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RECOMMENDATIONS OF TRANSPARENCY INTERNATIONAL IV SUMMIT OF THE AMERICAS

Civil Society Regional Forum
Buenos Aires
6-7 September 2005

Transparency International is the leading global non-governmental organisation devoted to combating corruption. The organisation works at the national and international level and seeks to build alliances with governments, the private sector and civil society with the aim of achieving systematic reform and enhancing the levels of transparency and integrity within countries.

To this end, the organisation has actively participated in General Assembly sessions and Summit processes held since 1994 by submitting proposals and recommendations, some of which have been included in the Resolutions and Declarations of such meetings.

Against the backdrop of the forthcoming IV Summit of the Americas, Transparency International attaches great importance to the focus that the Mar del Plata Summit seeks to place on the fight against inequality, poverty and social exclusion, as well as on the generation of decent jobs and strengthening of democratic governance. Further, TI believes that specific proposals centred on transparency and the fight against corruption must be put forth to help overcome such challenges, strengthen democracy and promote human rights in the countries of our region.

We therefore submit our proposals to be considered for inclusion in the Declaration of the Summit and for their explicit incorporation in the Plan of Action:

I. Action proposals geared towards governments:

The OAS assumes a fundamental role in the development, promotion and assessment of the Summits. Nevertheless, such proposals are geared primarily towards governments, in view of the fact that they are the primary agents responsible for putting the commitments undertaken at the IV Summit into practice in each of our countries. TI proposes the following:

1. Those States that have not yet done so should adopt all measures necessary for, as the case may be, signing and ratifying, ratifying or acceding to:

- The Inter-American Convention against Corruption of 1996, which to date has been ratified by almost all OAS countries, 33 in total, with only Barbados remaining.

- The United Nations Convention against Corruption, the “Merida Convention” of 2003, which to date has been signed by 23 countries of the Americas and ratified by only six: Brazil, El Salvador, Honduras, Mexico, Paraguay and Peru.

Those countries that have not signed the document are: Antigua and Barbuda, Bahamas, Belize, Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent, the Grenadines and Suriname.

2. The timetable for the next round of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) should expedite the review process. To this end, the current number of Committee of Experts sessions should be increased, from two to three sessions per year, which would considerably reduce the time slated for the second round.

3. The countries should fully comply with the Inter-American Convention against Corruption, and in this connection, should implement the recommendations made by MESICIC and involve civil society organisations in this task, particularly by:

3.1. Acknowledging the right of civil society organisations to participate and be involved actively and formally in MESICIC, and specifically at the sessions of the Committee of Experts;

3.2. Respecting the spirit and letter of the Convention in the area of transparency by establishing as a principle the dissemination of MESICIC documents, particularly the responses of countries to the Committee of Experts and the country reports issued by the Committee.

We urge the adoption of a general rule of publication for all MESICIC documents, since only 23 of 28 States Party to date have authorised the publication of their response to the OAS questionnaire and only 15 of 18 governments have authorised the publication of the Committee of Expert Report for their country. In such instances, civil society organisations lack the fundamental information needed for taking action and designing anticorruption strategies.

4. The countries of the hemisphere should implement concrete measures aimed at preventing asset laundering, as well as increase the levels of internal and external oversight of the financial activities of the State conducted by national institutions. In particular, we recommend putting into practice in the short term measures that will promote compliance with the 40 Recommendations of the Financial Action Task Force (FATF).

5. The governments should promote, through public policy and competent bodies, the incorporation of the fight against corruption, and specifically against bribery, into corporate

social responsibility initiatives. Further, governments should promote self-regulation practices in the private sector geared towards the development of corporate social responsibility, corporate good governance and organisational ethics.

6. Labour administrations and jurisdictions should be strengthened. This activity must be carried out by implementing policy, mechanisms and standards for transparency and combating corrupt practices, particularly in the case of public institutions devoted to labour and social protection. Increased levels of independence, transparency and integrity among courts that resolve labour conflicts should also be promoted.

7. Social dialogue should be promoted and mechanisms established to ensure spaces for civil society participation, as well as the freedom, safety and dignity of those who represent societal organisations.

8. The strengthening of civil society should be promoted by increasing its participation in public affairs and encouraging the permanence of such as a standing policy of the State. Such policy should be developed on the basis of appropriate and transparent legal and financial framework, an active promotion of civil society involvement and democratic mechanisms that are inclusive and non-discriminatory.

9. The governments and the OAS should encourage multilateral development banks to include, as one of their strategic lines of assistance to countries, support for States Party in implementing the commitments undertaken in the Anticorruption Conventions, as well as the recommendations made by the OAS Committee of Experts of MESICIC and the active involvement of civil society in the follow-up process.

10. The OAS should promote the inclusion of civil society organisations in follow-up actions to monitor the international financial resources allocated by multilateral development banks to governments.

II. Proposals for strengthening summit processes:

The Summit process has made advances, one of which has been the creation of a space for civil society participation in discussions regarding the hemispheric agenda, an initiative and space deemed of importance by TI. Nevertheless, the onward progression of the process and the nature of the challenges faced by the hemisphere call for the process to be strengthened, as well as the means through which this objective is achieved. As such, we therefore submit the following proposals to the OAS and the Summit Implementation Review Group (SIRG):

1. Standards, rules of procedure and timetables that are appropriate and well-known should be created for the active participation of civil society in developing, debating and setting the agenda and plans of action of the Summits.

2. Timely access to documentation and information necessary for participating in the Summit process, particularly draft Declarations and Plans of Action, final texts adopted, the programmes of work and attendant progress reports, should be ensured.

3. Standing mechanisms to assess compliance with the commitments undertaken at Summits should be created and should include the opinions and information provided by civil society organisations as indispensable sources to be taken into consideration.

We urge governments to take up these proposals as part of the process for joint development of the hemispheric agenda among civil society, the private sector and States. Furthermore, we urge governments to view the proposals adopted as genuine commitments to be fulfilled and for which they will be accountable.