

# JOINT SUMMIT WORKING GROUP Washington, D.C.



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# REPORT INSTITUTIONAL CONTRIBUTIONS JOINT SUMMIT WORKING GROUP (JSWG)

# VIII SUMMIT OF THE AMERICAS

# "DEMOCRATIC GOVERNANCE AGAINST CORRUPTION"



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#### VIII SUMMIT OF THE AMERICAS

#### "DEMOCRATIC GOVERNANCE AGAINST CORRUPTION"

#### I. Introduction

The Joint Summit Working Group (JSWG) derives from the Quebec City Plan of Action (Third Summit of the Americas, 2001), at the behest of the Heads of State and Government of the Americas, as a permanent mechanism for coordination between the inter-American system and the United Nations aimed at providing and facilitating technical support to member states during implementation and follow-up phases of the Summits of the Americas.

Under that mandate, a "Letter of Understanding" (2001)<sup>1</sup> was signed by highest authorities of the Organization of American States (OAS), the Inter-American Development Bank (IDB), the Economic Commission for Latin America and the Caribbean (ECLAC), and the Pan American Health Organization (PAHO) on setting up a standing body for coordination and information-sharing among the parties that would enhance coordination of their efforts to implement the Summits of the American mandates. Gradually, they were joined by other organizations keen to bolster inter-American and multilateral system support to the Summit countries.

Currently, the JSWG centralizes and articulates the work of thirteen (13) international and regional organizations, including the OAS, IDB, ECLAC, PAHO, the World Bank, the Inter-American Institute for Cooperation on Agriculture (IICA), the Central American Bank of Economic Integration (CABEI), the Development Bank of Latin America (formerly known as the Andean Development Corporation) (CAF), the Caribbean Development Bank (CDB), the International Organization for Migration (IOM), the International Labour Organization (ILO), and the United Nations Development Programme (UNDP). In 2019, they were joined by the Organization for Economic Co-operation and Development (OECD). The JSWG is chaired by the OAS, through its Secretary General. The Summits of the Americas Secretariat acts as its Technical Secretariat.

Following the adoption of the "Lima Commitment: Democratic Governance against Corruption, <sup>2/</sup> at the Eighth Summit of the Americas held in Peru in April 2018, the participating States, led by the Chair of the Summits Process, formulated and adopted the Mechanism for Follow-up and Implementation of the Lima Commitment in November 2018 within the framework of the Summit Implementation Review Group (SIRG). The Mechanism was established to keep track of the progress made by the States and organizations of the JSWG with the implementation of mandates;

<sup>1.</sup> Letter of Understanding of the Joint Summit Working Group (GTCC), 2001, available at: http://www.summit-americas.org/jswg/JSWGLetterofUnderstanding.pdf

<sup>2. &</sup>quot;Lima Commitment - Democratic Governance against Corruption" was adopted by the Eighth Summit of the Americas in Lima, Peru, April 13-14, 2018.

Available at http://www.summit-americas.org/viii/compromiso lima en.pdf.

foster the exchange of best practices and regional capabilities; and to identify possible cooperation resources to assist with implementation of promising initiatives.

The adoption of the Lima Commitment also led to a strengthening of the JSWG as a body for debating and articulating actions designed to help participating countries appropriate mandates internally, at the national level. The following initiatives were undertaken as part of that process:

- a. *Memorandum of Understanding (MoU):* In September 2018 an MoU was signed by the organizations making up the JSWG aimed at harmonizing and coordinating their efforts, avoiding unnecessary duplication, and sharing information and best practices for commitments relating to the Summits processes.
- b. *JSWG Plan of Action* (2019-2021)<sup>4/2</sup>: Based on requests by participating States for assistance with capacity-building with regard to compliance with the direct mandates and on information provided by the JSWG in the Mechanism for Follow-up and Implementation of the Lima Commitment, a Plan of Action was drawn up as a guide for steps taken to support implementation of the Eighth Summit of the Americas.
- c. Joint Declaration "Addressing Corruption, Integrity and Democratic Governance Risks associated with COVID-19": 5./: signed by organizations in the JSWG in connection with the fourth Meeting of High Authorities of the JWSG. to strengthen the integrity of public and private actors, as well as transparency and public debate of measures to achieve the socioeconomic recovery of the countries in the region. It also facilitates follow-up to the mandates of the Commitment of Lima adopted at the Eighth Summit of the Americas, especially those specifically directed at the JSWG.
- d. Repository on the response to COVID-19: This report includes actions reported by the JSWG organizations in response to the Commitment of Lima with respect to areas described in the JSWG Plan of Action as well as actions in response to priorities arising from the pandemic in connection with the integrity and transparency agenda.

This report by the OAS Summits of the Americas Secretariat<sup>2/2</sup> seeks to present the work done by the JSWG organizations in support of national efforts to implement the mandates of the Eighth Summit of the Americas, in the spheres defined by the JSWG Plan of Action (2019-2021). That JSWG Plan of Action was drawn up in a coordinated and consistent manner by the Summits

<sup>3.</sup> MoU of the JSWG, available at: <a href="http://www.summit-americas.org/brief/SignedMoU.pdf">http://www.summit-americas.org/brief/SignedMoU.pdf</a>

<sup>4.</sup> JSWG Plan of Action, available at: http://www.summit-americas.org/JSWGActionPlanENG.pdf

<sup>5.</sup> Addressing Corruption, Integrity, and Democratic Governance Risks Associated with COVID-19, available at: <a href="http://www.summit-americas.org/DeclaracionENG14sept.pdf">http://www.summit-americas.org/DeclaracionENG14sept.pdf</a>

<sup>6.</sup> Meeting of High Authorities of the JSWG, September 18, 2020. Neither the Inter-American Development Bank (IDB) nor the World Bank supported issuance of the Joint Declaration, although they did fully support the JSWG's commitment to combat corruption and foster integrity. See: Joint Summit Working Group (JSWG), September 14. 2020, document GTCC/doc.84/20.

<sup>7.</sup> Resolution AG/RES. 2948 (L-O/20) "Support for and Follow-up to the Summits of the Americas Process," fiftieth regular session of the OAS General Assembly, October 20 and 21, 2020.

Secretariat and the JSWG organizations, taking into account the following sections of the Lima Commitment: i) Development and strengthening of effective and transparent mechanisms in public service, including public sector integrity policies, open data, procurement and hiring, infrastructure, and education; ii) Strengthening of mechanisms to protect whistleblowers, witnesses, and victims of corruption; iii) Observance of anti-corruption and corporate governance regulations; and iv) Detection, investigation, and prosecution of acts of corruption.

# II. Progress with actions envisaged in the JSWG Plan of Action (2019-2021)

### 2.1. Effective and transparent mechanisms in public service

### 2.1.1. Policy Area: Civil Service – Integrity

Mandates: 9, 10, 11, 14, 15, 16, 17, 27, 50

The participating States requested assistance with improving integrity frameworks with a view to achieving a civil service open to an organizational structure that includes selection and promotion methods, rules for preventing conflicts of interest at both national and subnational levels, the disclosure of financial interests, the enforcement of disciplinary measures, remuneration for public authorities, and awareness-raising with respect to public ethics.

The OECD, OAS, and IDB were able to help the countries design and implement national integrity and anti-corruption strategies, as follows:

#### **Organization for Economic Cooperation and Development (OECD)**

Based on the OECD Council on Public Integrity, the OECD conducts Integrity Studies, <sup>8/</sup> aimed at helping countries design comprehensive public policy integrity strategies and compares them with best international practices and successful experiences in OECD member countries.

The OECD has encouraged the adoption of rules and regulatory frameworks focusing on procedures for choosing government officials based on meritocracy, whereby entry into the civil service and selection of candidates relies on civil service evaluation and professionalization systems. Importance is likewise attached to regulations governing conflicts of interest, declarations of net worth, and civil servant training programs.

Argentina: <sup>9</sup> In 2019, the OECD conducted its Argentina Integrity Review to evaluate that country's efforts to transform its integrity framework from a series of isolated initiatives into a coherent system. In April 2019, Argentina adopted its National Integrity Strategy 2019-2023, which incorporates several of the recommendations made in the Integrity Review, as well as an explicit reference to the OECD Council of 2017 on Public Integrity.

<sup>8.</sup> More information on OECD Integrity Studies is available at: https://www.oecd.org/governance/ethics/integrity-publications

<sup>9.</sup> OECD Integrity Review of Argentina: https://www.oecd.org/publications/oecd-integrity-review-of-argentina-g2g98ec3-en.htm

Mexico: The follow-up report on the Mexico Integrity Review (2019) <sup>10</sup>/ singled out achievements with promoting integrity in the public sector and identified areas in which more effort is still needed to address the 2017 OECD recommendations. <sup>11</sup>/ In particular, the report pointed to the need for thorough and effective implementation of the National Anti-Corruption System because, while some steps taken deserve to be acknowledged, their potential to bring about real change will depend on their implementation. Thus, the report underscores the need to supplement the law with policies and measures that render it palpable in practice and lead to actual institutional and behavioral changes, at both the federal and state level.

Peru: Following up on the OECD Peru Integrity Review (2017), <sup>12/</sup> Peru established the Public Integrity Secretariat (SIP) in the Office of the President of the Council of Ministers. In addition, in 2018, it drew up a National Integrity Plan of Action <sup>13/</sup> to implement its National Integrity and Anti-Corruption Policy, based on recommendations made in the Integrity Review for strengthening the public integrity system. Following up on the Integrity Review, the OECD supported the SIP via a German International Cooperation (GIZ) program to bolster institutional arrangements for implementing the National Integrity and Anti-Corruption Plan <sup>14/</sup> in the SIP, as well as the system for monitoring execution of the Plan. As part of that project, a report was issued, entitled "Institutional Integrity Offices in Peru: Toward Implementation of an Integrity System" (2019), <sup>15/</sup> to furnish concrete support with mainstreaming integrity within entities by establishing integrity actors at the organizational level.

