



MECHANISM FOR FOLLOW-UP ON  
IMPLEMENTATION OF THE INTER-AMERICAN  
CONVENTION AGAINST CORRUPTION  
Thirty-Fourth Meeting of the Committee of Experts  
March 9 to 12, 2020  
Washington, D.C.

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## **MINUTES OF THE THIRTY-FOURTH MEETING OF THE COMMITTEE OF EXPERTS OF THE MECHANISM FOR FOLLOW-UP ON IMPLEMENTATION OF THE INTER- AMERICAN CONVENTION AGAINST CORRUPTION**

### **I. BACKGROUND**

In keeping with the schedule for the Fifth Round of Review agreed upon by the Committee of Experts of the Mechanism for Follow-up on Implementation of the Inter-American Convention against Corruption (MESICIC), the Committee's thirty-fourth meeting was held at OAS headquarters in Washington, D.C., from March 9 to 12, 2020.

This meeting was attended by the following representatives of the States Parties: Vanessa Moe (Antigua and Barbuda); Ambassador Daniel Raimondi, Graciela Teresa Scarnati Almada, and Laura Geler (Argentina); Stacy Martinez (Belize); María del Carmen Castellón, and Juan Sebastián Camacho (Bolivia); Elizabeth Cosmo, Priscila Busnello, Pedro da Silveira Montenegro, and Luiz Felipe Vilela Pereira (Brazil); Patricia Beh (Canada); Verónica Orrego Ahumada, Mayra Johana Zambrano, Yelica Lusic Nadal, and Mila Francisco Ferrada (Chile); Ambassador Alejandro Ordoñez Maldonado, and Gustavo Humberto Paredes Rojas (Colombia); Miguel Cortés (Costa Rica); Ambassador Carlos Alberto Játiva Naranjo, José Javier de la Gasca Lopezdominguez, and Sonia Natasha Romero Pico (Ecuador); Ambassador María Lorena Sol De Pool, Ambassador Wendy Acevedo Castillo, and Kennedy Obed Reyes Lazo (El Salvador); Michael Overby, Kellen McClure, Kendra Van Pelt, Arnie Arbesú, Lauren Raskin, Caitlin Kennel, Helaina Stein, Chandana Ravindranath, Melissa Rann, and Andrew Stevenson (United States of America); Oscar Miguel Dávila Mejicanos, and Mauricio Roberto Benard Estrada (Guatemala); Rockfeller Vincent, Yvlore Pigeot, and Ronald Mathurin (Haiti); José Juan Pineda Valera, Jorge Medina, and Melissa Paz (Honduras); Ambassador Luz Elena Baños Rivas, and Susana Leticia Garcia Garcia (Mexico); Ambassador Luís Exequiel Alvarado Ramirez, Iván Lara Palacios and Hernaldo Chamorro Díaz (Nicaragua); Elsa Fernández, and Harry Pinto (Panama); Federico Hetter, Raúl Martínez, and Desirée Montero (Paraguay); Ambassador José Boza, José Marcos Rodríguez, and Virna Julia Ruiz Taipe (Peru); Carlos Guiliani (Dominican Republic); Tashna Powell (Saint Kitts and Nevis); Jaundy O. R. Martin (Saint Vicente ad the Grenadinas); Ambassador Anton E. Edmunds, Juliana Alfred, Brender Portland-Reynolds, and Juliet Mallet Phillip (Saint Lucia); Juanita Cleopatra Santusha Lont (Suriname); Ricardo Gil (Uruguay); José Ignacio Hernández, Gianinna Romero, and Neiza Pineda (Venezuela).

### **II. PROCEEDINGS**

Pursuant to the first item on the Agenda and the schedule for this meeting (Appendices I and II), the Technical Secretariat presented a report on the agenda for this meeting and MESICIC operations.

Under item 2 on the agenda, and given that the Technical Secretariat did not receive information regarding candidacies prior to the start of the meeting, the Committee Chair set a deadline of March 11, 2020 for the presentation of candidacies for the positions of Chair and Vice Chair of the Committee.

Under item 3 on the agenda, the Committee reviewed the preliminary draft reports for Nicaragua and Saint Lucia, in that order.

