workshops and seminars, and has prepared a number of publications to instruct public officials in public ethics and the rules of conduct that should govern their activity. More than 2000 officials have taken part in these activities, which have been channeled through courses of four types: (a) regular training courses organized with the cooperation of the National School of Public Administration; (b) training workshops for creating a "network of public officials specialized in anticorruption legislation", organized directly by JUTEP; (c) short training courses for officials of public agencies who are responsible to JUTEP; and (iv) various forms of training activities, depending on the needs of agencies.

2. Access to Public Information Law. On October 17, 2008, Law 18.381 came into force, entitled "Standards that regulate the right to access to government information." The objective of the Law is to promote transparency in the administrative function of all public agencies, governmental or not, and to ensure the fundamental right of persons to government information. The Law stipulates that information must be made available at the agencies' websites and it sets out the administrative procedure to be followed in order to request information as well as the recourse mechanism to be used in case the information is not obtained through administrative means.

3. Rules to improve the government hiring system. During the period under review, a series of provisions were approved to provide objective, impartial and efficient regulation of the hiring of public officials. Those provisions include articles 9, 413 and 425 of Law 18,362 of October 6, 2008, and its corresponding regulations of December 16, 2009, which require that any position of the central administration, the judiciary and the administrative disputes tribunal must be filled on the basis of competition and merit, or merit and an aptitude examination, while service positions may be filled by lottery.

4. Draft law on "Strengthening Public Transparency". The government will shortly be submitting this draft bill, which was prepared by JUTEP as the culmination of the Action Plan and which contains various initiatives in the following areas: (a) broader and more detailed determination of the duties of JUTEP, in particular its role as a prevention agency; (ii) adjustments to the system of sworn declarations, to make their processing more streamlined and transparent; (c) strengthening the rules of conduct; and (d) revising criminal legislation relating to corruption.

VENEZUELA

A. First round of review:

1. Standards of conduct and mechanisms to enforce compliance

- Measures adopted in 2010

1.1. The Capital Markets Law was reformed, establishing important provisions that govern conflicts of interest in the capital markets sector, by establishing the prohibition of those that have been disqualified from performing public functions from working in the banking or insurance activity or any other activity related to the capital market, in addition indicating that, "*In no case may public officials may be admitted as a member of the stock exchange.*"

1.2. Rules were issued on the administration and supervision of risks relating to the crimes of money laundering and terrorist financing, applicable to institutions regulated by the Superintendency of Banks.

1.3. A resolution was issued prohibiting extravagant or superfluous expenditure on public defense.

1.4. Guidelines were issued for the organization and operation of internal audit units.

1.5. A resolution was put into effect setting forth the accounting principles, rules and technical procedures that make up the Accounting System of the Capital District.

1.6. Training activities were carried out by the Comptroller General's office, the National School of Prosecutors (*Escuela Nacional de Fiscales*) of the Public Prosecutor's Office, and in the School of Human Rights.

1.7. The budgetary allocation for training public officials was increased by 497%.

- Measures adopted in 2009:

1.8. A code of ethics was issued for employees of the ministry of basic industry and mining.

1.9. The Human Resources Financial Management System (SIGEFIRRH) came into effect, which has the objective in improving the level of efficiency, responsibility and transparency in the financial administration of human resources. It does this through the organization of administrative procedures, which allows for the registration of transactions linked with personal administration, the maintenance of updated personnel files, the provision of timely and trustworthy information required for the development of policies and for the making of decisions, so that in this way, it facilitates the prevention and punishment of conflicts of interests.

1.10. Training was provided for 2624 officials at the National School of Prosecutors, from which they obtained a high academic level of ethical values and morals, competences in

scientific, humanistic and technological research, skills in the utilization of current legal norms, and willingness to provide customer service.

1.11. A series of workshops was held for municipal comptrollers, in which 21 symposiums were carried out with the participation of 293 municipalities. This allowed for progress in strengthening the National Tax Control System, by which 842 officials were trained in activities related with the exercise of their functions.

1.12. Awareness sessions, conferences and workshops were held on "social oversight of the fight against corruption." With the objective of "Strengthening and Consolidating the Performance of Social Oversight," where 187 workers from the basic industries of Guayana received training, which allows for the formation of Social Oversight Offices in the 14 basic industries of Guayana. This results in a better and greater use of the resources assigned by the state to these industries.

1.13. The E-Learning training project dealing with the Inter-American Convention was carried out. This training project was made available to all the countries that make up this Mechanism, in which 35 virtual tutors from Latin America and the Caribbean have been trained, with the purpose of disseminating the Inter-American Convention against Corruption, the exchange of experiences and the promotion of joint actions, both internally and internationally. The project also trained 30 officials in the National Public Branches and will continue operating, in order to be extended to all sectors of Venezuelan society.

1.14. The Organic Code of Criminal Procedure was reformed, with the objective of establishing the obligation to report, in the case of public officials, any punishable action that they become aware of in the performance of their functions.

- Measures adopted in 2008:

1.15. The Interagency Commission for Monitoring Implementation of the Inter-American Convention against Corruption was constituted, which is made up of representatives from the highest management levels from agencies that have a direct link to the implementation of the Convention in Venezuela. These are: the Vice-presidency of the Republic, the Office of the Attorney-General, the Office of the Ombudsman, the Office of the Public Prosecutor, the Supreme Tribunal of Justice, the National Assembly, the Ministry of External Relations, the National Electoral Counsel and the Comptroller General of the Republic, which has the responsibility of developing strategies to carry out the requirements of the Committee of Experts of the Organization of American States, regarding the follow-up to the implementation of the Inter-American Convention against Corruption in the Bolivarian Republic of Venezuela.

1.16. A draft law on conflicts of interest was presented to the National Assembly, which regulates conflict of interest situations of public servants in the public administration, with the aim of preventing nepotism, political favoritism, violations to public ethics and promoting administrative morale.

2. Systems for registering income, assets and liabilities

- Measures adopted in 2010:

2.1. Regulations were issued governing the request for the annual presentation of sworn declarations of net worth by senior officials of government organs and entities, establishing that between July 1 and 31 of each year, high level officials from the agencies and entities of the national, state and municipal Public Branch are to present electronically their updated Sworn Declarations of Net Worth, through the portal of the Comptroller General of the Republic, www.cgr.gob.ve.

2.2. The Automatic Registry System of Public-Sector Organs and Entities was created and implemented. This system establishes the foundations to determine and establish, for all public institutions, an administrative platform for the application of mechanisms of control, follow-up and one-way communication that supports 8368 technicians corresponding to the areas of human resources and the public sector agencies and entities, that have the responsibility to provide support or assistance as needed by the employees, and to carry out the periodic transmission of data and supervise the procedure for this purpose.

2.3. The Electronic Submission System for Sworn Declarations of Net Worth came into effect, which supports the Registry System for Agencies and Entities of the Public Sector, constituting as a necessary digital media to undertake the obligatory sworn declaration of net worth for all public officials. This represents a fundamental advance in this area, seeing that the historical registry showed that a monthly average of sworn statements provided, in manual form, approximately 90000 annual documents; while the automated electronic registry receives, as a monthly average, 25556 documents.

- Measures adopted in 2009:

2.4. Senior officials of government organs and entities were asked to provide annual updates of their sworn declarations of net worth.

- Measures adopted in 2008:

2.5. Updates of sworn declarations of net worth were requested for the highest level of public officials of the agencies and entities of the national public branch and of the state governors.

2.6. A standard format and instructions for the sworn declaration of net worth were published.

3. Oversight bodies for the selected provisions

- Measures adopted in 2010:

3.1. Training was provided to strengthen the work of the CGR in supervising state and municipal comptrollers.

3.2. Administrative sanctions were imposed by the Office of the Comptroller General, consisting in pronouncements of administrative responsibility, disqualifications in exercising public functions, suspension without pay, and dismissal, taking into account the seriousness of the offense and the amount of damage caused. In addition, fines and other remedies may be imposed.

- Measures adopted in 2009:

3.3. An evaluation of organs of the National Fiscal Control System was carried out, in order to verify their adequate operation, unify criteria and make efficient use of the resources assigned to them. As a result of the evaluation, various state and municipal comptrollers became involved and revoked public competitions that had been announced for the designation of the head of various internal control agencies as well as the appointment of Internal Auditors and new convocations for new competitions were ordered as a result of the finding of incompleteness or violation of the norms in place.

- Measures adopted in 2008

3.4. A project was carried out to evaluate the functioning of all state and municipal comptrollers.

4. Measures to encourage participation by civil society and nongovernmental organizations in efforts to prevent corruption

-Measures adopted in 2010:

4.1. Regulations for the Organic Law of the Federal Council of Government were issued as part of the political strategy to grant power to citizens, through the gradual transfer of responsibilities and services from national, regional and local institutions to organized communities and other organizations of the Popular Branch, aimed at encouraging popular participation, deepen democracy by restoring government ability to the people, installing efficient and effective practices in the distribution of financial resources and propel complementary developments in the regions.

4.2. Rules on accountability in the police forces in their various political-territorial spheres, with the objective of establishing in the police forces of various political-territorial spheres the obligation to provide to the Police Control Citizen Committees, community councils and communitarian and socially structured organizations, information required for the exercise of the administration of the responsibilities of the Citizen Control.

4.3. A frame of reference for preparing the manual to regulate organization of the Citizen Service Office (*Oficina de Atención al Ciudadano*) was established, so that a model for the development of the manual that governs the organization of the Citizen Service Office is made available to the members of the National Fiscal Control System, with the objective of helping establish these offices in all the offices of the Comptroller and to ensure citizenship participation mechanisms in all these offices as well.

4.4. Regulations were issued governing the Ministry of Planning and Finance, with the objective of encouraging citizenship participation in the exercise of control over public administration in accordance with what is provided in the norms to encourage citizenship participation as set out by the Comptroller General of the Republic.

