



MECHANISM FOR FOLLOW-UP ON
IMPLEMENTATION OF THE INTER-AMERICAN
CONVENTION AGAINST CORRUPTION
Thirty-Fifth Meeting of the Committee of Experts
March 8 – 11, 2021
Washington, D.C.

OEA/Ser.L.
SG/MESICIC/doc.580/21
11 January 2021
Original: Spanish

**PROCEDURES FOR STATES TO PRESENT THEIR EXPERIENCES, ACHIEVEMENTS, AND
LESSONS LEARNED IN PREVENTING AND COMBATING CORRUPTION, AMIDST THE
COVID-19 PANDEMIC, AND FOR DISSEMINATING THEM**

I. INTRODUCTION

The Fourth Conference of States Parties of the MESICIC¹ recommended that as a forum for information sharing and mutual cooperation among states party, the Committee of Experts should give special attention on an ongoing basis to discussing new challenges arising from the evolving phenomenon of corruption.

Accordingly, taking into consideration the new challenges states have faced while striving to prevent and combat corruption during the COVID-19 pandemic, in 2020 the MESICIC Technical Secretariat initially organized virtual forums for various country experts to share their experiences in that connection, in areas the Convention covers, such as government procurement, civil servants' ties, and civil society and private sector involvement in preventing and combating corruption.

Against this backdrop and bearing in mind the aforementioned recommendation from the Conference of the States Parties to the MESICIC, agreement was struck with the Committee Chair that the agenda for the Thirty-Fifth Meeting of the Committee would include a special session at which state representatives wishing to do so would give presentations on their experiences, achievements, and lessons learned in preventing and combating corruption during the COVID-19 pandemic. The aim was to encourage horizontal cooperation among states for them to be able to tackle corruption more effectively, even under extraordinary circumstances such as those brought about by the pandemic, during which there has been no let-up in corruption.

That was why the procedures outlined in this document were agreed on with the Committee Chair, hence state representatives are urged to focus their presentations on issues covered in the Convention but which have also been of great importance during the pandemic, such as government procurement, public servants' ties, and civil society and private sector involvement in preventing and combating corruption. This does not, however, preclude the possibility of addressing other issues covered in the Convention if the countries deem them to be equally relevant.

1 . Chapter X, paragraph 41, Recommendations of the Fourth Meeting of the Conference of States Parties of the MESICIC (document MESICIC/CEP-IV/doc.2/15 rev.1)

So that states and their citizens, as well as representatives of different segments of civil society, can learn and appreciate how the challenges stemming from the COVID-19 pandemic have been addressed, this methodology envisages widespread dissemination of the presentations that are made, given their importance.

III. INTRODUCTION

MESICIC member states wishing to share their experiences, achievements, and lessons learned in preventing and combating corruption during the COVID-19 pandemic may do so through their lead experts or designated representatives, at a special session scheduled for Wednesday, March 10, 2021 as part of the Thirty-Fifth Meeting of the Committee, as follows:

- a) States wishing to make a presentation at the above-mentioned special session must notify the MESICIC Technical Secretariat accordingly by February 8, 2021 (one month prior to the Committee's thirty-fifth meeting) and should therefore submit the form attached hereto.

The contents of the preceding paragraph notwithstanding, a state deeming it appropriate may address other aspects not included on the form accompanying these procedures, and may deliver its oral presentation at the Committee's special session as it sees fit.

- b) Besides filling out the attached form, if a state intends to use a PowerPoint presentation, it should furnish the Technical Secretariat (legalcooperation@oas.org) with that presentation by March 1, 2021 (one week prior to the Thirty-Fifth Meeting of the Committee).
- c) The state concerned must use the attached form to furnish the Technical Secretariat with the name and contact details of the person who will deliver the oral presentation at the special session of the Committee. This may be someone other than the Lead Expert.
- d) Oral presentations at the special Committee session must be delivered in summary form and be no more than 10 minutes long. This time may be adjusted depending on how many states will be making presentations.
- e) The Technical Secretariat will notify the presenters in a timely manner as to how much time they will have available if it is adjusted.

IV. BROADCAST

The special session under reference will be webcast live.

In addition, the form attached hereto, duly filled out by the respective states, along with the electronic documents sent in with it, will be distributed through the MESICIC (Anti-Corruption Portal of the Americas) website.