Colombia and Ecuador: In 2018 and 2019, respectively, the Governments of Colombia and Ecuador signed a Memorandum of Understanding with the OECD on cooperating in the design and implementation of National Integrity and Anti-Corruption Strategies. Since September 2020, the OECD has been working with Ecuador, with the support of Germany's International Cooperation Corporation, on analyzing institutional arrangements to foster integrity in Ecuador and its strategic approach for achieving public integrity. The purpose of the report on this work, which is to be published in June/July 2021, is to help Ecuador establish the institutional foundations for nationwide integrity systems, as well as such system within the Executive Branch and its entities. It will also provide a basis for a more in-depth review of other policy areas addressed in the report and could be enriched by analysis and recommendations made in an OECD Integrity Review, which would also enable Ecuador to apply for accession to the OECD Recommendation on Public Integrity.

<sup>10.</sup> Follow-up Report on the OECD Integrity Review of Mexico: see: https://www.oecd.org/fr/corruption/ethique/follow-up-report-oecd-integrity-review-mexico.htm

<sup>11.</sup> OECD Integrity Review of Mexico see: Taking a Stronger Stance Against Corruption (2017): https://www.oecd.org/corruption-integrity/reports/oecd-integrity-review-of-mexico-9789264273207-en.html

<sup>12.</sup> OECD Integrity Review of Peru: Enhancing Public Sector Integrity for Inclusive Growth, ecd.org/corruption-integrity/reports/oecd-integrity-review-of-peru-9789264271029-en.html.

<sup>13.</sup> For further information on the National Integrity Plan see: <a href="https://cdn.www.gob.pe/uploads/document/file/251662/Decreto%20Supremo%20N%C2%B0%20044-2018-PCM.pdf.pdf">https://cdn.www.gob.pe/uploads/document/file/251662/Decreto%20Supremo%20N%C2%B0%20044-2018-PCM.pdf.pdf</a>

<sup>14.</sup> The National Integrity and Anti-Corruption Policy is posted at: <a href="https://cdn.www.gob.pe/uploads/document/file/1016123/DS\_N\_092-2017-PCM.pdf">https://cdn.www.gob.pe/uploads/document/file/1016123/DS\_N\_092-2017-PCM.pdf</a>

<sup>15.</sup> Offices of Institutional Integrity in Peru: Implementing the Integrity System, https://www.oecd.org/gov/ethics/offices-of-institutional-integrity-peru.pdf.]

In El Salvador, in December 2021, the OECD will organize the Second Ministerial Summit on Governance: "Government Integrity and Public Trust: The Other Vaccination." The meeting will afford an opportunity to hold a high-level debate on the restoration of citizens' trust in a recovery from the crisis triggered by COVID-19. The meeting is also expected to contribute to the Ninth Summit of the Americas process. In preparation for the Ministerial Summit, the OECD plans to organize three technical webinars on the role of digital tools and data in strengthening integrity (March 18, organized jointly with the CAF); the role of infrastructure and its governance for achieving sustainable recovery (in the week starting on June 14, organized jointly with the IDB); and on the role of the private sector, civil society, and international cooperation in combating corruption (October).

#### **Inter-American Development Bank (IDB)**

Paraguay: With technical assistance from the IDB, the Anti-Corruption Directorate of the Ministry of Finance is drawing up a draft bill on Integrity and Conflict of Interests; and Regulations governing the Reception of Complaints, Internal Investigation, and Protection of Whistleblowers and Witnesses.

Honduras: A digital system is being developed to handle declarations of net worth and of interests.

Examples of joint work done by JSWG organizations can be found in the OECD-IDB Public Integrity Network for Latin America and the Caribbean, which brings together the leaders of the region's main integrity system and provides a forum for dialogue on policies It also facilitates the sharing of best practices and experience and the development of methodologies, data, guidelines, and case studies.

In response to a request by member countries of the OECD Public Integrity Network, the first edition of "Public Integrity in Latin America and the Caribbean 2018-2019" was published in 2019. <sup>16</sup>
The report helped countries in Latin America and the Caribbean to address certain challenges they shared by applying relevant, up-to-date, and practical analyses, comparative data, and best practices found in countries in the region and in OECD countries. The report focuses in detail on areas that members of the OECD-IDB Public Integrity Network have identified as priorities. That is to say: 1) coordination, continuity, and implementation of the integrity system; 2) civil service; 3) risk management and internal audit; and 4) political financing.

# Organization of American States (OAS) / CAF – Development Bank of Latin America

In June 2020, the Summits of the Americas Secretariat and CAF- Development Bank of Latin America held the (virtual) Policy Dialogue entitled "Corruption and COVID-19," 17/2 which led

<sup>16.</sup> Integridad Publica en América Latina y el Caribe 2018-2019 (2019), available at: https://www.oecd.org/corruption/ethics/integrity-lac.htm.

<sup>17.</sup> Policy Dialogue entitled "Corruption and COVID-19" was conducted by the Summits Secretariat on June 18, 2020, available at: http://www.oas.org/docs/summits/Agenda-ENG-Policy-Dialogue-jun2020.pdf

to a discussion focusing on the effects of the pandemic on actions to prevent, curb, and punish corruption, especially in the three spheres of action identified by the CAF in its Economy and Development Report (EDR-2019) "Integrity in Public Policies: Keys to Prevent Corruption" <sup>18/</sup>: a) ex ante rules and ex-post audits to monitor decisions in public office (functions of oversight bodies, the Office of the Attorney General, the Office of the Comptroller-General, and their ties to the justice system); b) accountability of government officials and sanctions to deter unlawful conduct (e.g., disqualification from holding public office); and c) oversight of the branches of government, especially the role of the legislature and the judiciary in curtailing and investigating acts of corruption.

#### **World Bank**

Brazil: Assistance provided with crafting and conducting the anti-corruption survey for public servants, in partnership with the Office of the Comptroller-General of the Republic (CGU). The report is scheduled to be ready in first-half 2021.

Mexico: Assistance provided with developing an empirical baseline for identifying possible solutions to conflicts of interest. Surveys focusing on awareness-raising, prevalence of, and experience with conflicts of interest, for citizens, government officials, and private enterprises, supplemented with focus group discussions. Technical assistance helped draw up a new national roster to disclose public servants' finances and interests, approved by the Coordination Committee of the National Anti-Corruption System in August 2019, as well as a peer review of the draft National Anti-Corruption Policy, in response to a request by the Citizen Participation Committee and Executive Secretariat of the National Anticorruption System.

# Organization of American States (OAS) / Organization for Economic Cooperation and Development (OECD)

The Summits Secretariat, in coordination with the OECD, strove to foster the adoption of integrity systems for public servants in the region, particularly merit-based mechanisms for entering public service, and discussion of issues top do with merit-based selection and conflicts of interest in public administration. To that end, they jointly organized the virtual workshop on "Integrity in the Civil Service," by which was held in September 2020 in which 7 countries invited to attend -- Argentina, Brazil, Chile, Colombia, Costa Rica, Panama, and Peru – shared the challenges they faced, experiences, and best practices with forging a culture of integrity within their public administrations, with a special emphasis on challenges posed by the pandemic.

The Summits Secretariat and the OECD will shortly issue a policy note summarizing the key points and best practices addressed and making policy recommendations for administrations in the region.

<sup>18.</sup> The CAF Report, "<u>Integrity in public policy. Keys to prevent corruption</u>", is posted at: <a href="https://scioteca.caf.com/bitstream/handle/123456789/1503/RED\_2019\_Integridad\_en\_las\_politicas\_p">https://scioteca.caf.com/bitstream/handle/123456789/1503/RED\_2019\_Integridad\_en\_las\_politicas\_p</a> ublicas.\_Claves\_para\_prevenir\_la\_corrupcion.pdf?sequence=1&isAllowed=y

<sup>19.</sup> Further information on the "Integrity in the Civil Service" workshop organized by the Summits Secretariat and the OECD can be found at: http://summit-americas.org/AsistenciaTecnica/integridad servicio civil ENG.html]

# **International Labour Organization (ILO)**

In Colombia, the ILO has developed an electronic system for managing labor inspection cases and provided it to the Ministry of Labor. The system monitors labor inspection not only by generating reports in real time but also via an automated oversight system of the time a labor inspector takes for each stage of the inspection process. In addition, a tool, run by the Labor Ministry itself, has been developed for keeping track of cases through to the fine collection stage. Similar systems are being developed in Guatemala and the Dominican Republic.

As of 2020, Argentina, Chile, and Paraguay have been developing training plans for labor inspectors, covering a wide range of topics, including, inter alia, atypical types of employment, domestic labor, inspection in rural, maritime/fishing, and road transport sectors, and chemical, biological, ergonomic, and psycho-social risks. In Uruguay, efforts are under way to develop a new labor inspection and sanctions procedure that is both more expeditious and efficient and provides for virtual forms of inspection for overseeing new organizational forms of work.

Guatemala, the Dominican Republic, and Costa Rica are also developing training courses in a variety of areas, such as human rights and fundamental rights in the workplace (Guatemala); and labor discrimination, health, and safety in the workplace (Costa Rica); while the Dominican Republic has concluded its review and updating of Inspection Protocols and Manuals, with a special focus on new areas of work.