4.5. The Strategic Office for Inspection, Monitoring and Evaluation of Public Management was created, with the objective of encouraging and coordinating inspection activities to the state agencies, entities and bodies and in conjunction with the social

oversight body to supervise the management that is carried out by the public administration, with the aim of officially consulting and information to the national executive.

- Measures adopted in 2009:

4.6. The Law on Transparency and Access to Public Information for the State of Miranda was issued. This is of vital importance to foster citizenship participation, by guaranteeing the right to access to public information in their jurisdiction.

4.7. A draft law on Access to Public Information for the State of Lara was submitted, which establishes the obligation to provide complete, truthful and timely information on the matters that the Legislative Council of the State of Lara, through the adaptation of the content of the records and proceedings of the agencies and entities that are of service to the state public administration.

4.8. The Law on Transparency and Access to Public Information for the State of Anzoátequi was issued.

4.9. The regulations on the Transparency and Access to Public Information in the Municipalities of Chacao and Los Salias of the State of Miranda were approved.

4.10. Public information campaigns were conducted via the social communication media that allows for the planning of methodologies and education materials, the production of publications and the organization of opportunities for analysis and debate, such as workshops, seminars, forums, national and international congresses, executed by state agencies and educational institutions, including the universities of the country.

- Measures adopted in 2008:

4.11. Rules were issued to encourage citizen participation, whose objective is to foster the right of the citizens to participate in oversight activities over public administration through the Office of Public Services and the Agencies of Fiscal Control, in accordance with article 9 of the Law against Corruption.

4.12. The Law on Local Planning Councils was approved to create opportunities for participation, organization and integration between the various community organizations, social groups and citizens, which allows for the organized citizenry to be directly involved in the administration of public policy and in projects aimed at responding to the needs and aspirations of the community in the construction of a fair society based on social justice.

5. Assistance and cooperation

- Measures adopted in 2010:

5.1. A resolution was issued, prohibiting the conduct and maintenance of operations with banks and other institutions that have banking or investment licenses granted in countries, states or jurisdictions with “tax haven” regimes, without monetary, banking or financial supervision or regulation, and with strict banking secrecy.

5.2. Rules were issued governing the administration and supervision of risks relating to the crimes of money laundering and terrorist financing, applicable to institutions regulated by the Superintendency of Banks.

- Measures adopted in 2009:

5.3. Rules were put into effect governing the administration and supervision of risks relating to the crimes of money laundering and terrorist financing, applicable to institutions regulated by the Superintendency of Banks.

5.4. The Declaration of Nueva Esparta (UNASUR) was signed.

7. General recommendations

- Measures adopted in 2010

7.1. The first course was conducted under the project for distance training about the Inter-American Convention against Corruption.

- Measures adopted in 2009:

7.2. 35 virtual teachers were trained under the project for distance training about the Inter-American Convention against Corruption.

7.3. The Technical Support Committee for follow-up to implementation of the Inter-American Convention against Corruption in Venezuela was established.

-Measures adopted in 2008:

7.4. The Electoral Sciences Institute Foundation (FICE) was created, with the objective, among others, of promoting studies and training in electoral matters geared to electoral officials, as well as in the development of programs aimed at training and professionalization of the personnel at the National Electoral Council.

7.5. The Comptroller General's office carried out a number of training activities.

7.6. The Supreme Court of Justice carried out a number of training activities in the area of oversight of the public administration and modernization of the state.

B. Second Round of Review

1. Systems of government hiring

- Measures adopted in 2009

1.1. The Post Classification System governing the civil service career came into effect

1.2. Reforms were issued to the Organic Law of the Public Prosecutor's Office (*Ministerio Público*), aimed at normalizing, in a specific manner, the positions that are under

competition and to grant at the same time to the Attorney General of the Republic the ability to include other positions that he deems pertinent to be submitted to competition.

- Measures adopted in 2008:

1.3. Rules were issued developing the first and second transitional provisions of the statute for employees of the National Assembly. These rules establish norms to address public competitions and to contracted personnel that enter this Institution.

1.4. The *Poder Electoral* (Elections Branch) was restructured, organizationally and functionally, which contemplates the requirement of this Branch to produce Internal Regulations, an Electoral Staff Statute and System of Remunerations.

1.5. Regulations were issued governing public competitions for the appointment of district and municipal comptrollers and the heads of the internal audit units of the national, state, district and municipal executive branches and their decentralized entities, including the judiciary.

1.6. The Organic Law on Public Defense was approved and came into force, which has the objective to regulate the nature and organization, operational and administrative autonomy, as well as the disciplinary power and suitability of the office of the Public Defense, with the objective of assuring the efficacy of the service and ensuring the career benefits of the Public Defender and other officials established by the Law and its statutes.

1.7. Rules were issued on Assessments and Competitions for Entry and Promotion in the Judicial Career.

2. Systems for government procurement of goods and services

- Measures adopted in 2010

2.1. The Procurement Law was reformed, the objective being to regulate the activity of the State for the acquisition of goods and provision of services and execution of works, with the aim of conserving the public wealth, strengthen its sovereignty, develop productive capacity and ensure the transparency of the conduct of the agencies and entities subject to the Decree that has force of law, so that it helps in the sustainable and diversified growth of the economy.

2.2. Rules were issued for the application, enforcement and control of the commitment to social responsibility, in order to define the process for the application, enforcement and control of the commitment to social responsibility as set out in the Procurement Law and its Regulations, in the framework of procurement performance.

2.3. Regulations were issued governing the financing of social-productive projects developed by the Communal Councils and local cooperatives [*literally*, “organizations of civil society (“*poder popular*”) that work in the communes through the transfer of resources via their participating organs and entities to a body which will function as a cooperative association”].

- Measures adopted in 2009

2.4. The Law Partially Reforming Decree 5.929 with the Rank, Effect, and Force of the Government Contracting Law was issued.

2.5. The Government Contracting Law was approved.

- Measures adopted in 2008:

2.6. The Government Contracting Law was amended

3. Systems for protecting public servants and private citizens who in good faith report acts of corruption

- Measures adopted in 2008:

3.1. Rules to encourage citizen participation were issued, the objective being to foster the right of citizens to participate in oversight activities over public administration through the Office of Public Services and the Agencies of Fiscal Control, in accordance with article 9 of the Law against Corruption

4. Acts of corruption

- Measures adopted in 2010:

4.1. Rules were put into effect governing the administration and supervision of risks relating to the crimes of money laundering and terrorist financing, applicable to institutions regulated by the Superintendency of Banks.

- Measures adopted in 2009:

4.2. A request to reform the Anticorruption Law was presented.

5. General recommendations

- Measures adopted in 2010:

5.1. The Commission on the Functioning and Restructuring of the Judicial System imposed a series of sanctions on various judges for noncompliance.

- Measures adopted in 2008:

5.2. The Public Prosecutor's office conducted various training activities.

5.3. The Interagency Commission for Monitoring Implementation of the Inter-American Convention against Corruption was created.

Difficulties in implementing the recommendations

Since 1999 Venezuela has had a new constitution. As a result, government organs and entities have had to devote themselves to developing the new legal and regulatory framework for instituting the many constitutional changes, and this has to some extent held up the legislative and regulatory amendments relating to the Inter-American Convention against Corruption that were needed in light of the recommendations formulated by the Committee of Experts.

Other developments in implementation of the Convention

First round. Measures to encourage participation by civil society and nongovernmental organizations and efforts to prevent corruption.

- Measures adopted:

1. The program for "building a community for human rights" was designed and implemented, which is aimed at developing and to make known the guiding constitutional principles of human rights as set out in the Constitution of the Bolivarian Republic of Venezuela. The objective is to encourage the creation of opportunities for the collective construction of public policy in human rights and the establishment of Councils for the defense of fundamental rights. Once established these Councils may work jointly in the analysis and diagnostic of the needs and in the violations of fundamental rights that take place in the communities.

2. The program entitled *parlamentarismo social de calle* ("social street parliaments") was implemented, that consists in discussion among popular assemblies draft laws, with the objective of including the citizenry in the legislative matters of the Republic. This initiative is contemplated, in addition, in the Constitution of 1999 and in other laws that are in force.

3. Consultation sessions were held for the second discussion of the proposed reforms to the Organic Code of Criminal Procedure.

E. PART FIVE: COMPILATION OF PROGRESS REPORTS

In compliance with the terms of Article 32 of the Committee's Rules of Procedure, this progress report contains a compilation of the progress reports presented by the countries in September 2009 and in March and December 2010, copies of which were made available to the Technical Secretariat and are also available at: www.oas.org/juridico/inf_prog1.htm

F. PART SIX: ACTIVITIES CARRIED OUT IN THE FRAMEWORK OF THE MESICIC

During the period covered by this progress report – June 23, 2008, to December 17, 2010 – several activities that were of importance for meeting the mechanism's goals took place within the MESICIC framework. The following paragraphs offer a very brief summary of the most notable of these, other than those already described in previous sections of this progress report; the limited information they provide may be expanded by exploring the links indicated in connection with each.

1. Adoption of 21 Country Reports by the MESICIC Committee of Experts:

These reports, containing the review undertaken and the recommendations formulated to the countries in connection with the Convention provisions selected for each round, along with follow-up of the recommendations formulated in earlier rounds, were adopted by the Committee at the four meetings held during this period, following the order previously established for their review. These were: at the Fourteenth Meeting (December 8 to 12, 2008), the Second Round reports on Grenada, Suriname, Brazil and Belize; at the Fifteenth Meeting (September 14 to 18, 2009), the Third Round reports on Argentina, Bolivia, Costa Rica, Paraguay, Peru, and Uruguay; at the Sixteenth Meeting (March 22 to 26, 2010), the Third Round reports on Venezuela, Ecuador, Mexico, Trinidad and Tobago, and Colombia; and at the Seventeenth Meeting (September 13 to 17, 2010), the Third Round reports on Panama, Chile, El Salvador, Dominican Republic, Nicaragua, and the Bahamas.

