



**Recommendations
For the Fourteenth Meeting of the Committee of Experts
08-13 December, 2008
Washington, DC**

Transparency International, the leading civil society organization devoted to the fight against corruption, respectfully submits the following recommendations to promote implementation of the Inter-American Convention against Corruption (Convention) and to strengthen the Convention's follow-up mechanism (MESICIC).

TI has been particularly active in support of the Convention and in the MESICIC, contributing to its creation and working to promote an effective and transparent process that includes civil society participation at all stages.

Since the Convention review began, civil society organizations from 20 countries in the hemisphere have submitted responses to the Committee of Experts' questionnaires and have presented findings at every Committee meeting, thus contributing to progress toward our common objective of strengthening systems to reduce corruption in our countries.

The value of the Convention in securing this objective depends on robust implementation and enforcement. A decade after the Convention entered into force, there are several critical provisions still to be reviewed and only limited information on overall implementation.

The 2009 Summit of the Americas provides a critical opportunity to demonstrate to the electorates of the Americas that leaders are accountable for their commitments. Therefore, it is time for Parties to the MESICIC to accelerate the pace of reviews and to report to the Summit of the Americas on how they have implemented *all* of the Convention provisions as well as their progress and plans for implementing the Experts' country-specific recommendations on the provisions already reviewed.

TI's recommendations are as follows:

I. Reporting on Implementation of the Convention

1. Issue a 10th Anniversary Report on Implementation.

Ten years after the Convention entered into force, it is time for every States Party to report to the 2009 Summit of the Americas on steps it has taken since ratification to implement the Convention.

2. Report on Implementation of the Expert's Recommendations.

For the Convention to achieve its intended objective of reducing corruption, the country-specific recommendations of the Committee of Experts must be carried out in a timely fashion. States Parties should publish a report on their progress to date and their action plans, including civil society recommendations, with timetables for the future. The Committee of Experts should review progress on implementation of its recommendations on an annual basis.

II. Strengthening the MESICIC Methodology and Accelerate Reviews to Promote Convention Implementation

1. Conduct In-Country Visits.

The Committee of Experts should commence on-site visits, including consultation with civil society, at the beginning of the third round to assess the extent to which the recommendations issued in the first and second rounds have been or are being implemented. (Article 33)

2. Implement the Committee of Experts Training Program.

Pursuant to the request of the Resolution 2410 of the General Assembly, and drawing on the offer of the Inter-American Development Bank to provide technical support, the MESICIC Secretariat should implement a training program for the Committee of Experts to assist them in managing the highly complex and technical issues that arise in the course of the country reviews.

3. Accelerate the Pace of Reviews and Develop Compliance Indicators.

The MESICIC Secretariat should accelerate the pace of reviews by holding three meetings each year reviewing at least five countries per meeting to ensure that each review round is completed within two years. The MESICIC Secretariat should also develop and disseminate compliance indicators to help States Parties with Convention implementation.

4. It should develop a strategy for implementation of the United Nations Convention against Corruption.

In its Resolution, the General Assembly noted that it should be considered and adopted a strategy on how the MESICIC can carry out and monitor implementation of the United Nations Convention against Corruption (UNCAC) and report back to the General Assembly. This is an important step to ensure full implementation of the UNCAC.

5. It should use the questionnaires developed for the OECD Working Group

With regard to the transnational bribery and tax treatment provisions to be reviewed in the third round, six OAS Member States have been reviewed for compliance with similar provisions under the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. In order to avoid duplication and to take advantage of well-developed expertise of the Member States, the Committee of Experts should use the questionnaires developed by the Working Group to assess implementation of Articles III (7) and Article VIII of the Convention.

III. Enhancing Civil Society Participation

1. Provide for Full Participation by Civil Society.

A civil society organization's participation in the MESICIC process should not be restricted by the "internal legislation" of the relevant State Party. Accordingly, Article 34 of the MESICIC Rules of Procedure should be revised to delete the words "and in accordance with the internal legislation of the respective State Party."

2. Support Civil Society Engagement.

States Parties should formalise opportunities for involving civil society at the meetings of the Committee and provide financial support for such engagement. Civil society organizations (CSOs) should be included as permanent observers of the work performed by the Committee and should be involved in the dissemination of important, detailed information regarding the MESICIC process.

3. Provide Adequate Time for Civil Society Submissions.

The Committee should provide CSOs with a grace period of thirty days after governments present their reports in which to present civil society reports. This will help ensure that civil society can supplement, question or elaborate aspects of the country reports.

TI appreciates this opportunity to submit these recommendations and urges prompt action. We look forward to continued cooperation and to further exchanges in the pursuit of our mutual objective to reduce corruption in the hemisphere.

For more information: www.transparency.org/americas/conventions or

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