#### 2.1.2. Policy Area: open data

Mandates: 14, 17, 20

With regard to open government and digital governance, Belize, the Dominican Republic, Ecuador, Guatemala, Honduras, and Peru requested assistance under the Mechanism for Monitoring and Implementation of the Lima Commitment with developing open government tools. In particular, the governments expressed interest in continuing to improve their open data skills with a view to implementing the Inter-American Open Data Program to Combat Corruption (PIDA) [AG/RES. 2927 (XLVIII-O/18)]<sup>20/</sup> and in receiving technical assistance to enhance their digital initiatives for processing and managing demands for transparency and reducing opportunities for corruption. The access to information associated with the use of these technologies has served to leverage transparency and integrity reforms, especially at the sector level, and that, in turn, has translated into support for promoting ethical standards for government officials, strengthening government hiring and procurement systems based on digital technologies, and alignment with international standards, including helping countries to implement those standards in financial reports.

Thus, the IDB is fostering a wide range of technical responses to promote transparency through the use of digital technologies.

Colombia: Combining access to information and digital technology is a major initiative by the IDB to promote transparency and integrity by implementing some of these tools, such as

<sup>20.</sup> Further information about PIDA is available at: http://www.oas.org/es/sla/ddi/docs/AG-RES\_2927\_XLVIII-O-18.pdf

platforms for visualizing information like MapaRegalías (Royalty Map), an online platform that provides georeferenced (GPS) information and data regarding investment projects financed by extractive sector royalties. According to the impact analysis conducted, the initial impact of MapaRegalías derives from increased monitoring, which may be associated with a major reduction of the cost citizens have to incur in order to monitor government use of resources as well of the government's own internal monitoring costs. <sup>21/</sup>

Argentina, Bahamas, Colombia, Costa Rica, the Dominican Republic, Jamaica, Paraguay, and Peru: Another example is the IDB's regional MapaInversiones<sup>22/</sup> (InvestmentsMap) initiative, an interactive online portal that seeks to promote transparency and improve national public investment. The platform serves to monitor and visualize public investment projects in real time.<sup>23/</sup>

Jamaica: The country recently espoused the MapaInversiones initiative in a bid to enhance transparency in public investment.

Mexico: Agreement signed by ECLAC and the Office of the President of Mexico through the National Digital Strategy Directorate to promote technical cooperation, support, and counseling for governmental and nongovernmental entities via the signing of cooperation agreements on open government, transparency, accountability, and technological innovation using open data.

Chile: i) Cooperation Agreement with the General Secretariat of the Presidency of Chile (SEGPRES); ii) Observers at Chile's Open Government Round Table Discussion, co-participants in developing the country's Plans of Action; and iii) Cooperation Agreement with the Council for Transparency of the Republic of Chile.

Costa Rica: Cooperation Agreement with the Judiciary in Costa Rica to advise on developing an Open Justice Policy.

Panama: i) Cooperation Agreement with the Civil Aviation Authority of Panama and technical assistance with drafting an Open Data commitment to be incorporated in Panama's Fourth Plan of Action.

Through its Digital Innovation Directorate, the CAF is taking steps to encourage modernization of the State at both the national and subnational level, through more expeditious, open, and innovative governments, leveraging the new technologies and smart data in line with the commitments derived from the Eighth Summit of the Americas.

<sup>21. &</sup>quot;Monitoring public investment: the impact of MapaRegalías in Colombia"], IDB Working Papers Series No. IDC—WP-1059. November 2019. Further information at: <a href="https://publications.iadb.org/publications/spanish/document/Monitoreando\_la\_inversi%C3%B3n\_p%C3%BAblica\_El\_impacto\_de\_MapaRegal%C3%ADas\_en\_Colombia\_es.pdf">https://publications.iadb.org/publications/spanish/document/Monitoreando\_la\_inversi%C3%B3n\_p%C3%BAblica\_El\_impacto\_de\_MapaRegal%C3%ADas\_en\_Colombia\_es.pdf</a>

<sup>22.</sup> Iniciatives InvestmentMap available at: https://www.iadb.org/en/reform-modernization-state/countries

<sup>23.</sup> The IDB also published two studies measuring the impact of the use of these platforms, with a view to documenting the results of implementing transparency reforms in terms of increased savings and efficiency in Costa Rica and Colombia.

# Rules and regulatory frameworks

#### **Economic Commission for Latin America and the Caribbean (ECLAC)**

ECLAC has supported implementation of the Lima Commitment through reports, documents, and statistical inputs contributing to a regional comparative analysis that provides an overview of Latin America and the Caribbean. Specifically, ECLAC has helped implement mandates 3, 7, 14, 16, 17, and 20.

As an institution, ECLAC has conducted both national and international courses on Open Government issues, providing training to more than 1,000 people from 19 countries in the region, including members of civil society organizations, NGOs, and academia, and citizens seeking to build their skills in areas relating to State reforms, open government, transparency, access to public information, and open data. It has held seminars and has taken part in an observer capacity in the Latin America Transparency Network (Red RTA).

In addition, ECLAC has a series of resources providing countries with information and analysis on these issues: They include, for instance:

- Biblioguides in open government: http://biblioguias.cepal.org/estadoabierto
- Planning for Development Observatory: Through the Open Government section of its Planning Observatory (<a href="https://observatorioplanificacion.cepal.org/en/opengov">https://observatorioplanificacion.cepal.org/en/opengov</a>), ECLAC monitors and analyzes plans and the commitments they contain, and their links to National Development Plans and to the targets established in the 2030 Agenda Sustainable Development Goals. It also helps draw up open government plans and policies at subnational levels and subnational governments' attempts to implement national plans.
- Open Government Network in connection with the Planning for Development Network: https://comunidades.cepal.org/ilpes/es

## **Organization of American States (OAS)**

The OAS Department for Effective Public Management has provided technical assistance to countries in the region to help them share their on-site experiences with open data policies for implementing the Inter-American Open Data Program to Combat Corruption (PIDA), which aims to foster the adoption of regulatory frameworks for promoting a culture of transparency and the opening up of sets of data for fighting corruption.

Honduras: In November 2019, as part of the exchange of on-site experiences with open data policies relating to tasks and challenges involved in the implementation of open data policies, the final national open data policy document was delivered to the General Government Coordination Secretariat (SCGG).

Ecuador: The technical assistance given to the Telecommunications and Information Society Ministry (MINTEL) led to adoption of the open data policy, which includes a preambular paragraph referring to Mandate 20 on open data of the Lima Commitment. In addition, assistance with drawing

up the policy was provided to Ecuador through the General Directorate of Ethics and Government Integrity (DIGEIG), the department in charge of open data policy.

Dominican Republic: Monitoring of technical assistance for developing, and final delivery of, the national open data policy document to the General Directorate of Ethics and Government Integrity (DIGEIG).

These efforts by the DEPM/OAS were supported by the Summits Secretariat. Within the framework, moreover, the OAS has embarked on a significant number of initiatives:

Technical Mission: "Socialization and Validation of the National Open Data Policy of the Government of Honduras" (November 16, 2019), conducted with a view to strengthening regional technical capacity to develop national open data policies, in which the Summits Secretariat lent its support to the technical assistance provided by the DEPM/OAS to the Government of Honduras' efforts to disseminate and validate its National Open Data Policy. The lessons learned during that process were shared with others at a meeting in which representatives of the Honduran Government, other States in the region (Colombia, the Dominican Republic, and El Salvador), and international organizations, such as the World Bank (in addition to the OAS), participated, along with civil society organizations and social actors in Honduras, including academic circles and business associations.

As with its support for the technical mission to the Government of Honduras, the Summits Secretariat also backed the DEPM/OAS technical assistance missions to Ecuador and the Dominican Republic to help those countries develop their national open data policies. In Ecuador, the technical assistance provided to MINTEL led to the adoption of an open data policy that includes a preambular paragraph referring to Mandate 20 of the Lima Commitment on open data. In the Dominican Republic, assistance with developing the country's open data policy was channeled through the DIGEIG and led to the drafting and finalization of that country's open data policy document, several sections of which make reference to the Lima Commitment. A virtual technical assistance meeting on this document was organized to discuss and disseminate it and complete development of the policy by submitting it to the authority responsible for adopting and signing it: the Ministry of the Presidency.

Virtual seminar entitled "Emerging technologies: preventing and combating corruption" (May 26, 2020). This dialogue was promoted with a view to facilitating the sharing of experiences and giving governments, civil society, and international organizations more in-depth insight into the adoption and advantageous use of emerging technologies as tools for preventing and fighting corruption; including, the need to take advantage of technologies in response to emergencies triggered by the COVID-19 global health crisis. It was organized by the Summits Secretariat in cooperation with the DEPM/OAS.

<sup>24.</sup> For further information on the technical mission on *Socialization and Validation of the National Open Data Policy of the Government of Honduras*, see: http://summit-americas.org/AsistenciaTecnica/datos\_abiertos.html

<sup>25.</sup> For further information on the seminar "Emerging technologies: preventing and combating corruption", see: http://summit-americas.org/SummitTalks/2020/Emerging Technologies/summittalk eng.html

The virtual seminar entitled "Democratization of Information: open data in preventing and combating corruption" <sup>26</sup> (May 6, 2020) was convened with a view to achieving more in-depth sharing of experiences and knowledge from a governmental, civil society, and multilateral organization perspective, regarding the use of open data to prevent and combat corruption through, and a s a result of, the democratization of information; also because of the need to incorporate open data in responses to emergency situations such as the current global health crisis triggered by COVID-19. It was conducted by the Summits Secretariat in cooperation with the DEPM/OAS.