These reports are available at: www.oas.org/juridico/spanish/mesicic_III_inf.htm.

2. Topics of collective interest:

By request of the Bolivarian Republic of Venezuela, and also taking into account General Assembly Resolution OAS AG/RES 2516, the aforementioned country presented as a topic of collective interest to be dealt by the Committee of Experts of the MESICIC, the training project “*E-Learning*” on matters regarding the Inter-American Convention against Corruption, which it made available to the members of the MESICIC and the OAS with 40 virtual tutors ready to start in November 2009. Once the presentation was made, various delegations intervened to express their recognition of the initiative and formulate comments. In this regard, the Bolivarian Republic of Venezuela stated that it would continue developing this initiative and the States would evaluate the possibility of joining it. The PowerPoint presentation made by the Bolivarian Republic of Venezuela is available at the following link: www.oas.org/juridico/spanish/ven_cap.pdf.

3. Preparation, discussion, or adoption, by 12 MESICIC member states, of National Plans of Action for implementing the recommendations formulated by the Committee of Experts:

These National Plans of Action are the result of a cooperation program whereby the OAS General Secretariat provides to those countries that so wish with professional and technical assistance through which, on a participatory basis involving the competent authorities and civil society, they can adopt a plan setting out the necessary actions for implementing the Committee’s recommendations, identifying the agencies responsible for this purpose, the estimated time-frame for carrying out the plan, as well as identifying resources for funding.

During the period covered by this report, the following countries benefited from this program by preparing draft Plans, discussing those drafts at national workshops held for this purpose, or have approved and adopted their Plans: Belize, Bolivia, Costa Rica, Ecuador, El Salvador, Guatemala, Panama, Peru, Dominican Republic, Suriname, Trinidad and Tobago, and Uruguay.

Additional information on this program is available at:
www.oas.org/juridico/spanish/mesicic_cida_project_plans.htm.

4. Events Held:

A) Organization, by the OAS General Secretariat, in coordination with the corresponding countries, of nine national workshops to discuss National Plans of Action, attended by the countries' competent authorities and representatives of civil society. Events were held in the following MESICIC member states: Belize, Bolivia, Costa Rica, El Salvador, Guatemala, Panama, Dominican Republic, Suriname, and Trinidad and Tobago. Additional information on these events is available at: www.oas.org/juridico/spanish/mesicic_cida_project_plans.htm.

B) Organization, in Lima, Peru, in June 2009, by the OAS General Secretariat, in coordination with the Government of Peru, of the "Conference on the Progress and Challenges in Hemispheric Cooperation against Corruption." Attended by experts from across the region, this event heard presentations on the specific actions adopted within the MESICIC framework for strengthening anticorruption cooperation in the Americas. Additional information on this event is available at: www.oas.org/juridico/spanish/conf_presentaciones.htm.

5. Third Meeting of the Conference of MESICIC States Parties:

Organization, in Brasilia, Brazil, in early December 2010, of the Third Meeting of the Conference of MESICIC States Parties, at which three new countries adhered to the Mechanism (Antigua and Barbuda, Haiti, and Saint Kitts and Nevis); a cooperation agreement was signed by the OAS and the International Anti-Corruption Academy (IACA); and important actions were agreed on, such as conducting on-site visits; designing indicators to assess the results of the anticorruption measures adopted by the countries; exchanges of information and good practices on the topic among those countries; the further development of topics of collective interest to them, such as the promotion of corporate social responsibility; and strengthening cooperation with international organizations that work on this issue, notably through the adoption of a strategy to harmonize the implementation of the Inter-American and United Nations anticorruption conventions. Additional information on this event is available at: www.oas.org/juridico/spanish/mesicic_conf_est_parte.htm.

6. Participation in other Events:

Attendance at events organized by other international agencies involved in anticorruption efforts, such as the OECD and the UN, including the following:

In July 2010, the Latin American Conference on Corporate Responsibility in Promoting Integrity and Fighting Corruption, held in São Paulo, Brazil, by the OECD and the Brazilian government.

In October 2010, the regional course for training government experts in the examination mechanism for enforcement of the United Nations Convention against Corruption, held by that organization in Panama City.

7. Tools of Cooperation:

A) Continued systematization of the information provided by the MESICIC member countries on their provisions and measures related to the Convention topics dealt with in the review rounds, thus facilitating their consultation and understanding.

B) Preparation of the following legislative guides related to the Convention topics addressed in the first two review rounds: prevention of conflicts of interest; conservation of public resources; obligation to report acts of corruption; declarations of net worth; oversight bodies; access to information; consultation mechanisms; participation in the public administration; follow-up in the public administration; assistance and cooperation; hiring of public officials; public procurement of goods and services; protection for people who report acts of corruption; and criminalization of acts of corruption.

C) Preparation of a set of training guidelines, available at www.oas.org/juridico/spanish/guia_expertos.pdf, for individuals appointed to the MESICIC as experts by the member states, to provide them with a full understanding of how this mechanism operates.

D) Redesign, on the OAS web site, of the Anticorruption Portal of the Americas (www.oas.org/juridico/spanish/Lucha.html), so that in addition to allowing access to the existing cooperation tools, it provides up-to-date information on all the anticorruption activities carried out under the aegis of the OAS and the MESICIC, including the country reports and hemispheric reports adopted by this mechanism.

E) Made available, to the countries, of the Hemispheric Information Exchange Network for Mutual Assistance in Criminal Matters and Extradition (www.oas.org/juridico/mla/index.html), for use in corruption cases, and provided training for its full use.

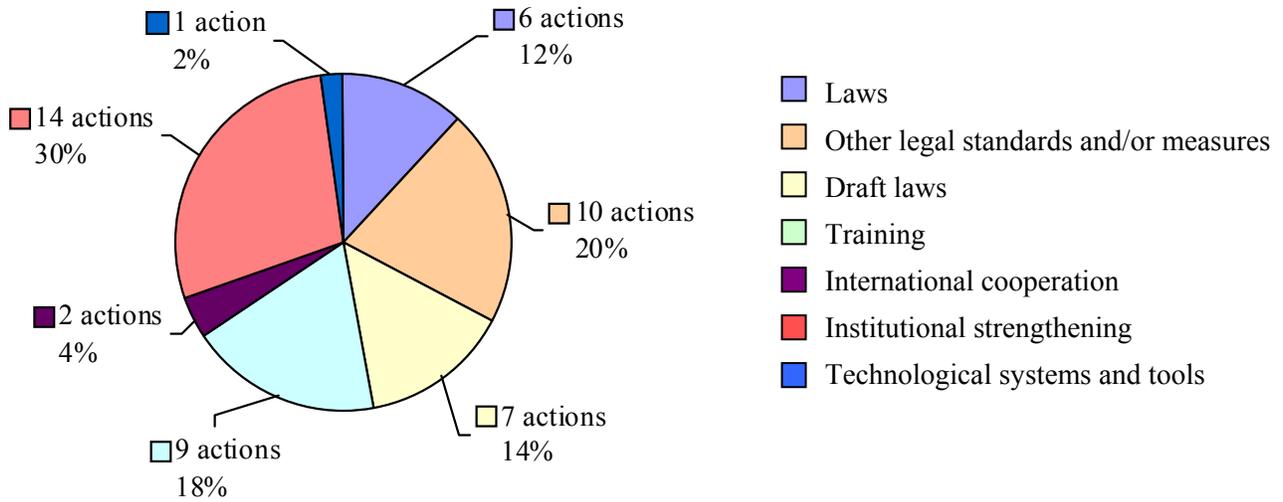
Additional information on these cooperation tools is available at: www.oas.org/juridico/spanish/herram_temas.htm.