APPENDIX

FORMAT FOR STATES TO PRESENT THEIR EXPERIENCES, ACHIEVEMENTS, AND LESSONS LEARNED IN PREVENTING AND COMBATING CORRUPTION, AMIDST THE COVID-19 PANDEMIC

1. Title: Title for the issue to be discussed and Convention subject area to which it relates:

Ensuring Integrity in the U.S. Pandemic Response

2. Institution: Name of the institution, body, or authority responsible for the issue and of the person who will deliver the oral presentation at the special session of the Committee, with contact information (e-mail and direct phone number to reach that person):

Pandemic Response Accountability Committee

Linda Miller, Deputy Director

[REDACTED]

3. Experience: Please provide a brief summary of your experience in terms of the issue at hand, detailing any obstacles, difficulties, and/or challenges encountered in this field as a result of the COVID-19 pandemic:

The COVID-19 pandemic and resulting economic crisis presented unique and unprecedented challenges to the United States. An effective response required U.S. lawmakers and agency officials to act quickly while also maintaining the adequate safeguards to ensure fraud, waste, and abuse did not undermine U.S. efforts. As part of the U.S. pandemic response, Congress passed in March 2020 the Coronavirus Aid, Relief, and Economic Security Act (CARES) Act and three related pieces of emergency legislation to provide approximately \$2.4 trillion in economic relief to individual citizens, loans for businesses, support for hospitals and other medical providers, and economic relief for impacted industries. Given the large amount of money and the need to provide relief expediently, the United States faced new challenges on how to maintain oversight over, and ensure integrity in, relief programs. To address these issues, U.S. lawmakers included a provision in the CARES Act to create the Pandemic Response Accountability Committee (PRAC).

4. Developments: Please briefly outline what action was taken by the state to deal with the obstacles, difficulties, and/or challenges stemming from the COVID-19 pandemic with respect to the experience in the area covered, including practical steps taken, e.g., those related to the use of new information and communication technologies (ICTs), adoption or amendment of laws, institutional reforms, or other measures:

The purpose of the PRAC is to “promote transparency and conduct and support oversight” of the government’s coronavirus response to “prevent and detect fraud, waste, abuse, and mismanagement” and “mitigate major risks that cut across program and agency

boundaries.” Composed of federal OIGs, the PRAC is not a stand-alone organization, but rather a Committee of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), an independent entity established within the executive branch by the Inspector General Act of 1978, as amended. The CIGIE includes the 75 statutorily created federal Inspectors General with a mission to address integrity, economy, and effectiveness issues that transcend individual government agencies.

The CARES Act specifically identifies Inspectors General from 9 agencies as members of the PRAC but provides that the CIGIE Chair may designate additional Inspectors General to serve on the Committee from any agency that receives funds or is otherwise involved in the government’s response to the coronavirus pandemic. Consistent with the CARES Act, the Inspectors General serving on the Committee will continue to perform their Inspector General duties. At present, the PRAC is composed of 22 Inspectors General, including the recently created Special Inspector General for Pandemic Recovery.

On the PRAC website (<https://www.pandemicoversight.gov/>), members of the public can find reports, investigative press releases, and recommendations published by the individual OIGs and the PRAC. The public can also track how federal funds appropriated for pandemic response are being spent. This includes information on contract spending for pandemic relief broken down by individual states. The website also provides information on potential fraud risks, and provides a secure channel for individuals to report waste, abuse, and fraud.

In addition to providing real-time oversight, the PRAC is also providing crucial analysis of lessons learned as well as the challenges and gaps still affecting transparency and oversight of pandemic funding. For example, a recently published report found that existing data satisfies a substantial portion of the CARES Act transparency requirements for pandemic relief funds, but found 16 key gaps in existing data sources related to completeness, accuracy, and timeliness that may impair the PRAC’s ability to meet all COVID-19-related spending transparency requirements. The report also identified 13 actions to mitigate these gaps ranging from relatively minor changes to more complex corrective actions that may require policy changes, legislation, or IT system changes. This type of analysis is meant to help inform the public, Congress, federal agencies, and other stakeholders about these issues. The PRAC is continuing to work with Executive Branch officials and the Congress in our efforts to close the identified data and transparency gaps.

5. **Lessons:** Please briefly describe the lessons learned from the experience discussed and the steps that had to be taken to address the obstacles, difficulties, and/or related challenges stemming from the COVID-19 pandemic:

The United States would present the model of the PRAC as a best practice. By relying on pre-existing bodies and expertise, rather than creating a new stand-alone organization, the PRAC was able to begin fulfilling its responsibilities immediately. The participating OIGs in the PRAC already had the necessary legal provisions in place to conduct oversight of the relevant COVID-19 response activities their respective agencies

were conducting. Additionally, the existing OIGs were already intimately aware of the specific challenges facing their respective agencies, allowing them to quickly assess and respond to risks of fraud, waste, and abuse. Finally, the PRAC model is useful for countries with a decentralized anticorruption framework, when it could be difficult to establish a centralized oversight body.

6. Action needed: Please briefly state whether you feel that, besides the steps already taken, other measures are needed to effectively deal with the obstacles, difficulties, and/or challenges arising from the COVID-19 pandemic as regards the Convention subject area to which your experience relates, and what those actions might be:

The United States does not have any additional actions to share.

7. Contact: Please state whom to contact for further information, and the contact details (name, email, and direct phone number to reach that person):

Kellen McClure, U.S. State Department