Technical Assistance to Belize with the adoption of Open Government. This project was carried out by the DEPM/OAS in coordination with *Trust for The Americas* and was financed by the Embassy of the United States in Belmopan. In it, the DEPM directly provides training in open government and technical assistance with helping develop Belize's open government action plan.

- December 2019: Launching of the project: "Transformation to an Open Public Administration in Belize"
- May 2020: "Belize open government action plan development in times of COVID-19"
- July 2020: Virtual Hackathon "Open Data: Enabling Belize Tourism Post COVID-19."

Virtual course "Introduction to Open Data- Inter-American Open Data Program to Combat Corruption (PIDA) Training". With CAF support and in coordination with the OAS School of Governance and the DEPM/OAS, the Summits Secretariat awarded 75 full scholarships to participants from Argentina, Costa Rica, the Dominican Republic, Ecuador, Guatemala, and Panama to enable them to attend the OAS School of Governance virtual course on "Introducing Open Data". The 7-week course started in December 2020, with tutors providing guidance throughout the learning process, immersion in the use of open data to combat corruption through supplementary sessions with a variety of organizations and expert, and the implementation of a final project geared to advancing open data policy in each participant's country/institution. <sup>27/</sup>

*Open Government Partnership* (OGP) $^{28}$ : This partnership, designed to foster concrete commitments by governments to promote transparency, increase citizen participation in public affairs discussions and decisions, combat corruption, and make the most of new technologies for bolstering democratic governance, transparency , and citizen participation in public debate, has been widely embraced in Latin America and now has 19 members from the region.

The OAS contributes to the promotion of Open Government principles through a series of programs and projects seeking to strengthen public institutions and make them more transparent and effective, with public participation mechanisms provided by the OAS Open Government Scholarship and its course on Open Government Strategies.

<sup>26.</sup> For further information on the virtual seminar "*Democratization of Information: open data in preventing and combating corruption*", see: http://summit-americas.org/SummitTalks/Summittalk\_001\_eng.html.

<sup>27.</sup> Further information on the online "Introduction to Open Data – PIDA Training" course is available at: <a href="http://summit-americas.org/AsistenciaTecnica/Programa Interamericano de Datos Abiertos.html">http://summit-americas.org/AsistenciaTecnica/Programa Interamericano de Datos Abiertos.html</a>

<sup>28.</sup> Open Government Partnership (OGP): https://www.opengovpartnership.org/

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#### World Bank

World Bank initiatives included:

Jamaica: Support for the introduction of open government initiatives.

Paraguay and Mexico: Technical assistance with strengthening the open government regulatory framework.

Colombia: Support for implementation of the Strategic Plan for Digital Transformation, which included fast-track automation of the Colombian judicial system, including digital filing of cases and automatic learning /IA applied to judicial rulings with a view to significantly improving justice services.

Argentina: Support for digital inclusion and innovation in public services so as to enhance efficiency and access to specifically selected digital administrative services.

Honduras: Support for setting up the Open Procurement Platform containing more than one million procurement processes and budgetary and payment information, from 2005-2021, totaling more than US\$9 billion. The data are structured in accordance with the Open Contract Data Standard (OCDS).

Support for the setting up of the Open Data Portal containing 81 open data sets of seven governmental institutions. Both the number of institutions and the variety of open data sets are gradually being expanded.

Dominican Republic: Support for citizen participation through the introduction of Information Technology Solutions (ICTs)

Brazil: Establishment of a Citizen Feedback Portal for the Office of the Comptroller General of the state of Ceará.

#### 2.1.3. Policy area: Procurement

Mandates: 27, 28, 29

#### **Organization of American States (OAS)**

Through its Department of Effective Public Management (DEPM), the OAS signed an agreement as Technical Secretariat of the Inter-American Government Procurement Network (RICG) with the CAF - Development Bank of Latin America on "Preventing corruption through transparency and data analysis in public procurement systems," with a view to contributing to efforts to meet the region's needs relating to institutional capacity-building in national government procurement systems and generating and implementing data analysis tools fostering transparency and integrity in procurement processes.

This goal is envisaged both in mandates 14, 17, and 27 of the Lima Commitment and in Resolution AG/RES. 2927 (XLVIII-O/18) of the OAS General Assembly (2018), which contained a specific mandate to promote a hemispheric open procurement initiative in coordination with competent national authorities, civil society, and the private sector.

As part of the activities contemplated in the aforementioned Agreement, a Working Group was formed comprised of eight Latin American countries -- Argentina, Chile, Colombia, the Dominican Republic, Ecuador, Panama, Paraguay, Peru, and Uruguay – which made it possible to identify: i) progress made with electronic government procurement systems; ii) the technologies devised for enhancing transparency, efficiency, traceability, and integrity in procurement processes; iii) shared challenges and opportunities for improvement with mitigating risks of inefficiency and corruption; and iv) each agency's forward-looking plans aimed at improving the data provided by the system. Based on that mapping effort, a repository of regional information on data analysis in government procurement was developed and posted on the RICG website.<sup>29</sup>

To document progress made, the Summits of the Americas Process, in consultation with the DEPM, as the Technical Secretariat of the Inter-American Government Procurement Network (RICG), 30/4 hired consultants to come up with the document entitled "Regional Outlook on progress and challenges with developing data analysis and the use of new technologies in national government procurement systems as tools for preventing corruption," 31/2 which described the challenges and actions needed to move toward more robust procurement systems as a key tool for preventing corruption.

With technical support from the School of Governance of the University of the Andes (Colombia), a "Subregional diagnostic assessment of government procurement and hiring system data" 32/ was performed with a view to ascertaining the quality, structure, and re-usability of the procurement system data produced in four countries in the region (Colombia, Ecuador, Panama, and Paraguay), and the potential for implementing corruption risk analysis methodologies to strengthen electronic government procurement systems, thanks to the implementation and use of new technologies and smart data to achieve better management of government procurement processes.

<sup>29.</sup> For further information, see: http://ricg.org/es/datos-regionales/analitica-de-datos-en-compras-publicas

<sup>30</sup> Member countries of the RICG: Argentina, Antigua, Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Suriname.

<sup>31.</sup> Further information regardig this document is available at: http://www.summit-americas.org/PanoramaRegionalAnaliticaDatosContratacionPublica.pdf

<sup>32.</sup> The subregional diagnostic assessment of government procurement and hiring system data can be found at: <a href="http://ricg.org/wp-content/uploads/2021/04/Diagnostico-subregional-de-los-datos-del-sistema-de-compra-y-contratacion-publica.pdf">http://ricg.org/wp-content/uploads/2021/04/Diagnostico-subregional-de-los-datos-del-sistema-de-compra-y-contratacion-publica.pdf</a>

Supplementing this work is a study entitled "Toward a Government Procurement System Open Data Policy," 33/ inasmuch as it analyzes proposed "guidelines for opening up government procurement systems" in the four countries in which the diagnostic assessment was performed.

Algorithm-based models are currently being developed in Paraguay and Ecuador, with a view to their using open procurement data to detect risks of corruption and/or negligent management of infrastructure investments; as well as to come up with recommendations for improving government procurement processes, through smart data.

#### **World Bank**

Bolivia, Panama, Uruguay: Analysis of macro data using government procurement data with a view to identifying opportunities to reduce costs and raise profits and to use alternative procurement mechanisms.

Argentina, Panama, Saint Lucia: Bolstering institutional capacity to use data for strategic decision-making. In open data, the implementation of electronic procurement systems (goods, public works, and the hiring of consultants' services) is encouraged. Plans to use artificial intelligence are being developed.

## 2.1.4. Gender equality

#### **Economic Commission for Latin America and the Caribbean (ECLAC)**

Regional Conference on Women in Latin America and the Caribbean: This is the region's leading intergovernmental forum on women's rights and gender equality. It seeks to analyze the regional and subregional status of women's autonomy and rights, make public policy recommendations, and periodically evaluate compliance with agreements on the Regional Gender Agenda and with international commitments to women's rights and gender equality. ECLAC serves as the Technical Secretariat of this subsidiary organ, which is convened at least once every three years. During this period, the XIV Regional Conference on Women in Latin America and the Caribbean was held from January 27-31, 2020. Participating in the Conference were representatives of member states and associate members of ECLAC, the United Nations, intergovernmental organizations, and civil society organizations, especially women's organizations and movements, feminists, and specialists. At the XIV Regional Conference on Women, the member states of ECLAC adopted the Santiago Commitment, with ambitious agreements to strive for democracy with parity and women's participation in the public sphere. 34/

<sup>33.</sup> The study received support from DEPM/OAS, Canada's International Development Research Centre (IDRC), the Latin-American Open Data Initiative (ILDA), OCP, and the Dutch Humanist Institute for Development Cooperation (HIVOS). The study was presented at the XV Annual Conference of the RICG, held in the Dominican Republic in 2019. Further information at: <a href="https://secureservercdn.net/198.71.233.44/u1y.854.myftpupload.com/wp-content/uploads/2019/11/Publicacion-hacia-una-pol%C3%ADtica-de-datos-abiertos-del-sistema-de-CP.pdf">https://secureservercdn.net/198.71.233.44/u1y.854.myftpupload.com/wp-content/uploads/2019/11/Publicacion-hacia-una-pol%C3%ADtica-de-datos-abiertos-del-sistema-de-CP.pdf</a>

<sup>34.</sup> For further information, see: <a href="https://conferenciamujer.cepal.org/14/es">https://conferenciamujer.cepal.org/14/es</a>

Working Group on Gender Statistics of CEPAL's Statistical Conference of the Americas for processing, analyzing, and disseminating indicators for monitoring efforts to achieve gender equality and empower women and girls (Sustainable Development Objective No. 5).