G. ANNEXES:

ANNEX I
STATES PARTIES TO THE CONVENTION AND TO THE MESICIC

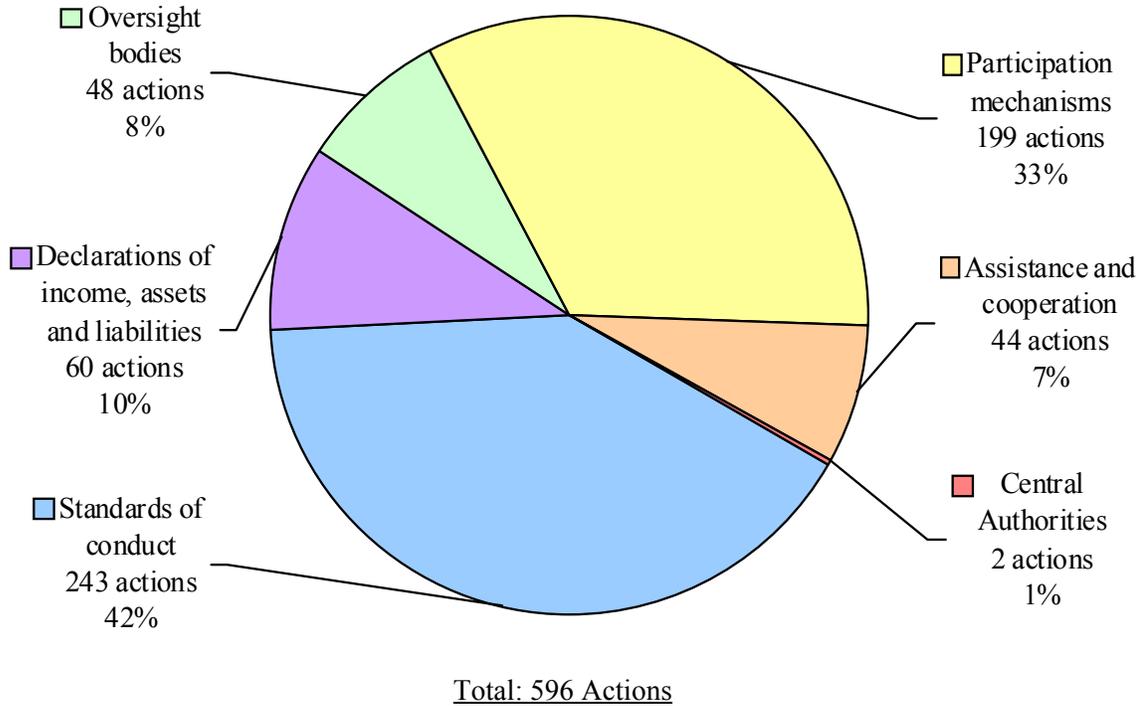
State	State Party to the Convention	State Party to the MESICIC
 Antigua and Barbuda	•	•
 Argentina	•	•
 The Bahamas	•	•
 Barbados	/	/
 Belize	•	•
 Bolivia	•	•
 Brazil	•	•
 Canada	•	•
 Chile	•	•
 Colombia	•	•
 Costa Rica	•	•
 Dominica	•	/
 Dominican Republic	•	•
 Ecuador	•	•
 El Salvador	•	•
 Grenada	•	•
 Guatemala	•	•
 Guyana	•	•
 Haiti	•	•
 Honduras	•	•
 Jamaica	•	•
 Mexico	•	•
 Nicaragua	•	•
 Panama	•	•
 Paraguay	•	•
 Peru	•	•
 Saint Kitts and Nevis	•	•
 Saint Lucia	•	/
 Saint Vincent and the Grenadines	•	•
 Suriname	•	•
 Trinidad and Tobago	•	•
 United States	•	•
 Uruguay	•	•
 Venezuela	•	•

ANNEX II
GRAPHIC REPRESENTATION OF THE COMPREHENSIVE PROGRESS ACHIEVED
REGARDING THE RECOMMENDATIONS ON THE PROVISIONS OF THE
CONVENTION REVIEWED IN THE FIRST TWO ROUNDS CONSIDERED AS A WHOLE



Total: 49 Actions

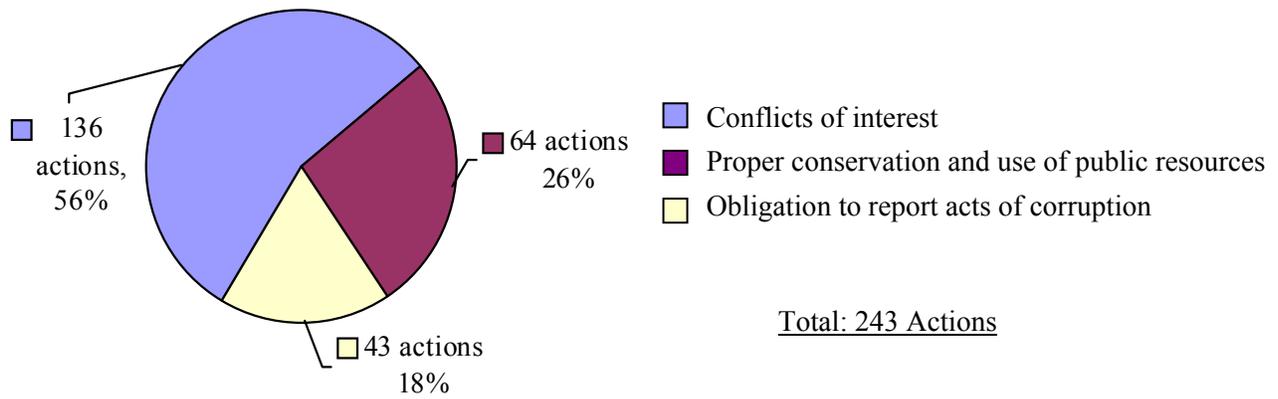
ANNEX III
GRAPHIC REPRESENTATION OF THE GREATEST PROGRESS ACHIEVED WITH
RESPECT TO THE RECOMMENDATIONS FORMULATED IN THE FIRST ROUND OF
REVIEW



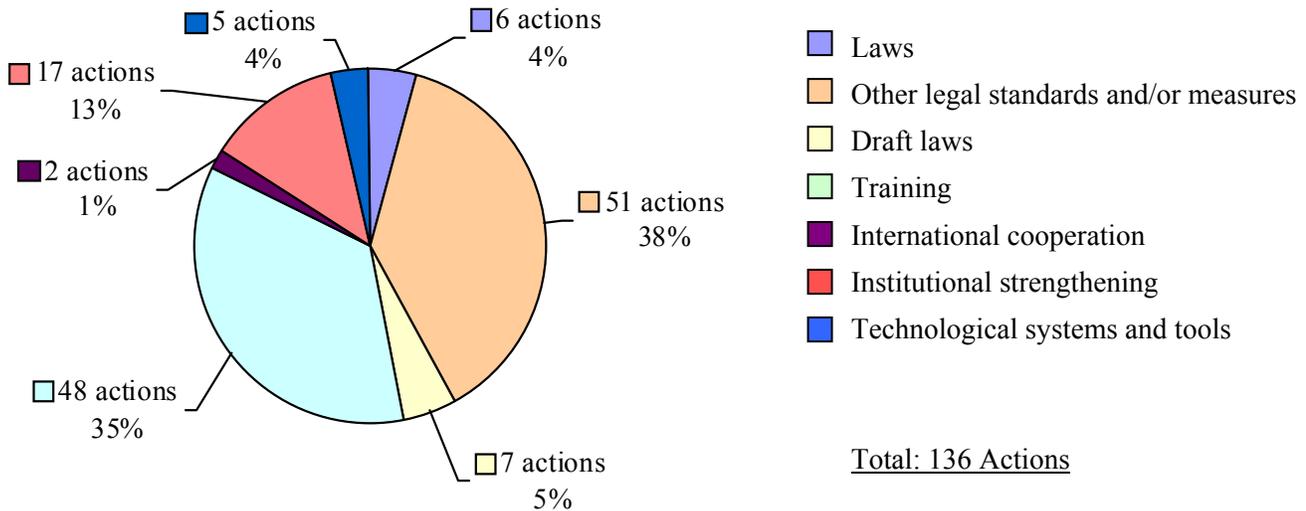
NOTE: For the application of the corresponding percentages of the reported actions by the countries as represented in the graph, it should be taken into account that more recommendations were formulated regarding standards of conduct and participation mechanisms than in the other areas.

ANNEX IV
GRAPHIC REPRESENTATION OF THE SPECIFIC PROGRESS ACHIEVED ON THE RECOMMENDATIONS RELATED TO THE PROVISIONS OF THE CONVENTION REVIEWED IN THE FIRST ROUND, CONSIDERED INDIVIDUALLY

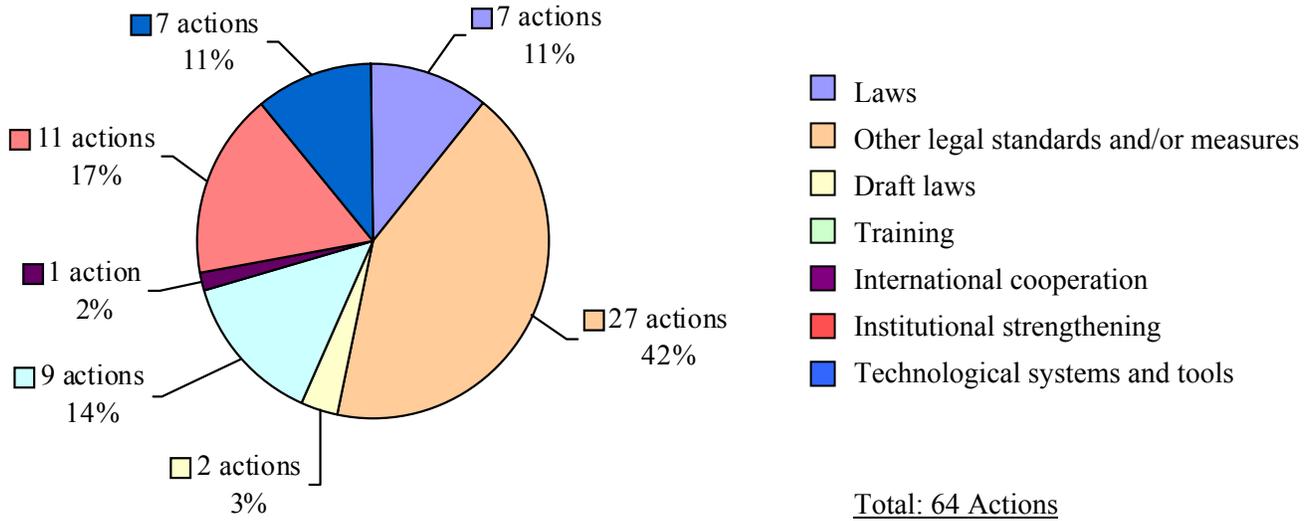
1. Standards of conduct and mechanisms to enforce compliance (Article III, paragraphs 1 and 2 of the Convention)



