

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

OEA/Ser.L.
SG/MESICIC/doc.562/20
9 March 2020
Original: Spanish

**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**

In accordance with Article 27 of the *Rules of Procedure and Other Provisions^{1/}* of the *Committee of Experts of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption* (hereinafter referred to, respectively, as the *Rules*, the *Committee*, the *Mechanism*, and the *Convention*) the country reports to be drafted as part of the Sixth Review Round for States Parties to the MESICIC there were not parties to the *Mechanism* in the Third Round, or were not reviewed in it, will have the following format:^{2/}

SUMMARY OF THE REPORT

Bearing in mind recommendation 10 of the Third Meeting of the Conference of States Parties to the MESICIC^{3/} and in the Methodology for the Sixth Round, together with the respective country report, the Committee will adopt a summary thereof covering the follow-up on the implementation of the recommendations formulated and the provisions reviewed from the Third Round, as well as the Convention provision selected for review in the Sixth Round.^{4/}

INTRODUCTION

This section will identify the State Party whose information is undergoing review; it will indicate the dates when the country ratified the *Convention* and joined the *Follow-up Mechanism*; and it will state that the report will refer to the review of the *Convention* provisions selected for the Third Round, as well as the *Convention* provision selected for the Sixth Round.

I. SUMMARY OF INFORMATION RECEIVED AND ON-SITE VISIT

This section will offer a summary of the information received, both for the follow-up on the implementation of the recommendations formulated and the provisions reviewed from the Third Round, as well as the Convention provisions selected for review in the Sixth Round.

* The States that were not Parties to the Mechanism in the Third Round are: Antigua and Barbuda; Haiti; Saint Kitts and Nevis; Saint Lucia, and Dominica. In addition, Honduras was not reviewed in that Round.

1. The Rules of Procedure and Other Provisions of the Committee of Experts of the MESICIC (document SG/MESICIC/doc.9/04 rev. 4, is available at: www.oas.org/juridico/english/mesicic_rules.pdf)
2. Bearing in mind that the reports on the countries that were not parties to the MESICIC when the Third Round was held, or were not reviewed in it, are to include a review of the Convention provisions that were selected for review in that round, the format for the reports corresponding to those countries will be adopted by the Committee in a separate document.
3. The Recommendations of the Third Meeting of the Conference of States Parties of the MESICIC (document MESICIC/CEP-III/doc.4/10 rev. 1, are available at: www.oas.org/juridico/english/cepIII_recom_en.pdf)
4. Each paragraph in the report, including those in the summary, will be numbered.

In addition to the foregoing, in accordance with provision 34 of the *Methodology for Conducting On-Site Visits*,^{5/} it will indicate whether the country under review granted or did not grant its consent for such a visit. In keeping with the above provision, in the event that the country under review has not granted its consent and has expressed the reasons for that decision, the country report will refer to those reasons, and if it did consent to the visit, it will allude to the inclusion of that information from that visit in the appropriate sections of the corresponding report.

II. REVIEW, CONCLUSIONS AND RECOMMENDATIONS ON IMPLEMENTATION BY THE STATE PARTY OF THE CONVENTION PROVISIONS SELECTED FOR THE THIRD AND SIXTH ROUNDS

This section will review, in accordance with the Methodology adopted by the Committee for the Third Round, the State Party's implementation of the *Convention* provisions selected in the framework of that round. It will also review implementation of the *Convention* provision selected for the Sixth Round, based on the methodology adopted by the Committee for that round.

Regarding both the provisions selected for the Third Round and the provision selected for the Sixth Round, it will take note of any difficulties in their implementation and of the requests for technical cooperation of the State under review; and it will offer appropriate conclusions and recommendations.

To that end, this chapter of the country reports will have the following format:

- A) REVIEW OF IMPLEMENTATION OF THE CONVENTION PROVISIONS SELECTED FOR THE THIRD ROUND
 - 1. DENIAL OR PREVENTION OF FAVORABLE TAX TREATMENT FOR EXPENDITURES MADE IN VIOLATION OF THE ANTICORRUPTION LAWS (ARTICLE III (7) OF THE CONVENTION)
 - 2. PREVENTION OF BRIBERY OF DOMESTIC AND FOREIGN GOVERNMENT OFFICIALS (Article III(10) OF THE CONVENTION)
 - 3. TRANSNATIONAL BRIBERY (ARTICLE VIII OF THE CONVENTION)
 - 4. ILLICIT ENRICHMENT (ARTICLE IX OF THE CONVENTION)
 - 5. NOTIFICATION OF CRIMINALIZATION OF TRANSNATIONAL BRIBERY AND ILLICIT ENRICHMENT (ARTICLE X OF THE CONVENTION)
 - 6. EXTRADITION (ARTICLE XIII OF THE CONVENTION)

The following format will be used for the above provisions of the Convention:

- 1. Existence of, and plans for, a legal framework and/or other measures
- 2. Adequacy of the legal framework and/or other measures
- 3. Results of the legal framework and/or other measures
- 4. Conclusions and recommendations

5. The *Methodology for Conducting on-Site Visits* (document SG/MESICIC/doc.276/11 rev. 2, is available at: http://www.oas.org/juridico/english/met_onsite.pdf)

**B) REVIEW OF IMPLEMENTATION OF THE CONVENTION PROVISION
SELECTED FOR THE SIXTH ROUND**

BANK SECRECY (ARTICLE XVI OF THE CONVENTION)

The following format will be used for the above provisions of the Convention:

1. Existence of, and plans for, a legal framework and/or other measures
2. Adequacy of the legal framework and/or other measures
3. Results of the legal framework and/or other measures
4. Conclusions and recommendations

III. BEST PRACTICES

Country reports shall describe up to four best practices related to the Convention provisions selected for the Third and Sixth Rounds that the corresponding country would voluntarily like to share with the other MESICIC member countries.

IV. ANNEX: AGENDA OF MEETINGS HELD IN THE FRAMEWORK OF THE ON-SITE VISIT

In the event that the State under review has granted its consent for an on-site visit, the agenda of meetings held within the framework of that visit and the names of the institutions or organizations that participated at each will be included as an annex to the corresponding report, in accordance with provision 34 of the *Methodology for Conducting On-Site Visits*.
