

INITIATIVES FOR THE COOPERATION AMONG THE COUNTRIES OF THE AMERICAS
FOR THE APPLICATION OF THE PROVISIONS OF THE INTER-AMERICAN
CONVENTION AGAINST CORRUPTION AND FOR THE STRENGTHENING OF THE
MESISIC

General Committee

Item No. 1 of the Agenda

Draft resolution presented by the Delegation of Colombia

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolution AG/RES. 2275 (XXXVII-O/07), “Follow-up on the Inter-American Convention against Corruption and the Inter-American Program for the Cooperation in the Fight against Corruption”;

Resolution AG/RES. 2219 (XXXVI-O/06), “Follow-up on the Inter-American Convention against Corruption and its Program for Cooperation”;

Resolution AG/RES. 2222 (XXXVI-O/06), “Cooperation among the Member States in the Fight against Corruption and Impunity”;

RECALLING:

That the Inter-American Convention Against Corruption was adopted and opened for signature on March 29, 1996, at the Specialized Conference of the Organization of American States (OAS) at Caracas, Venezuela;

That the General Assembly of the OAS, at its twenty-seventh regular session, in resolution AG/RES. 1477 (XXVII-O/97), adopted an Inter-American Program of Cooperation to Fight Corruption;

BEARING IN MIND:

That the Organization of American States reaffirms its principle that good faith shall govern the relations between states in Article 3 of the Charter of the Organization of American States;

AWARE:

That the Inter-American Convention Against Corruption sets forth the goals of promoting and strengthening the development by each of the States Parties, of the mechanisms needed to prevent, detect, punish, and eradicate corruption and promoting, facilitating, and regulating cooperation among the States Parties to ensure the effectiveness of measures and actions to prevent, detect, punish, and eradicate corruption in the performance of public functions and acts of corruption specifically related to such performance;

That the purpose of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESISIC) is to allow Member States of the Organization of American States who have ratified the convention to promote its implementation and follow up on the commitments agreed to in the Convention and facilitate technical cooperation activities, the exchange of information, experiences and best practices, and the harmonization of legislation;

NOTING:

That the MESISIC consists of the Conference of States Parties, whose responsibility is to determine the general guidelines and direction of the Mechanism and supervise implementation of the Mechanism and adopt the decisions it deems appropriate to achieve its objectives;

That the MESISIC also consists of the Committee of Experts, whose responsibility is to overlook the technical analysis of the implementation of the Convention, as well as facilitating the activities of technical cooperation within the framework of the Mechanism;

That the MESISIC is an intergovernmental mechanism and operates on the basis of consensus and cooperation;

UNDERSCORING:

The results of the Second Meeting of the Conference of States Parties to the MESISIC, held in Washington D.C., on November 20 and 21, 2006, and, in particular, its adoption of the new text of the Inter-American Program for Cooperation in the Fight against Corruption (MESICIC/CEP- II/doc.5/06 rev. 2);

RECOGNIZING:

The work of the Committee of Experts of the MESISIC, which has been supported by the General Secretariat with a view to initiating in December 2006 the second round of review for the 28 states parties;

TAKING INTO ACCOUNT:

The mandates of the Summits of the Americas with respect to the fight against corruption, implementation of the Inter-American Convention against Corruption, and strengthening of its follow-up mechanism (MESISIC);

The Declaration on Security in the Americas, adopted at the Special Conference on Security, in Mexico City, in October 2003;

The Inter-American Democratic Charter, adopted by the General Assembly at its special session in Lima, Peru, in September 2001;

CONSIDERING:

The importance of the Inter-American Convention against Corruption, the fact that it has been ratified by 33 member states of the Organization of American States (OAS), and that 28 of those states participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESISIC); and

CONVINCED:

That fighting corruption strengthens democratic institutions and prevents economic distortions, dishonesty in public administration, and the erosion of moral standards in society,

RESOLVES:

1. To urge those state parties to the Inter-American Convention against Corruption that have not yet done so to participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESISIC).

2. To call upon all state parties to the Mechanism to fund it through voluntary contributions, the Inter-American Anti-Corruption Fund, and the International Monetary Fund.
3. To advise the state parties to the Inter-American Convention against Corruption to take any measures they deem necessary to adapt to their domestic law in order to comply with the commitments they undertook upon ratification of or accession to the convention.
4. To request that the Conference of State Parties to the MESISIC continue reporting to the Permanent Council on the implementation of concrete measures to strengthen the MESISIC as well as other topics submitted to it for consideration.
5. To recommend that the Conference of State Parties and the Committee of Experts to the MESISIC collaborate and devise plans for improving upon the MESISIC and present recommendations to the General Assembly at the next sessions.
6. To ask the Committee of Experts to the MESISIC to analyze the impact of the implementation of the Convention through extensive studies upon the member states of the state parties involved and to report the findings of the studies to the Permanent Council.
7. To commend those involved in the Conference of States Parties to the MESISIC for efforts in the adoption of the text of the Inter-American Program for Cooperation in the fight against Corruption.

Approved for form and substance: _____

(Signature of Faculty Advisor)

Cosignatories:

1. _____

2. _____

3. _____

(Names of Delegates)

(Countries Represented)