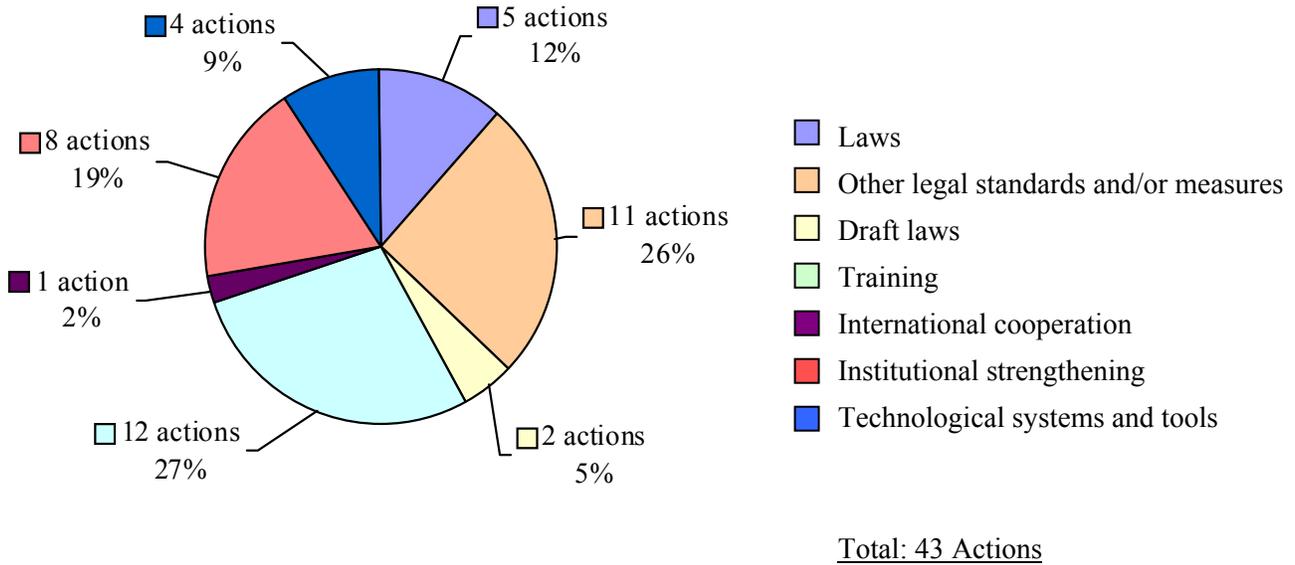
1.1. Standards of conduct intended to prevent conflicts of interest and enforcement mechanisms



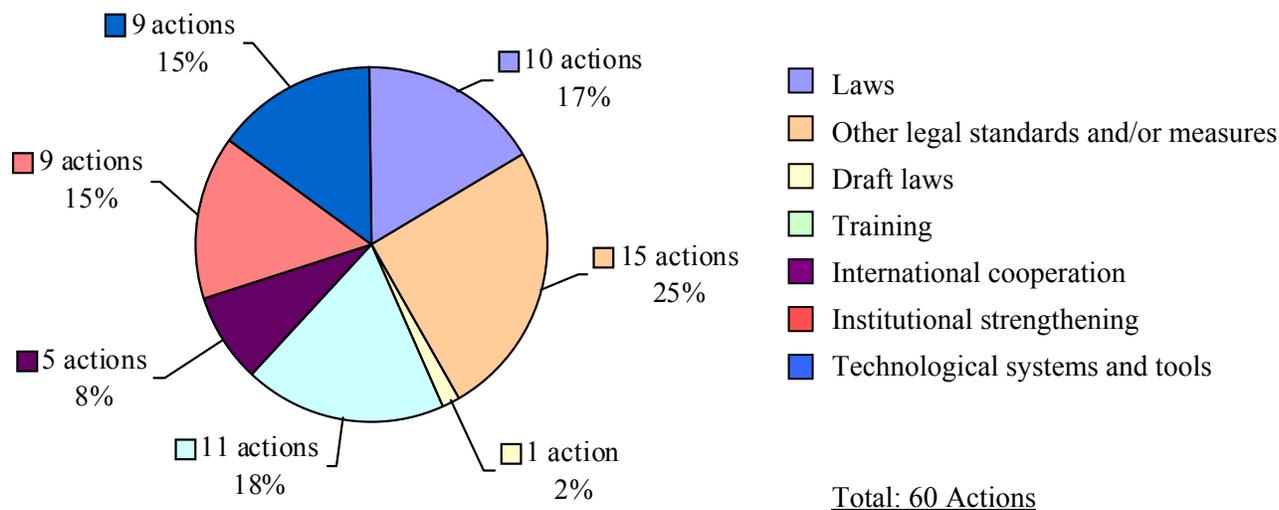
1.2. Standards of conduct and mechanisms to ensure the proper conservation and use of resources entrusted to government officials



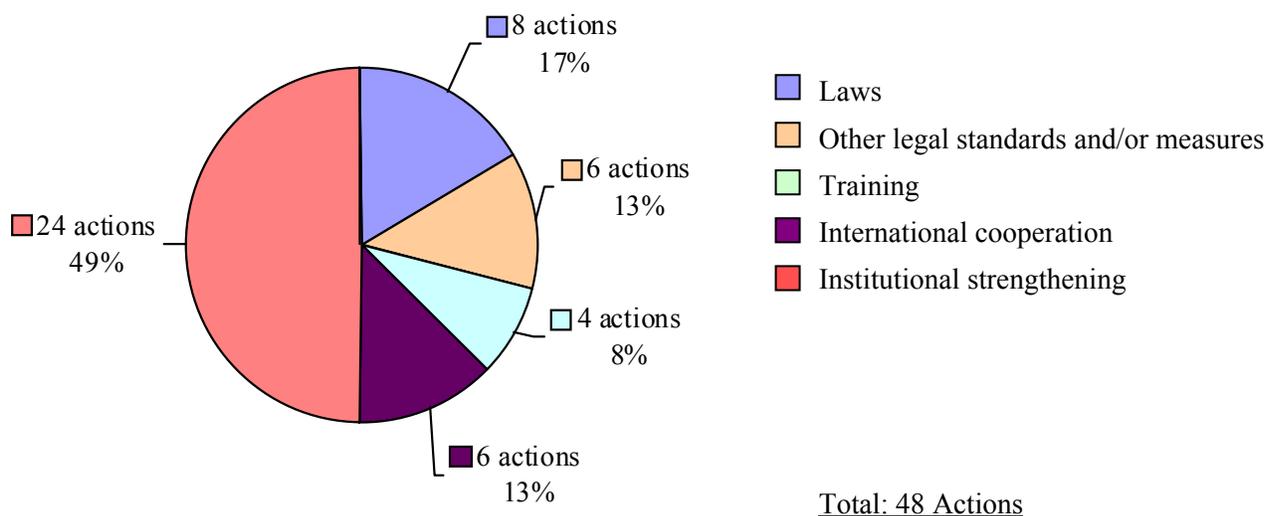
1.3. Measures and systems requiring government officials to report to appropriate authorities acts of corruption in the performance of public functions of which they are aware of



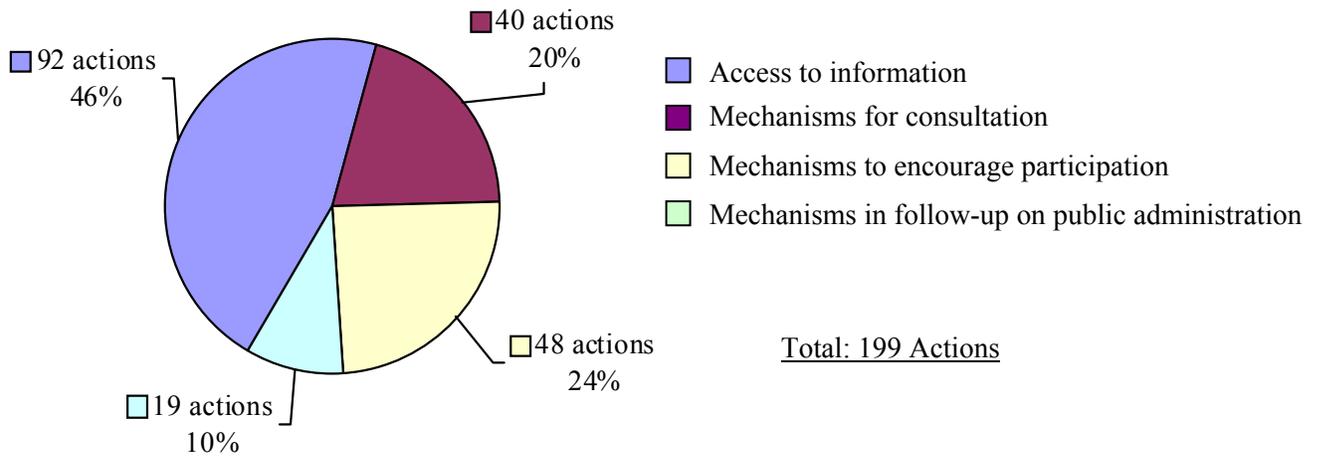
2. Systems for registering income, assets and liabilities (Article III, paragraph 4, of the Convention)



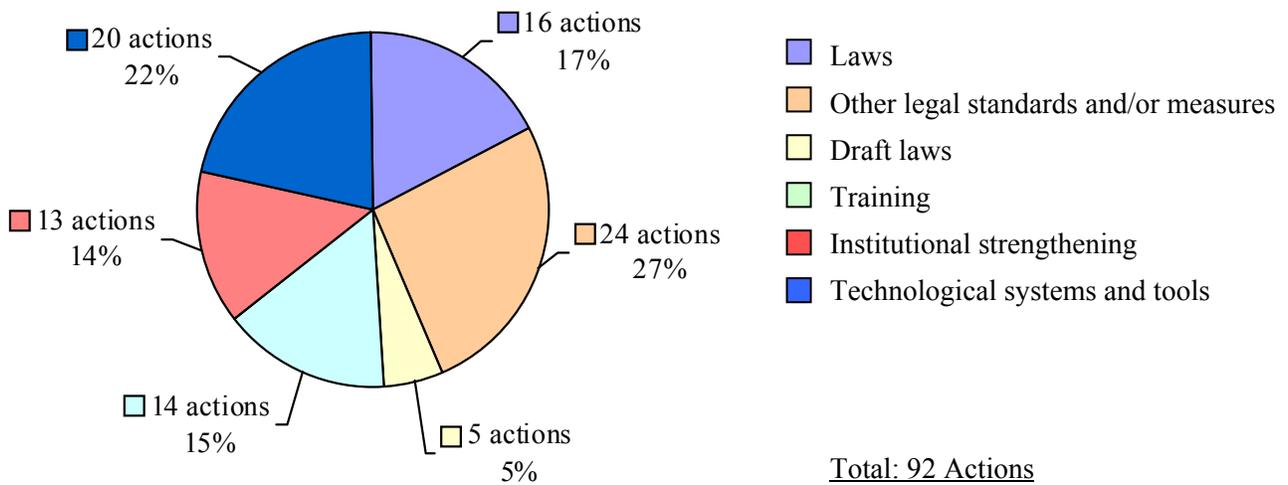
3. Oversight bodies for the selected provisions (Article III, paragraphs 1, 2, 4 and 11, of the Convention)