In considering the preliminary draft country reports, the Committee abided by the provisions of Article 25 of the Rules of Procedure. Thus, in each case, the preliminary review subgroup gave a presentation on the contents and scope of the draft; then, the State Party reviewed took the floor. The plenary then considered each draft report, with the experts making comments and observations, keeping to the order of the chapters and sections making up each draft.

For each of the draft reports considered, the Committee agreed on changes to be made and gave instructions with respect to those changes and the presentation of a revised version of each report to be submitted for consideration and final approval.

Pursuant to item 4 on the agenda, the Committee reviewed the documents for initiating the Sixth Round of Review. Thus the Committee began by considering the draft questionnaire and draft methodology. Several delegations commented on these documents and made various proposals. Based on those proposals, the Committee conducted a final review of the attached questionnaire and methodology for the Sixth Round of Review, and approved both documents (Appendices III and IV). The Committee also reviewed and approved the structures for the reports and schedule for the Sixth Round of Review, based on the Technical Secretariat's proposals. They are attached hereto as Appendices V, VI and VII.

As regards the order or sequence of the States Parties whose information is to be reviewed in the Sixth Round, it was agreed to follow the chronological order of ratification of the Convention. In deference to a request by Venezuela, it was agreed that said country would be reviewed in the last review group. The order or sequence of States Parties to be reviewed, pursuant to that decision, in the Sixth Round is attached hereto as Appendix VIII.

The Committee then adopted the proposal regarding the composition of the preliminary review subgroups as envisaged in the document attached hereto as Appendix IX. In deference to a request by Venezuela, it was agreed that the members of its review subgroup would be selected at the plenary meeting of the Committee of Experts prior to the start of its review and that it would not form part of the review subgroups in this Round. As agreed, the respective review subgroups were elected for each of the States Parties in connection with the Sixth Round of Review. Their composition is shown in Appendix X.

The Committee then turned to item 11 on the agenda. Under that item and based on the draft prepared by the Technical Secretariat, it reviewed and adopted the Hemispheric Report on the Fifth Round of Review, which will be posted on the MESICIC website.

The meeting then turned to item 5 on the agenda and, in keeping with Article 31 of the Rules of Procedure, representatives of States Parties submitted verbal reports on the measures adopted since the thirty-second meeting by their respective states with regard to the recommendations made by the Committee as well as on other progress related to the implementation of the Convention during that period. An electronic copy of those reports received by the Technical Secretariat, drafted in the standard format approved by the Committee, will be published on the Mechanism's web page.

Under item 6 on the agenda, presentations on best practices were delivered by the representatives of the following States that had previously sent the Technical Secretariat of the MESICIC the standard form containing the requisite information, as provided for in the methodology for the presentation of best practices adopted by the Committee: Chile, Ecuador, and Mexico. The electronic versions of the forms previously remitted to the Technical Secretariat of the MESICIC and their appendices regarding the best practices presented at this meeting, along with those of the United States and Trinidad and Tobago, which were also remitted to the Technical Secretariat of the MESICIC prior to the meeting, will be posted on the Mechanism's website, as provided for in the methodology adopted by the Committee.

Under Item 8 of the agenda, the Technical Secretariat then delivered a presentation on the First Forum of Representatives of the Judiciary on Cooperation against Corruption. After hearing the speeches of several of its members, the Committee then set April 13, 2020 as the deadline by which the lead experts of States Parties that did not participate in the aforementioned forum may submit to the Technical Secretariat an account of developments and best practices in the judiciaries of their States for strengthening their efforts to combat corruption. The electronic version of this presentation by the Technical Secretariat is attached hereto as Appendix XI.

Later on, under item 9 of the agenda, the Technical Secretariat delivered a presentation of preliminary draft indicators for Detecting, Preventing, and Eradicating Impunity for Acts of Corruption proposed in response to mandates by both the Fourth Meeting of the States Parties to the MESICIC and the Eighth Summit of the Americas. After listening to its members' comments, the Committee decided:

- 1) To set April 13, 2020 as the deadline by which the lead experts are to send the Technical Secretariat the observations and suggestions of their respective States regarding the revised version of the proposed draft indicators. To that end, the Technical Secretariat will send the lead experts methodological instructions for remitting the observations and, as well as reminders of the deadline.
- 2) To continue reviewing those draft indicators and to prepare a revised versions of them, taking into account any observations and suggestions received by the deadline and to hold, finances permitting, a special meeting with the participation of experts from the States with experience and knowledge of the subject addressed by those draft indicators to review the revised version thereof.