Gender Equality Observatory for Latin America and the Caribbean: a tool that provides the general public with strategic gender indicators, an updated repository of laws, studies, and analyses of inequality between men and women, including the presence of women at different levels of the branches of government and measures geared to promoting their full participation on an equal footing. Indicators are produced and disseminated on women's financial and physical and decision-making autonomy, including indicators on women's participation in the Executive, the Judiciary, and in local governments. This last indicator corresponds to Sustainable Development Goal indicator 5.5.1.b, on women's participation in decision-making at the local level.

In addition, ECLAC performs research and produces knowledge that can contribute to the crafting and monitoring of equality policies. Its Gender Affairs series 35/ and other institutional publications address challenges for achieving women's autonomy in various areas of sustainable development, including economic development, climate change, social development, and, more recently, the impacts of the COVID-19 pandemic on women's autonomy. 36/

In connection with the COVID-19 pandemic, ECLAC created the COVID-19 in Latin America and the Caribbean Observatory, which provides information on measures and steps being taken at the national level to tackle the COVID-19 pandemic. It has a gender section highlighting measures adopted and actions taken by Government in the region in a series of areas, such as gender-based violence; the economics of caregiving; protection of employment and income generation; benefits, transfers, and other social protection measures; and participation in the digital era. The information is culled from official government sources, especially the information provided by ministries, mechanisms for the advancement of women in Latin America and the Caribbean, and other government entities that is posted on official government websites and in official communiqués. The Observatory is also supported by UN Women. 37/2/2001

At the same time, technical assistance seeks to foster mainstreaming of the gender perspective in public administration and in information systems, and to support experience sharing a South-South cooperation among countries in the region. Dialogue is also encouraged among mechanisms for the advancement of women and national statistics offices, as well as sectoral ministries and planning bodies, so as to promote synergies between gender equality policies and development strategies in the countries in the region.

Face-to-face and virtual courses are also provided on gender statistics and indicators; use-of-time surveys; measuring violence against women; public care policies, gender and information policies, and communication technologies; development planning with a gender perspective; and so on.

<sup>35.</sup> For further information, see: <a href="https://www.cepal.org/es/areas-de-trabajo/asuntos-de-genero">https://www.cepal.org/es/areas-de-trabajo/asuntos-de-genero</a>

<sup>36.</sup> Ibid.

<sup>37.</sup> For further information, see: <a href="https://www.cepal.org/en/topics/covid-19">https://www.cepal.org/en/topics/covid-19</a>

ECLAC works in a coordinated fashion with other United Nations agencies and intergovernmental organizations to promote gender equality and autonomy and women's rights. In particular, and stemming from commitments entered into at the Summit of the Americas, ECLAC participates in the Inter-American Task Force on Women's Leadership. As part of that initiatives, various activities have been pursued, including during sessions of the United Nations Commission on the Legal and Social Status of Women and the XIV Regional Conference on Women to promote women's leadership and their full participation in the public sphere.

For its part, with the support of the CAF – Development Bank of Latin America, and in coordination with the Inter-American Commission of Women (CIM/OAS), the Summits Secretariat is drawing up a document on corruption and gender, geared to: i) analyzing the relationship between gender and corruption issues, based on systematization of the principal theories, findings, conclusions, and public policy recommendations, in order to reflect on how far that discussion has come and on the main strategies for addressing that relationship; ii) reflecting on States' opportunities for identifying policies or strategies worth considering in connection with the mandates of the Summits process and the commitments entered into by States in the Lima Commitment; and iii) identifying the approaches and actions being espoused by the JSWG organizations to advance compliance with the Lima Commitment mandates.

The CIM also functions as the Technical Secretariat of the Inter-American Task Force on Women's Leadership, an initiative launched in the follow-up to the Eighth Summit to combine and bolster efforts by a number of inter-American and international institutions involved with the empowerment and leadership of women from a variety of perspectives. Since it was founded, the Task Force has held 20 interagency working meeting and has played a part in high-level forums, such as the United Nations Commission on the Status of Women, the Assembly of Delegates of the CIM, the Annual Conference of the CAF in Washington, D.C., and the Regional Conference on Women in Latin America and the Caribbean; together with Foreign Policy, it organized a Global Women's Summit to underscore women's leadership on the global agenda for women's rights and gender equality. The Task Force has also developed a series of tools, including: i) a Diagnostic Assessment of Women in powerful positions; ii) A Map of Initiatives and Scalable Practices, which covers 120 initiatives and programs implemented by Task Force members; and iii) A Systematization of Mandates, which singles out instruments, agreements, and recommendations that have a bearing on the work of the Task Force. All these tools are posted on the Task Force website.

In the same vein, during this period the CIM drafted -- and presented to a meeting of donors -- a project paper entitled "Strengthening the Response to the Gender Dimensions of Corruption," one of the projects on the CIM's list of those still to be financed. This project paper contains a systematic presentation of the information (data and analyses) available on gender and corruption and a

<sup>38.</sup> The members of the Task Force are: ECLAC, IDB, OAS— via the CIM and the IACHR, PAHO, UNDP, ParlAmericas, UN Women, IDEA Internacional, and the Ibero-American General Secretariat (SEGIB). In addition, two civil society organizations serve as permanent membersof the Task Force: the Caribbean Women in Leadership Institute (CIWiL) and the Committee for Latin America and the Caribbean for the Defense of W omen's (CLADEM). The CIM acts as the Secretariat for the Task Force, responsible for its overall and day-to-day functions and operations.

<sup>39.</sup> For further information on this meeting, see: <a href="https://foreignpolicy.com/events/herpower/">https://foreignpolicy.com/events/herpower/</a>

<sup>40.</sup> For further information on the Task Force, see: http://www.oas.org/en/taskforcewomenleadership/

preliminary map of regional stakeholders in this field. Likewise, the CIM has lent support to the efforts of other departments of the OAS to address corruption from a gender perspective in the work done by the Follow-Up Mechanism to the Convention against Corruption (MESICIC), as well as to projects relating to open data, cybersecurity, and transnational organized crime. It continues to draw attention to the need strengthen data gathering and analysis of information on gender and corruption with a view to formulating appropriate and inclusive response policies.

### **Inter-American Institute for Cooperation on Agriculture (IICA)**

IICA updated its 2020-2023 Gender Policy and Strategy based on human rights, social inclusion, and gender equality and equity, whereby the key priority areas for implementing IICA's Gender Policy and Strategy are: (a) governance; (b) capacity and skills-building; c) allocation of resources, accessibility, and budgeting; and (d) knowledge generation and communication.

# **Human rights approach**

# Organization of American States /Inter-American Commission on Human Rights (IACHR)

Launching of the Thematic Report on Corruption and Human Rights<sup>41/</sup>: In this report, the Inter-American Commission on Human Rights (IACHR) analyzes progress and challenges, as well as initiatives for consolidating a regional and national strategy to address the need to combat and eradicate corruption in the Hemisphere. Accordingly, the IACHR seeks to describe the multidimensional impact of corruption on democracy, the rule of law, and specially on the enjoyment and the exercise of human rights in the Americas.

# 3.1 Strengthening of mechanisms to protect whistleblowers, witnesses, and victims of corruption

## 3.1.1 Policy area: whistleblowers, witnesses, and victims of corruption

Mandate: 22

## Organization for Economic Cooperation and Development (OECD)

The OECD Working Group on Corruption has long acknowledged the importance of whistleblowers as a source for detecting foreign bribes and has made consistent recommendations in these regard to Latin American and Caribbean countries. In 2018-2020, as part of the peer review process, the Working Group recommended that the following countries adopt or improve frameworks for comprehensible and effectively protecting whistleblowers: Chile (Phase 4); Colombia (Phase 3); Costa Rica (Phase 2); and Mexico (Phase 4).

<sup>41.</sup> Further information on the IACHR Thematic Report on Corruption and Human Rights can be found at: https://www.oas.org/en/iachr/reports/pdfs/CorruptionHR.pdf

### 3.1.2 Policy area: protecting journalists

Mandate: 23

Regarding activities to protect and promote the right to freedom of thought and expression, the Special Rapporteurship for Freedom of Expression describes in the Annual Report,  $\frac{42}{7}$ ; Thematic Reports, and Country Reports,  $\frac{43}{7}$  actions undertaking in the preceding year; systematizes best practices and major challenges in each of the States of the Americas; and makes a series of recommendations to member states.

The Summit Secretariat and the Rapporteurship for Freedom of Expression of the IACHR jointly held a virtual seminar in February 2021 to establish direct dialogue on challenges to freedom of expression in the region. Key actors participating in the dialogue included press associations, investigative journalists pursuing regional agendas, international organizations interested in the subject, and thinktanks interested in protecting freedom of expression.

