



**Recommendations of Transparency International at
the XII meeting of the Committee of Experts
03-08 December, 2007
Washington, DC**

Transparency International (TI) chapters across the Americas, the leading civil society network devoted to the fight against corruption, respectfully submit the following recommendations urging action to strengthen the follow-up mechanism (MESICIC) and to promote implementation of the Inter-American Convention against Corruption (Convention).

TI has been particularly active in support of the Convention and in the MESICIC process, contributing to its creation and working to promote an effective and transparent process which includes civil society participation at all stages. Since the second round review process began, civil society organizations from 19 countries in the hemisphere have submitted responses to the Committee's questionnaires. They have presented findings at every Committee meeting. Through this collaborative process, we believe we have contributed to progress toward our common objective of strengthening systems to reduce corruption in our countries.

Though much progress has been made, there is more to be done. Now is the time for the Committee to intensify and accelerate reviews of Convention implementation and on country-specific recommendations, informing citizens of progress to date, and enhancing the involvement and capacity of civil society in all aspects of the MESICIC and in-country actions.

Given the commitment of the World Bank and IADB to anticorruption and to supporting Convention implementation, States Parties should pursue country assistance from these institutions for implementation of the MESICIC recommendations and commitments under the Convention.

TI's recommendations are as follows:

I. Strengthen the MESICIC Methodology and Accelerate Reviews to Promote Convention Implementation

1. States Parties should issue a 10-year implementation report.

Ten years after the Convention entered into force, it is time for every States Party to report to the 2008 General Assembly on steps it has taken since ratification to implement the Convention. While many governments may have made progress, the MESICIC process has proceeded slowly and, with the review of only a few provisions completed, it is difficult to assess the full extent of implementation. Countries that have not been reviewed to date must not be allowed to use the pace of the review process as an excuse for failure to take prompt action to implement the Convention.

2. States Parties should disseminate the Committee's Recommendations at the national level.

States Parties should disseminate the Committee's recommendations to the governmental bodies that are directly impacted by the recommendations and that will have the responsibility for implementing them.

3. The Committee of Experts should begin in-country visits as part of the review process.

Since the MESICIC Conference of States Parties has reinstated Article 33 of the MESICIC Rules of Procedure, the Committee of Experts should immediately commence on-site visits by the review sub-group in order to follow up on the provisions of the Convention examined in the second round and to determine the extent to which the recommendations issued in the first round have been implemented.

4. The MESICIC's Secretariat should accelerate the pace of reviews.

The MESICIC Secretariat should accelerate the review schedule by holding three meetings each year (reviewing at least five countries per meeting) to ensure that each review round is completed within two years. As noted above, ten years have passed since the Convention entered into force and only a few provisions have been reviewed. The MESICIC Secretariat must act now to hasten the pace of its reviews.

5. The Committee of Experts should bring to bear the requisite expertise on issues subject to review.

The expert's recommendations form the critical basis for reform. Given the highly technical nature of the provisions being reviewed, the Committee should ensure that it has acquired or brings to bear the necessary technical skills to issue specific, detailed recommendations providing guidance on how to address deficiencies in implementation of the Convention. The Committee should consider how the Inter-American Bank (IADB) could assist the Committee in developing or mobilizing the requisite expertise.

6. States Parties should provide funds to and ensure the independence of National Offices responsible for Convention compliance.

States Parties should ensure that the governmental bodies responsible for Convention compliance have an adequate budget and the independence necessary to sufficiently fulfil their role.

7. The MESICIC Rules of Procedure should not restrict civil society participation.

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."

II. Enhance Civil Society Participation

1. States Parties should increase the involvement of civil society.

We further request that States Parties formalise opportunities for involving civil society at the meetings of the Committee of Experts. 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.

2. The Rules should 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 on aspects of the country reports.

III. The Conference of States Parties to MESICIC should meet annually

We request that the Conference of States Parties to MESICIC meet annually to perform an evaluation of Convention compliance. Furthermore, a strategy should be adopted at the 2008⁷ session to ensure coordination between MESICIC and the United Nations Convention Against Corruption monitoring mechanism in accordance with item 7 of the Inter-American Anti-Corruption Cooperation Programme.

IV. Technical Cooperation

1. The Committee should develop and encourage the use of indicators and best practices, as it did for the MESICIC first round, to assist countries with the implementation of the Committee's recommendations.

2. As the MESICIC Conference of State Parties has recognized the importance of asset recovery and extradition in the Inter-American Program, these matters would benefit from further discussion as topics of collective interest during the second round.

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.

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