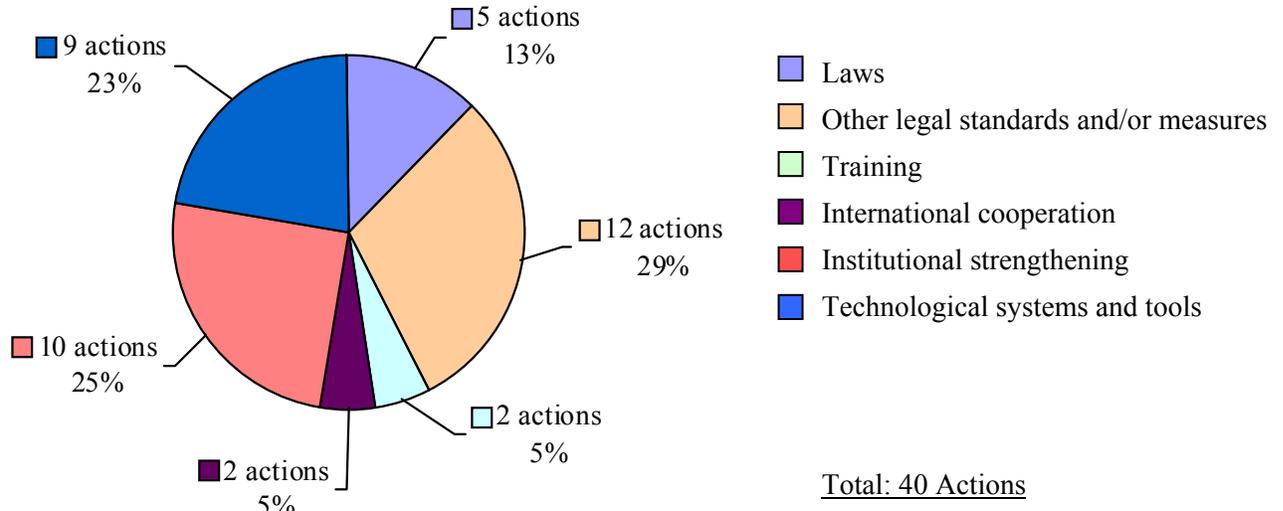
4. Mechanisms to encourage participation by civil society and nongovernmental organizations in efforts to prevent corruption (Article III, paragraph 11, of the Convention)



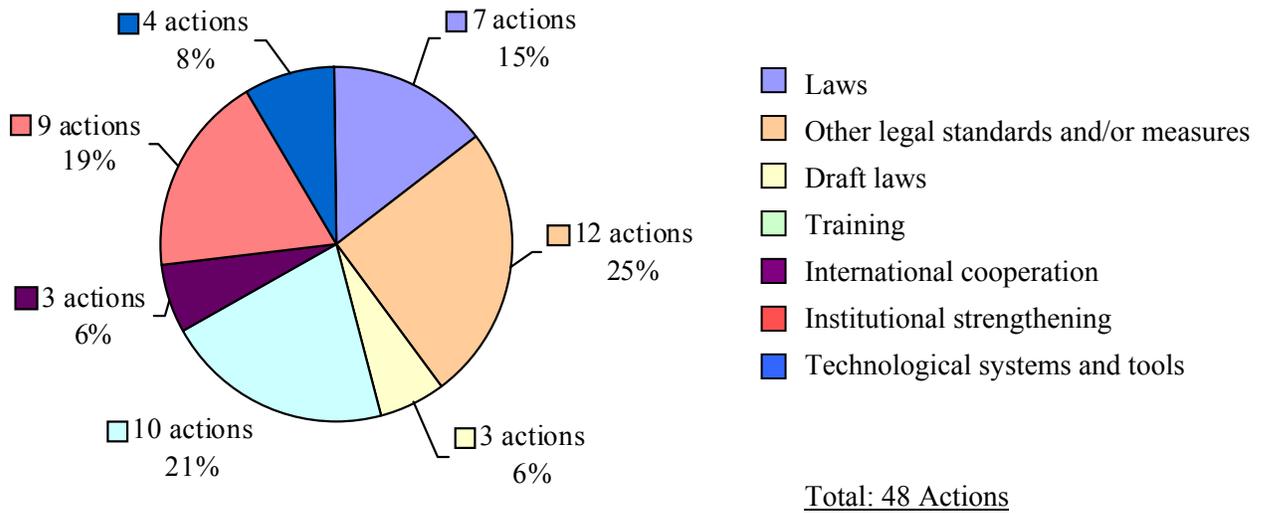
4.1. Mechanisms for access to information



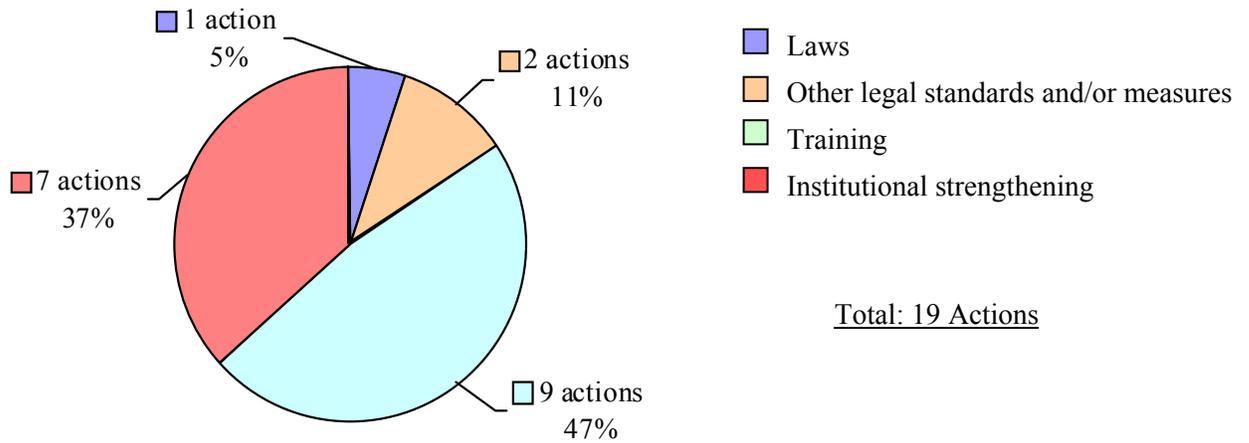
4.2. Mechanisms for consultation



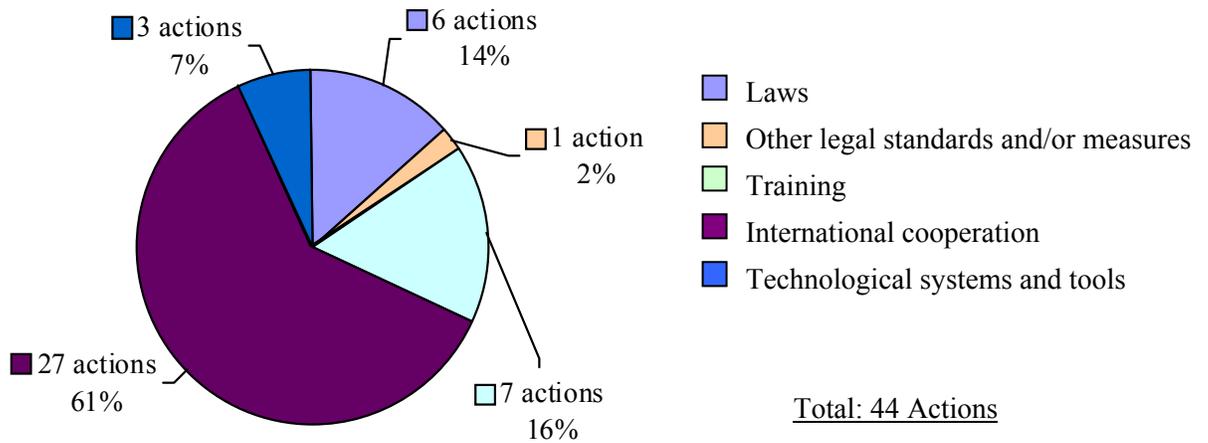
4.3. Mechanisms to encourage participation in public administration