The Rapporteurship has pronounced on specific situations in a series of press releases whenever there has been hostility toward the exercise of freedom of expression in a country in the region and in circumstances in which protest has been criminalized, there have been arbitrary arrests, and independent media have been confiscated or closed, as well as in cases of persecution and harassment of independent journalists, human rights defenders, and members of the opposition. In the case of Nicaragua, in March 2021, a Joint Declaration was issued by the Office of the United Nations High Commissioner for Human Rights (UNHCHR)<sup>44/</sup> for Central America and the Rapporteurship on Nicaragua's Day of the Journalist. Last February, pursuant to its mandate, the Rapporteurship voiced its concern in a press release regarding harassment of journalists, artists, and human rights defenders exercising their freedom of expression in Cuba<sup>45/</sup>, as well as in the case of protection of journalists in Ecuador.<sup>46/</sup>

# 4.1. Compliance and corporate governance

## **Organization for Economic Cooperation and Development (OECD)**

The Latin America & Caribbean Anti-Corruption Law Enforcement Officials' Network ("LAC LEN")<sup>47/</sup> of the OECD works with regional authorities on a number of fronts to build the

- 42. For further information on the Annual Report, see: http://www.oas.org/en/iachr/expression/reports/annual.asp
- 43. For further information on country reports, see: http://www.oas.org/en/iachr/expression/reports/country.asp
- 44. For further information on the Joint Declaration with the UNHCHR, see: <a href="http://www.oas.org/en/iachr/expression/showarticle.asp?artID=1195&IID=1">http://www.oas.org/en/iachr/expression/showarticle.asp?artID=1195&IID=1</a>
- 45. For further information on the aforementioned press release, see: <a href="http://www.oas.org/en/iachr/expression/showarticle.asp?artID=1193&IID=1">http://www.oas.org/en/iachr/expression/showarticle.asp?artID=1193&IID=1</a>
- 46 Press Release R20/21: http://www.oas.org/en/iachr/expression/showarticle.asp?artID=1192&IID=1
- 47. For further information on the Latin America & Caribbean Anti-Corruption Law Enforcement Officials' Network ("LAC LEN"), see: <a href="http://www.oecd.org/corruption/anti-bribery/segunda-reunion-de-la-red-de-oficiales-encargados-de-hacer-cumplir-laleyanticorrupcion-en-america-latina-caribe.htm">http://www.oecd.org/corruption/anti-bribery/segunda-reunion-de-la-red-de-oficiales-encargados-de-hacer-cumplir-laleyanticorrupcion-en-america-latina-caribe.htm</a>

capacity of prosecutors and police authorities to investigate to investigate and prosecute corporate corruption cases: subjects that were discussed at meetings in 2019 and 2020.

Regarding state-owned enterprises, the OECD Recommendation of the Council on Guidelines on Anti-Corruption and Integrity in State-Owned Enterprises (ACI Guidelines 48/) is the first international instrument lending support to the State, in its capacity as entrepreneur, in the fight against corruption and to promote integrity in State-owned enterprises. As members of the OECD, Canada, Chile, Colombia, Mexico, and the United States have all acceded to the Recommendation. As members of the G20, Argentina and Brazil have supported the high-level principles to prevent corruption and guarantee integrity in State-owned companies.

In April 2021, the OECD published a report <sup>49/</sup> that provides an overview of measures adopted by the governments of Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico, Panama and Peru to enhance integrity and prevent corruption in their State-owned enterprises, based on the findings of an OECD survey presented to government agencies responsible for the ownership and coordination of national State-owned companies in all the countries participating in the Latin American Network on Corporate Governance of State-Owned Enterprises. The chief purpose of that report is to help Latin American jurisdictions identify rules and concrete practices they could adopt to be even more in line with ACI Guidelines. The report also singles out areas relating to the Guidelines that the OECD could eventually prioritize in Latin America.

Since 2019, the OECD-CAF Latin American Network on Corporate Governance of State-Owned Enterprises, has provided a high-level forum for like-minded officials to engage in a structured policy dialogue, focusing on implementation of the ACI Guidelines in the region, including a survey of rules and practices. The sixth meeting of the Network (June 2019) afforded an opportunity for property ministries and/or coordinating entities, the administrators of State-owned enterprises, and members of the board, and a variety of stakeholders interested in promoting corporate governance to share their experiences and knowledge of governance policies in State-owned enterprises, practices, and reforms, with particular emphasis on the performance of the board of directors and integrity in State-owned companies.

As for the OAS, the Department of Legal Cooperation (DLC), in its capacity as Technical Secretariat for the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) and for the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA), is an active participant in the LAC-LEN Network. Thus far, the LAC-LEN Network has met three times (Argentina 2018; Brazil 2019; and virtually in 2020) and the DLC has attended those meetings and provided them information regarding numerous legal cooperation experiences and instruments that in its view could advance the objectives of the LAC-LEN Network.

The third LAC-LEN meeting took place from November 18-19, 2020. Focusing on issues relating to the current COVID-19 crisis, the meeting was attended by more than 90 prosecutors and

<sup>48.</sup> ACI Guidelines at: https://www.oecd.org/daf/ca/corporategovernanceofstate-ownedenterprises/48632643.pdf

<sup>49.</sup> Anticorruption and Integrity in Latin America: https://www.oecd.org/corporate/survey-integrity-anti-corruption-soes-latin-america.htm

staff of attorney generals' offices and anticorruption law enforcement agencies in 16 countries of the region and OECD member countries, such as Canada, Italy, the United Kingdom, and the United States. The COVID-19 pandemic significantly increased the risks of corruption in Latin America and the Caribbean, as it did worldwide, and had a negative impact on investigations and trials in the region. For that reason, the 2020 LAC-LEN meeting focused on discussing challenges, sharing best practices, and peer-run training courses in cases dealing with the impact of, and response to, COVID-19; special cases of corruption in government procurement and financial aid packages; corporate liability and compliance with anti-corruption rules; and work with witnesses, informants, and whistleblowers.

### 5.1. Detection, investigation, and prosecution of acts of corruption

#### 5.1.1. Combating bribery and money laundering – tax evasion - recovery of assets

Mandates: 34-44, 7, 55

# Organization of American States (OAS) /Summits Secretariat/Secretariat for Multidimensional Security (SMS)

The "Policy Dialogue – Money Laundering and its Relationship to Corruption Investigations" was conducted jointly, in September 2019, by the Summits Secretariat and the Department against Transnational Organized Crime (DDOT) of the OAS Secretariat for Multidimensional Security. Its purpose was to provide an updated overview of the latest forms of money-laundering and their ties to corruption investigations. Speakers addressed the challenges of "Implementing parallel financial investigations in Latin America and the Caribbean based on case studies: investigation strategies, achievements, and gaps in their implementation" and "Recovering assets derived from acts of corruption in Latin America and the Caribbean: the role of international cooperation in developing investigation measures and strategies." The Dialogue sought to address the concerns of a variety of actors in the Summits of the Americas Process, including representatives of participating States, of the JSWG organizations, such as the IDB and the World Bank, in addition to the OAS, representatives of civil society, and other social actors, and other observers interested in the subject. 50/2

The Special Session on "Cooperation in matters of investigations and procedures related to corruption, tax crimes, and associated money laundering," was conducted by the DDOT of the OAS with the Summits Secretariat in connection with the XLVIII Meeting of the OAS Group of Experts for the Control of Money Laundering (GELAVEX). Also participating in this session were experts from the OECD, World Bank, and the Inter-American Center of Tax Administrations (CIAT) keen to share their experience and knowledge with a view to strengthening cooperation mechanisms and the work of the JSWG. The recommendations made during this special session were examined again at the (virtual) XLIX Plenary Session of GELAVEX in Asunción, Paraguay, on November 10, 2020. They were incorporated by the Subworking Group on Financial Intelligence Units and Criminal Investigation Agencies in the 2020-2023 Strategic Plan on money laundering and tax fraud derived

<sup>50.</sup> Further information on the "Policy Dialogue – Money Laundering and its Relationship to Corruption Investigations", is available at: http://summit-americas.org/jswg/Policy%20Dialogue/policydialogue2019.html

from acts of corruption, which envisages producing a study on money laundering resulting from acts of corruption related to illicit trafficking in drugs and arms and to tax fraud, with a special emphasis on identifying typologies and legislative analysis in the countries pertaining to the group, with assistance from the Technical Secretariat and other areas of the OAS General Secretariat, such as the MESICIC.

The "Virtual Seminar on National Money Risk Assessment (NRA) of Money Laundering for Latin America and the Caribbean" took place in October 2020, with a view to providing training and a forum for sharing experiences with NRA for the countries of Central America and the Caribbean and in order to review and update the assessment. It was conducted by the DDOT of the OAS together with the Summits Secretariat and the World Bank, and with the support of the Executive Secretariats of the Latin American Financial Action Task Force (GAFILAT) and the Caribbean Financial Action Task Force (GAFIC).

# **Organization for Economic Co-operation and Development (OECD)**

From 2018 to 2020, the Global Forum on Transparency and Exchange of Information for Tax Purposes<sup>51/</sup> (Global Forum) conducted peer reviews for 17 jurisdictions in Latin America and the Caribbean: Brazil, Anguilla, Guatemala, the Turks and Caicos Islands, Costa Rica, Dominican Republic, Panama, Peru, Barbados, Chile, Uruguay, Curacao, Dominica, Antigua and Barbuda, British Virgin Islands, and Saint Maarten. The peer reviews have enabled the countries of Latin America to improve their domestic legal frameworks and their practices with respect to the availability of ownership accounting information, access to it, and the sharing of it with other parties to the treaty.

The Global Forum held eight seminars for more than 900 government officials in Latin America and the Caribbean between 2018 and 2020. The training covered: i) international standards for transparency, (ii) seminars on actual beneficiaries, and (iii) seminars on the use of shared information in tax audits.

In November 2018, ministers and vice ministers from Latin American countries held side meetings during the Global Forum Plenary in Punta del Este, Uruguay, to discuss how to use information exchanges to combat tax fraud and corruption. At the end of the meeting, they signed the Declaration of Punta del Este. One year later, in November 2019, a ministerial meeting was held, organized by the OECD Secretary-General, prior to the plenary meeting marking the tenth anniversary of the Global Forum. That meeting afforded an opportunity for ministers and high-level officials from signatory jurisdictions to ponder progress made since adoption of the Declaration. Thus far, 12 Latin American jurisdictions have signed the Declaration of Punta del Este.