Under item 7 on the agenda, the Department of International Law of the OAS General Secretariat then delivered a presentation on the Inter-American Model Law on Access to Public Information. The electronic version of that presentation is attached hereto as Appendix XII.

Pursuant to item 10 on the agenda, the Technical Secretariat brought up the subject of the revised version of the draft Model Law for the Prevention of Conflicts of Interest, prepared pursuant to Recommendation 25 of the Fourth Meeting of the Conference of States Parties to the MESICIC, which had previously been remitted to the competent national authorities on the subject, to the Committee's lead experts, and to civil society organizations, for their observations and suggestions. The Committee then received for its consideration the version of that draft prepared by the Technical Committee in light of the observations made by the Committee's lead experts at its September 2019 meeting and of the observations they later made by the deadline established by the Committee.

After hearing its members' comments, the Committee then decided to plan a special meeting, subject to the availability of funds, with the participation of experts from the States with experience and knowledge of the subject addressed by the proposed Model Law, to review that proposal and make headway with determining its scope and content.

The Committee then turned to item 12 on the agenda. In accordance with Article 4 of the Rules of Procedure, by consensus and acclamation, the Committee elected Miguel Cortés, Expert of Costa Rica as Chair, and Stacy Martinez, Expert of Belize, as Vice Chair.

The Committee subsequently undertook a final review of the draft country reports for Nicaragua and Saint Lucia, which, following comments on each of them, were approved by consensus. The approved texts of those two country reports are attached to these minutes, as Appendices XIII and XIV.

Next, under agenda item 13, "Other business":







- a) The delegation of Brazil, in its capacity as Chair of the Conference of States Parties to the MESICIC, referred to its upcoming convocation of the Fifth Meeting of that Conference and to Brazil's offer to host it.








In that regard, the delegation of Uruguay underscored the importance of said Fifth Meeting of the Conference of States Parties to the MESICIC, given the topics it will address. The delegation of the United States likewise stressed the timeliness of that meeting of the Conference of States Parties to the MESICIC, given that in 2021 the United Nations General Assembly is scheduled to hold a Special Session against Corruption.

- b) In response to a proposal by the delegation of Uruguay, supported by the delegation of Ecuador, the Committee:
  - i. Adopted by consensus a motion thanking and congratulating the Chair of the Committee and its Lead Expert of the Argentine Republic, Laura Geler, for her outstanding performance as Chair of the Committee.
  - ii. Adopted by consensus a motion congratulating and commending the Technical Secretariat of MESICIC on its excellent work.

Before declaring the meeting closed, the Technical Secretariat read these minutes out loud. They were adopted by the plenary of the Committee by consensus, together with all their appendices, which are an integral part thereof.

Washington, D.C., March 12, 2020

<b>APPENDIX</b>		
<b>No.</b>	<b>Title</b>	<b>Link</b>
<b>I</b>	Agenda of the Meeting	
<b>II</b>	Schedule of the Meeting	
<b>III</b>	Questionnaire regarding follow-up of the implementation of the recommendations formulated and the provisions reviewed in the Third Round, and on the Convention provisions selected for the Sixth Round	
<b>IV</b>	Methodology for follow-up on the implementation of the recommendations formulated and provisions reviewed in the Third Round and for the review of the Convention provisions selected for the Sixth Round	
<b>V</b>	Format for the country reports that will be prepared in the framework of the Sixth Round	
<b>VI</b>	Format for the country reports that will be prepared in the framework of the Sixth Round for states that were not parties to the MESICIC in the Third Round or that were not reviewed in it	

<b>VII</b>	Schedule for the Sixth Round of Review	
<b>VIII</b>	Sequence of States Parties to be reviewed	
<b>IX</b>	Proposal for the composition of the preliminary review subgroups	
<b>X</b>	Composition of the review subgroups within the framework of the Sixth Round	
<b>XI</b>	Presentation regarding the First Forum of Representatives of the Judiciary on Cooperation against Corruption	
<b>XII</b>	Presentation regarding the Inter-American Model Law on Access to Public Information	
<b>XIII</b>	Report on Nicaragua	
<b>XIV</b>	Report on Saint Lucia	