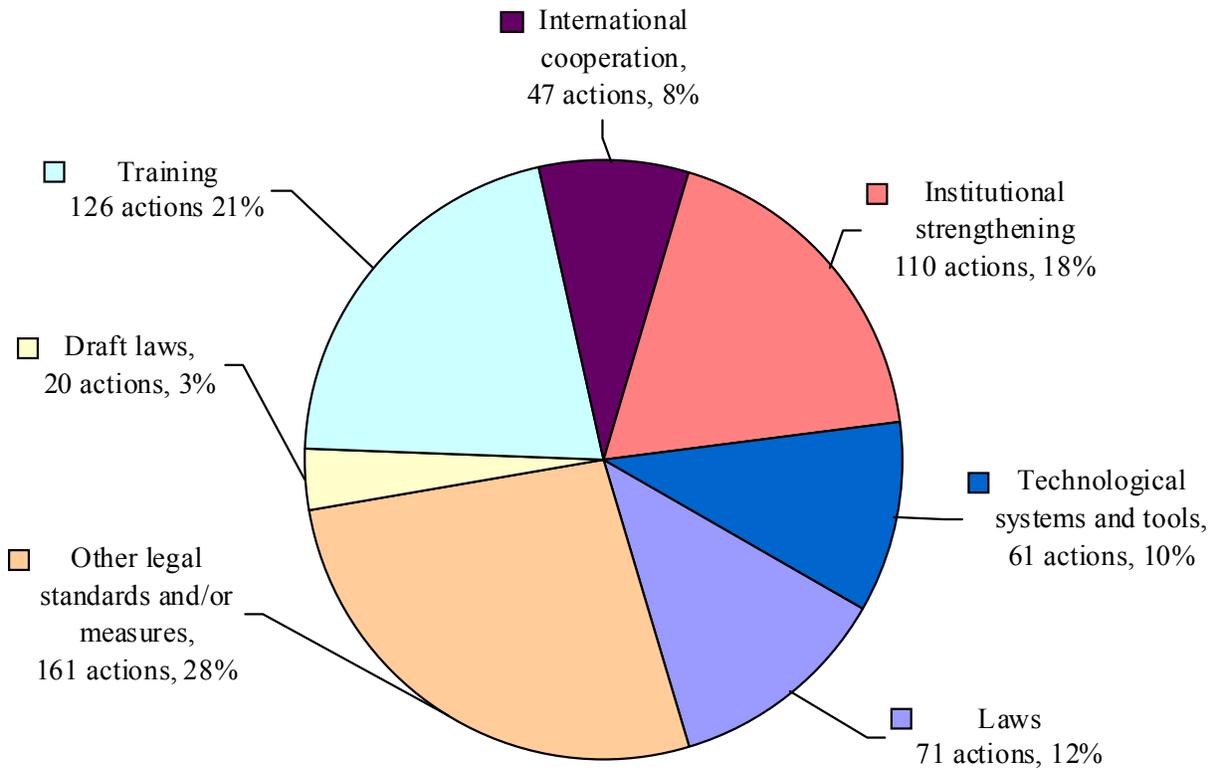
4.4. Mechanisms for participation in follow-up on public administration



5. Assistance and cooperation (Article XIV of the Convention)

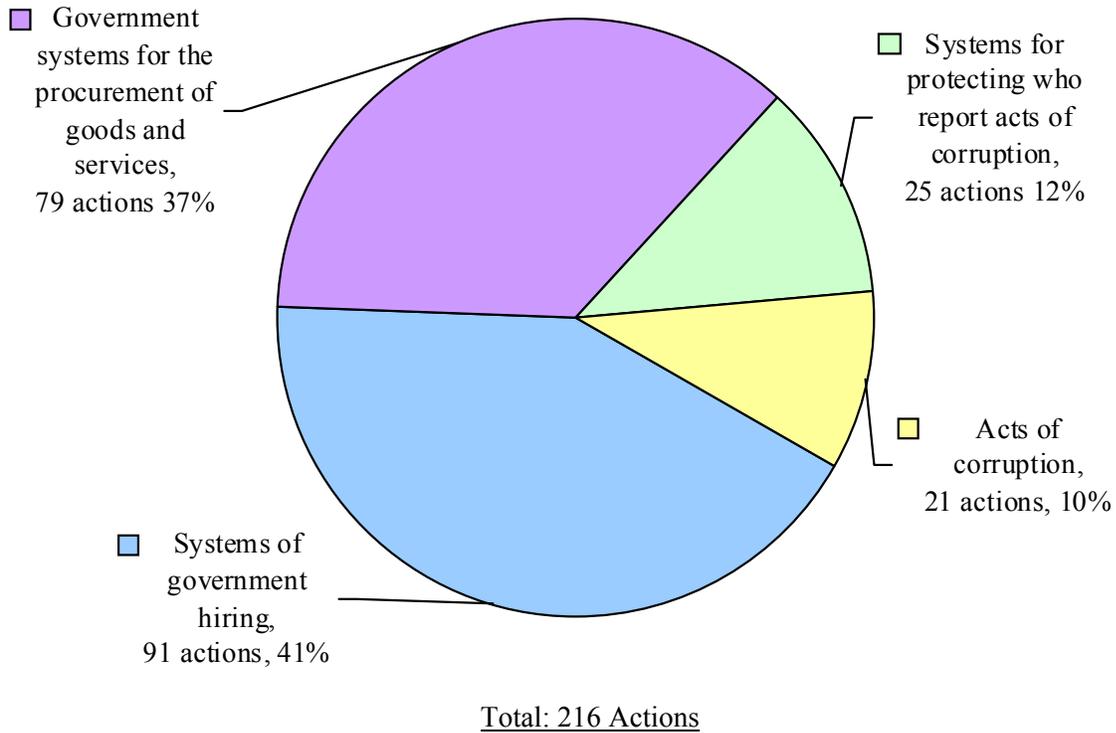


ANNEX V
GRAPHIC REPRESENTATION OF THE CATEGORIES OF ACTIONS THAT
PRIMARILY HAVE BEEN DEVELOPED BY THE COUNTRIES FOR THE
IMPLEMENTATION OF THE RECOMMENDATIONS OF THE FIRST ROUND OF
REVIEW



Total: 596 Actions

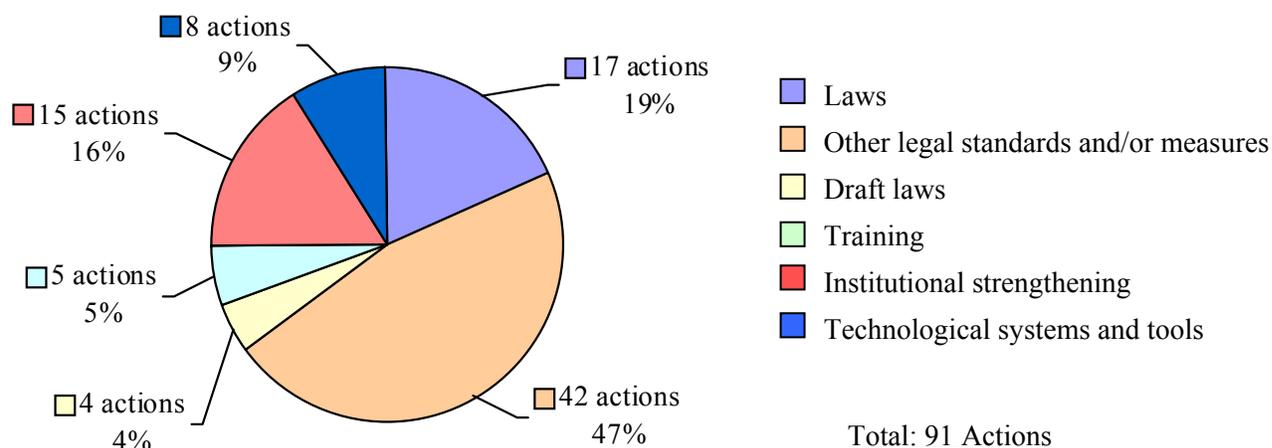
ANNEX VI
GRAPHIC REPRESENTATION OF THE GREATEST PROGRESS ACHIEVED WITH
RESPECT TO THE RECOMMENDATIONS FORMULATED IN THE SECOND ROUND
OF REVIEW



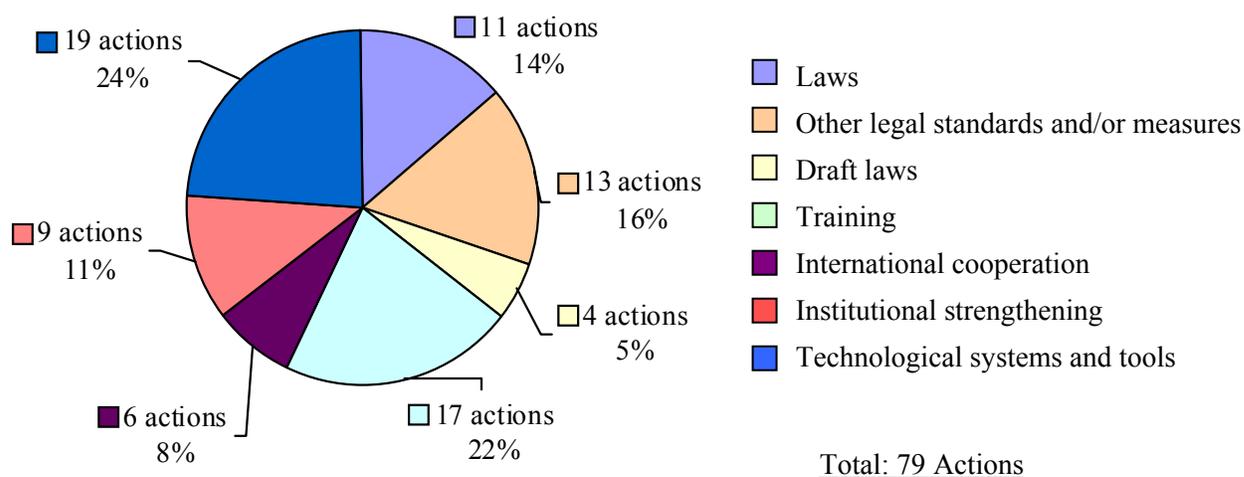
NOTE: For the application of the corresponding percentages of the reported actions by the countries as represented in the graph, it should be taken into account that more recommendations were formulated regarding systems for government procurement and systems of government hiring than in the other areas.