<sup>51.</sup> Further information on the Global Forum can be found at:
 <a href="https://www.oecd.org/tax/transparency/documents/el-foro-global-marca-un-cambio-dramatico-en-la-lucha-contra-la-evasion-fiscal-con-el-inicio-generalizado-del-intercambio-automatico-de-informacion-financiera.htm">https://www.oecd.org/tax/transparency/documents/el-foro-global-marca-un-cambio-dramatico-en-la-lucha-contra-la-evasion-fiscal-con-el-inicio-generalizado-del-intercambio-automatico-de-informacion-financiera.htm</a>

In 2018-2020, the OECD Latin America Academy for Tax and Financial Crime Investigation <sup>52</sup>/<sub>offered</sub> courses on VAT/GST fraud, conducting and managing financial investigations, money laundering, investigation techniques, international cooperation, and asset recovery for more than 115 officials from 13 LAC countries. In addition, the OECD Global Relations Programme in Taxation produced three electronic learning modules relating to the detection, investigation, and prosecution of acts of corruption: i) Information-sharing as a tool for combating tax evasion abroad (2,253 participants); ii) Combating tax crimes: the ten global principles (1,314 participants); and iii) Actual benefit (305 participants).

More recently, the OECD took part in a meeting marking the 30<sup>th</sup> Anniversary of the Group of Experts for the Control of Money Laundering (GELAVEX) on June 30, 2020. It gave a presentation on investigative techniques and money laundering in a post-COVID-19 context.

As regards efforts to combat corruption, nine countries of the Americas are parties to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (the Anti-Bribery Convention) and members of the Working Group on Bribery. In 2018-2020, the Working Group monitored a peer review for Argentina Phase 1 bis and Follow-up to Phase 3bis), Chile (Phase 4), Colombia (follow-up to Phase 2 and Phase 3); Costa Rica (Phase 2), Mexico (Phase 4), Peru (Phase 1), and United States (Phase 4).

- The monitoring process lent support to the promulgation and implementation of corporate responsibility laws in Argentina, Costa Rica, Peru, and Chile.
- The reports also underscored Colombia's efforts to combat foreign bribery with stepped-up moves by the Superintendency of Corporations to proactively investigate reports of foreign bribery by companies and to promote corporate programs to comply with anti-corruption laws.
- Mexico: successfully implemented the recommendations made in its Phase 3 evaluation, including amending the definition of the offence of bribery abroad to include cases involving third-party beneficiaries; guarantee that corporations can be considered responsible for bribery abroad without the individual perpetrators being tried or convicted; increase the maximum punishments for accounting crimes; and clarify that bribes are not tax-deductible.
- Chile: legislation significantly improved the overall anti-corruption framework, including the crime of bribery abroad, penalties, and prescription timeframes.
- Finally, the evaluation of Peru's Phase 1 highlighted several problems with respect to the crime of bribery abroad, corporate liability, and the ruling out of the tax-deductibility of bribes, all of which will be more closely reviewed by the Working Group on Bribery in International Business Transactions (WGB) in 2021.

<sup>52.</sup> For further information regarding the OECD Latin America Academy for Tax and Financial Crime Investigation, see: <a href="https://www.oecd.org/corruption/crime/academia-latinoamericana-de-la-ocde-para-la-investigacion-de-delitos-tributarios-v-financieros.htm">https://www.oecd.org/corruption/crime/academia-latinoamericana-de-la-ocde-para-la-investigacion-de-delitos-tributarios-v-financieros.htm</a>

## **Organization of American States (OAS)/ Department of Public Security (DPS)**

Uruguay: Creation and implementation of the Code of Ethics of the Uruguayan and development of a joint project with the Pan American Development Foundation (PADF) to draft a Guide for the Comprehensive Care of LGBTIQ and Older Persons, Victims of Trafficking in Persons. This Department is also working on strengthening the legal and regulatory framework relating to trafficking in persons in Ecuador and arms trafficking in Ecuador and Peru.

Honduras: Five of the DPS recommendations in the "Situational Diagnostic Assessment of the Municipal Public Security System in Tela, Honduras" now form part of the 2013-2019 Local Citizen Coexistence and Security Plan; while other DPS initiative are looking into the possibility of systematizing other codes of conduct for various government institutions. The DPS is also implementing initiatives in Central America aimed at protecting and providing care to witnesses and victims of various crimes, including some related to transnational organized crime and corruption.

Together with the OAS Department for Sustainable Development, the DPS is drafting a Proposed Model Strategy for protecting critical infrastructure in the event of natural disasters and drawing up a Protocol for Emergency and Security Services in the Hemisphere. In connection with the Inter-American Network for Police Development and Professionalization, REDPPOL, the DPS is fostering cooperation among police forces in the Americas through a variety of mechanisms, such as courses, seminars, and the establishment of a virtual platform. At the same time, the Department has developed a number of information systems to promote data sharing among member states.

## **6.1.** Strengthening of Inter-American Anti-Corruption Mechanisms

# Organization of American States (OAS)/Secretariat for Legal Affairs (SLA) / Department of Legal Cooperation (DLC)

The Committee of Experts of the Follow-Up Mechanism to the Convention against Corruption (MESICIC) invited representatives of the OECD, the United Nations, the Council of Europe – Group of States against Corruption (GRECO) and the G20 Anti-corruption Working Group to its 31<sup>st</sup> Meeting to take part in a panel discussion on International Anticorruption Mechanisms. The objective was to inform members of the MESICIC about the way each mechanism works to identify possible areas for cooperation, joint work, and increased synergies.

The Thirty-fifth Plenary Meeting of the Committee of Experts of the Follow-Up Mechanism to the Convention against Corruption (MESICIC) was conducted from March 8-11; for the first time, virtually, due to the restrictions derived from the COVID-19 pandemic. The meeting began by analyzing the draft country reports in the first review group of the sixth round: Paraguay and Peru. There were also voluntary presentations on best practices by the delegations of Argentina, Bolivia, Chile, Guatemala, Mexico, Panama, and Peru.

Finally, a Special Session was held on "Preventing and Combating Corruption in the Pandemic: experiences, developments, and lessons learned," with presentations by the delegations

of Brazil, Chile, Colombia, Costa Rica, Guatemala, Honduras, Jamaica, Mexico, Paraguay, Peru, the United States, and Uruguay.

For its part, the Technical Secretariat outlined a new methodology of Indicators for Detecting, Preventing, and Eradicating Impunity in Acts of Corruption, for the experts to consider. 53/

To follow up on that panel discussion, a second one, entitled "International Anti-corruption Mechanisms and Best Practices in Member States," was organized in connection with the 33<sup>rd</sup> Meeting of the Committee of Experts of the MESICIC. Taking part in that discussion panel were representatives of the MESICIC, UNCAC, the Executive Secretariat of GRECO, and the OECD. Its purpose was to continue the exchange of views that had begun in the previous panel, but focusing on how each mechanism views best practices in its member states with respect to preventing and combating corruption, with a view to continuing to explore areas for collaboration and mutual cooperation.

In addition, representatives of the Committee of Experts and Technical Secretariat of the MESICIC took part in the High-level Regional Anti-Corruption Conference organized by the United Nations and held in Colombia in May 2019, as well as in the First Meeting on International Instruments and Mechanisms for Preventing and Combating Corruption of the G20 Anti-Corruption Working Group, held in Mexico, in May 2019.

In its capacity as Technical Secretariat of the MESICIC and of the Meetings of Ministers of Justice of the Americas (REMJA), the OAS Department of Legal Cooperation is an active participant in the Latin America & Caribbean Anti-Corruption Law Enforcement Officials' Network ("LAC LEN"). The LAC-LEN Network is the first and only network to provide practical training by peers and based on real cases for experts on the subject throughout Latin America and the Caribbean.

The above constitute initial examples of implementation of this mandate, in addition to the day-to-day dialogue and information-sharing conducted by the Technical Secretariats.

## Rules and regulatory frameworks

"Inter-American Model Law 2.0 on Access to Public Information" 54/: In 2017-2019, at the behest of the OAS General Assembly, the OAS Department of International Law (DIL) conducted consultations with focal points of the Inter-American Program on Access to Public Information with a view to updating and broadening the Inter-Inter-American Model Law on Access to Public Information. A preliminary draft was presented to the Inter-American Juridical Committee (CJI) by the DIL in its capacity as Technical Secretariat and reviewed during the regular sessions held in August 2019 and March 2020. The Committee later approved the proposed Inter-Inter-American Model Law on Access to Public Information 2.0, which was then adopted by the OAS General

<sup>53.</sup> For further information, see: <a href="https://www.argentina.gob.ar/noticias/la-oficina-anticorrupcion-participo-de-la-xxxv-reunion-plenaria-del-comite-de-expertos-de">https://www.argentina.gob.ar/noticias/la-oficina-anticorrupcion-participo-de-la-xxxv-reunion-plenaria-del-comite-de-expertos-de</a>

<sup>54.</sup> For further information on the Inter-American Model Law 2.0 on Access to Public Information, see: http://www.oas.org/en/sla/dil/docs/publication\_Inter-American\_Model\_Law\_2\_0\_on\_Access\_to\_Public\_Information.pdf

Assembly on October 21, 2020.<sup>55/</sup> This regulatory framework, drawn up by the OAS Department of International Law and approved by the Inter-American Juridical Committee (CJI) incorporates state-of-the-art standards and best practices for promoting transparency and the right to access information after more than a year of extensive consultations with a variety of actors: organizations guaranteeing access to public information in the region, government institutions, international organizations, academia, the private sector, civil society, and others.