**ANNEX VII
GRAPHIC REPRESENTATION OF THE SPECIFIC PROGRESS ACHIEVED ON THE
RECOMMENDATIONS RELATED TO THE PROVISIONS OF THE CONVENTION
REVIEWED IN THE SECOND ROUND, CONSIDERED INDIVIDUALLY**

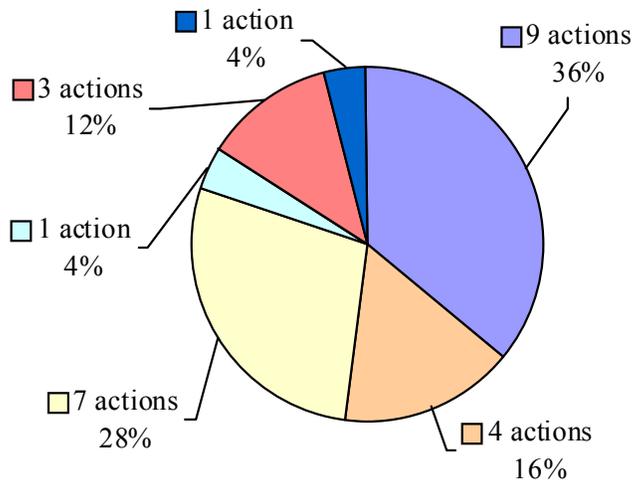
2. Systems of government hiring (Article III, paragraph 5, of the Convention)



3. Systems of government procurement of goods and services (Article III, paragraph 5, of the Convention)



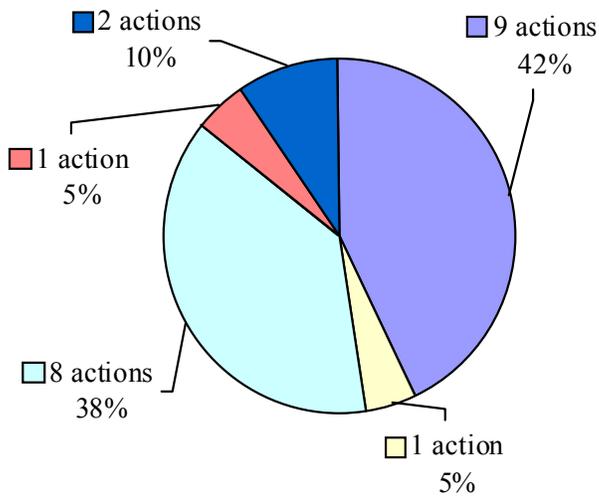
4. Systems for protecting public servants and private citizens who in good faith report acts of corruption (Article III, paragraph 8, of the Convention)



- Laws
- Other legal standards and/or measures
- Draft laws
- Training
- Institutional strengthening
- Technological systems and tools

Total: 25 Actions

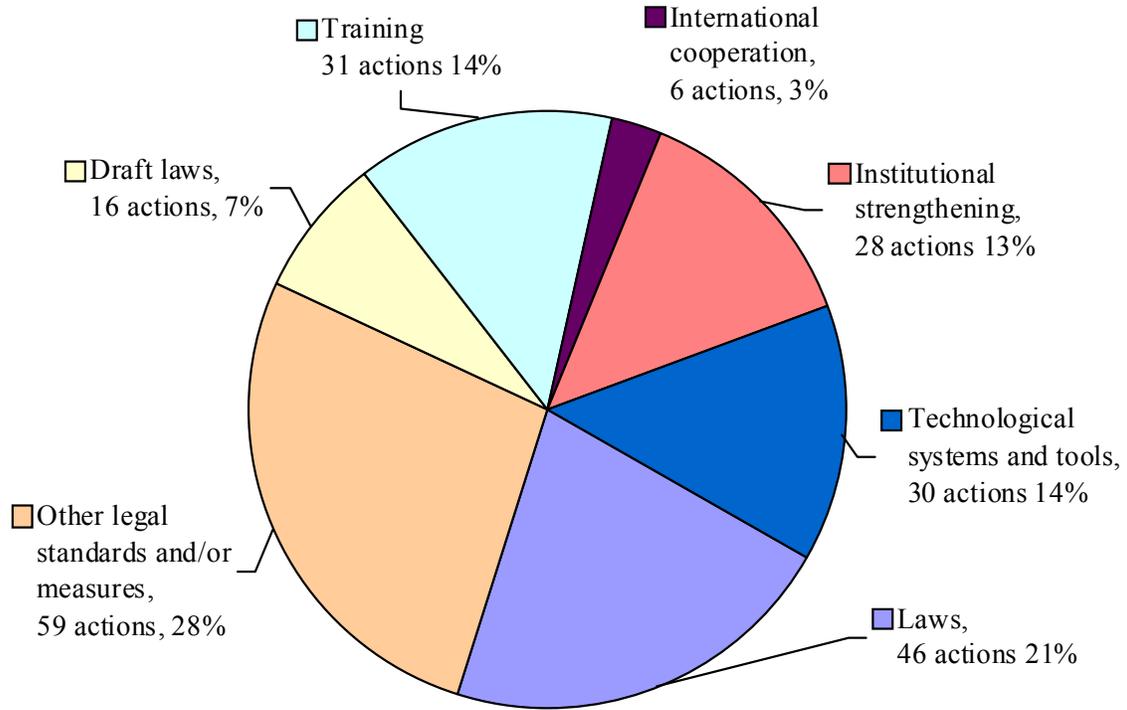
5. Acts of corruption (Article VI of the Convention)



- Laws
- Draft laws
- Training
- Institutional strengthening
- Technological systems and tools

Total: 21 Actions

ANNEX VIII
GRAPHIC REPRESENTATION OF THE CATEGORIES OF ACTIONS THAT
PRIMARILY HAVE BEEN DEVELOPED BY THE COUNTRIES FOR THE
IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SECOND ROUND OF
REVIEW



Total: 216 Actions

ANNEX IX
MEMBERS OF THE MESICIC COMMITTEE OF EXPERTS DURING THE PERIOD
COVERED BY THIS REPORT
(June 23, 2008 to December 17, 2010)

State	Experts
 Argentina	Néstor Baragli, Gerardo Serrano, Laura Geler, Leopoldo Giupponi, Deborah Hafford.
 Bahamas	Franklyn Williams, Bernard Turner, Cheryl Bethell, Stephanie Pintard, Charice Rolle.
 Belize	Iran Tillet-Dominguez, Néstor Méndez.
 Bolivia	Nardi Suxo, Virginia Aillón, Mario Uribe Melendres, Sandra Leyton, Gabriela Veizaga, Hugo Montero, William Torres, Marco A. Valverde.
 Brazil	Vânia Vieira, Luiz Navarro, Tatiana Barbosa, Henrique Ferraro, Ricardo Cravo Midlej, Rafael Dubeux, Ricardo dos Santos Poletto, Renato de Oliveira
 Canada	Douglas Breithaupt, Marcus Davies, Mathilda Haykal Sater.
 Chile	Jorge Vio, José Correa, Patricia Arriagada, Dorothy Pérez, Yelica Lucic, Álvaro Hernández, María Isabel Mercadal, Francisco Bernales, Gonzalo Neira, Gonzalo Sánchez, Mario Moren.
 Colombia	Oscar Ortiz, Mónica Rueda, Nohora del Pilar Clavijo, Juan Claudio Morales.
 Costa Rica	Miguel Cortés, Ronald Víquez, Magda Rojas.
 Dominican Republic	Simón Castaños, Verónica Guzmán, Hotoniel Bonilla, Andrés R. Apolinar, Omar Michel, Ramón Revi, César Jacobo, Jorge Luis Vázquez, Víctor Tirado.
 Ecuador	Fernando Cedeño, Paúl Iñiguez, José Serrano, Sabá Guzmán, Denys Toscano, Agustín Fornell, Elizabeth Moreano, Mónica Banegas, Ítalo Ordoñez.
 El Salvador	Marcos Rodríguez, Miguel Girón, Álvaro Magaña, Ricardo Suárez, Luis Menéndez-Castro, Agustín Vásquez.
 Grenada	Rohan Phillip.
 Guatemala	Juan Luis Velásquez, Jorge A. Pérez, Pablo Hurtado.
 Guyana	Gail Teixeira.
 Honduras	Renán Sagastume, Rigoberto Córdova, Ricardo Galo.
 Jamaica	O'Neil Francis.

	Mexico	Alicia Verduzco, Benjamín Hill, Karla Ornelas, Susana Hernández, Miguel Olamendi.
	Nicaragua	Hernaldo Chamorro, Dora Fiallos, José Saravia, César Guevara, Ma. Antonieta Blandón, Iván Lara.
	Panama	Max Ballesteros, Fernando Núñez, Lastenia Domingo, Franklin Rodríguez, Esmeralda George Carlos Prosperi, Alma Montenegro, Gina De la Guardia, Rosa Ma. Bolaños, Sophia Castellero, Mariela Jiménez.
	Paraguay	María Soledad Machuca, Francisco Quiñónez, Carla Poletti.
	Peru	Patricia Guillén, Franz Chevarría, Luis Castro.
	Saint Vincent and the Grenadines	Judith Jones-Morgan, Peter J. Pursglove.
	Suriname	Sharita R. Baldeorai, Sharda Chandrikasingh, Garcia Ramcharan-Parasingh.
	Trinidad and Tobago	Annand R. Misir, Norton Jack.
	United States	Diane M. Kohn, Jane Ley, Wendy Pond, Anthony San Martin, Gregory Wierzynski, Robert Armstrong, Ruth Urry, Kathleen Hamann.
	Uruguay	Beatriz Pereira de Pólito, Adolfo Pérez Piera.
	Venezuela	Adelina González, Basilio Jáuregui, María Eugenia De los Ríos.