#### Organization of American States (OAS)/Summits Secretariat

## Meetings of High-level Authorities of the JSWG on the Impact of COVID-19

Four meetings of High-level Authorities of the JSWG on the impact of COVID-19 in the Americas<sup>56/</sup> were convened by the OAS Secretary General, Mr. Luis Almagro, in his capacity as Chair of the JSWG, and by the Director of the Pan American Health Organization, Dr. Carissa Etienne. The meetings were conducted virtually on April 3 and 29, June 12, and September 14, 2020, with a view to sharing diagnostic assessments and courses of action taken by the JSWG organizations to mitigate the effects of COVID-19 on countries in the region and in order to underscore the need for a coordinated and multilateral response to post-pandemic challenges. The information furnished by the JSWG organizations provided an overview of health, socio-economic, and governance impacts in the region.

## Strengthening of Civil Society Participation and Social Actors

In April 2020, based on a series of established and published criteria, the Summits Secretariat created 34 National Anti-corruption Hubs<sup>57/</sup> after a selection process involving the Relations with Civil Society Section at the OAS and JSWG organizations, which elicited and confirmed the participation of some 200 representatives of civil society and social actors in the region. Their main activity is to prevent and fight corruption. The work done by members of the anti-corruption hubs directly complements the mandates derived from the Eighth Summit of the Americas, with a primary focus on the first three Pillars of the Lima Commitment: 1) Strengthening of Democratic Governance; 2) Transparency and access to information, protection of whistleblowers, and human rights, including freedom of expression; and 3) Political organization and election campaign financing.

The members of the national hubs have come up with initiatives for preventing and combating corruption that are posted in the "initiatives bank" web page of the National Anti-corruption Hubs. A virtual fair is also to be launched to highlight those initiatives for other actors in the Summits Process, such as the member states in the JSWG.

<sup>55.</sup> Further information is available at: <a href="http://www.oas.org/en/sla/dil/access">http://www.oas.org/en/sla/dil/access</a> to information Proposed Model Law.asp

<sup>56.</sup> For further information on the four meetings of High-level Authorities of the JSWG onn the Impact of COVID-19 in the Americas, see: <a href="http://www.summit-americas.org/jswg\_meet.html">http://www.summit-americas.org/jswg\_meet.html</a>

<sup>57.</sup> Further information on National Anti-corruption hubs is available at: <a href="http://www.summit-americas.org/anticorruptionhubs.htm">http://www.summit-americas.org/anticorruptionhubs.htm</a>

Organizations comprising the Hubs include, for instance: Transparency International and several of its national chapters, *Accountability Lab* (Mexico), Asociación Civil Transparencia (Peru), Fundación Directorio Legislativo (Argentina), Espacio Público (Chile), *Integrity Group Barbados Inc.*, *Grenada Human Rights Organisation (GHRO)* Inc, Logox Conocimiento e Inteligencia (Colombia), Asociación para una Sociedad más Justa (Honduras) y Abriendo Datos Costa Rica.

The idea of the hubs is to achieve close coordination among autonomous (self-managed) national forums geared to: i) underscoring the work of civil society and social actors in preventing and combating corruption; ii) facilitating the sharing of best practices and capacity-building for active participation, monitoring, and defense in connection with the Lima Commitment; iii) promoting dialogue with government authorities, representatives of the JSWG; and iv) facilitating access to specialized information on various issues related to the Summits Process. To facilitate the work of the national hubs, the Summits Secretariat has created virtual forums for each national hub, through the Virtual Summits Community. Those forums constitute each hub's official communication channel.

In the same vein, participation by civil society and social actors in the monitoring and implementation phase of the Eighth Summit has been broadened and strengthened through a series of actions, including the development and/or bolstering of the sector's digital capabilities by the Summits Secretariat, in association with Laboratoria, an enterprise focusing on digital matters. An effort has also been made to boost cooperation with *Young Americas Business Trust (YABT)* and the Inter-American Federation, with a view to promoting the participation of young people in the Summits Process and in addressing COVID-19. More recently, in connection with the national dialogues conducted by the Summits Secretariat with civil society, social actors, and national coordinators of the Summits Process, in coordination with the Office of the Chair of the Process, an effort has been made to elicit the cooperation and active participation of the Latin American and Caribbean Network for Democracy (Redlad).

## Organization of American States (OAS)/ Secretariat for Strengthening Democracy

As part of efforts in the region to combat corruption, the OAS established its Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH), finalized in January 2020: the first OAS mission to combat corruption in a member state.

Pursuant to its mandate, the MACCIH helped establish a National Anticorruption System in Honduras, and with respect to investigations, it helped to set up the Special Prosecutor's Unit against Impunity for Acts of Corruption in the Public Prosecutors' Office (UFECIC/Ministerio Público). Working with the UFECIC/MP, the MACCIH managed to take 15 criminal corruption and asset forfeiture (*privación de dominio*) cases to court, with more than 100 persons involved in the proceedings.

In addition, the MACCIH presented six bills for effective efforts to combat corruption and impunity. It also produced the report entitled "Proposals for the Honduran Criminal Justice System for the Treatment and Management of Cases of Corruption and those with High Social Impact," drawn up by the Justice Studies Center of the Americas (JSCA), containing a set of recommendations for bolstering the quality, effectiveness, and legitimacy of the Honduran criminal justice system.

To provide civil society with opportunities to share and generate new knowledge regarding issues on Honduras' agenda for combating corruption, the MACCIH used the Criminal Justice System Observatory to conduct workshops and/or talks about citizen participation in the fight against corruption.

Haiti: In connection with regional efforts to combat corruption, the OAS is carrying out diagnostic assessments of Haiti's anti-corruption system as a first step toward implementing its "Institutional Strengthening to Combat Corruption in Haiti" project.

The first findings of those studies point to the existence of challenges similar to those mentioned by member states during the Summits process. A review needs to be undertaken of the processes for detecting, investigating, and prosecuting acts of corruption in Haiti with a view to reinforcing probity mechanisms at all levels of public administration.

Those efforts also need to be accompanied by efficient denunciation mechanisms providing adequate guarantees for protecting whistleblowers, witnesses, and victims of corruption. These well-identified challenges will be an essential focus of the technical support that the OAS will provide for implementation of the anti-corruption initiative in Haiti, geared to providing the foundations for effective anti-corruption efforts in that country.

International Commission against Impunity in El Salvador (CICIES)<sup>58</sup>: In 2019, the OAS General Secretariat and the Government of El Salvador managed to sign a cooperation agreement to establish the CICIES. Various activities have been carried out under that Agreement:

- The development and strengthening of effective and transparent public service mechanisms: Implementation of a technical assistance mechanism in a number of government institutions executing funds for addressing the COVID-19 emergency, with a view to making recommendations regarding quality, effectiveness, and legitimacy in government spending.
- Compliance with due process and corporate governance requirements: Fostering of observance of the applicable regulatory framework, such as the Public Administration Procurement and Hiring Act, the Access to Public Information Act, and the Governmental Ethics Act. In addition, the CICIES encourages respect for good governance, inter-agency cooperation, and accountability by the Executive to competent audit and oversight bodies.
- Detection, investigation, and prosecution of acts of corruption: The CICIES has signed cooperation agreements with the Attorney General of the Republic, the Supreme Court of Justice, the Ministry of Justice and Public Security, and the Government of El Salvador, to provide technical assistance to strengthen criminal investigation and prevent acts of corruption. Activation of the Single Protocol of Procedures for providing CICIES technical assistance to the FGR constitutes an innovative mechanism in the fight against corruption in El Salvador.

<sup>58.</sup> International Commission against Impunity in El Salvador (CICIES): http://www.oas.org/es/sap/dsdme/cicies/.

In connection with the objectives established in the Framework Agreement between the Government of the Republic of El Salvador and the GS/OAS, <sup>59/</sup> following analysis of proposals put forward by civil society organizations and intergovernmental entities, last March CICIES proposed a series of legal amendments to the Government of El Salvador aimed at preventing corruption, guaranteeing transparency, and making government officials accountable, along with new approaches ("typologies") for prosecuting crimes against State property. <sup>60/</sup> It also recommends strengthening the office of the Prosecutor General of the Republic (PGR) and other oversight bodies; introducing efficient and transparent mechanisms for selecting second-tier officials; updating the laws that really regulate public office; and promoting the participation of the authorities and of civil society in the fight against corruption, as well as other measures.

With a view to strengthening the fight against corruption, the United States announced financial support for the GS/OAS under the cooperation agreement in effect between the Office of the Attorney General of the Republic and CICIES  $|OAS|^{61/2}$ 

Audit, technical assistance, and monitoring mechanism regarding the use of funds in public administration that are allocated to addressing the national emergency triggered by the COVID-19 pandemic: at the request of President Nayib Bukele, the CICIES will monitor the use of funds allocated to address the health emergency in the country caused by COVID-19, with a view to avoiding any areas of corruption in the handling of emergency funding. The audit mechanism will make recommendations for strengthening institutions to enhance and ensure efficiency, quality, effectiveness, and legitimacy in public expenditure, and it will develop a regulatory and operational framework that will be useful for preventing inappropriate practices during emergencies.

Promotion of democratic values and empowerment of young people: With a view to strengthening promotion and support of the principles set forth in the Inter-American Democratic Charter and fostering the active, responsible, and conscious participation of young people in democracy and the public agenda, especially as regards the use of digital platforms, the Secretariat for Strengthening Democracy (SFD), through the Department for Sustainable Democracy and Special Missions (DSDME), developed the project "Strengthening and Promotion of the Inter-American Charter and Democratic Values and Principles," to be implemented in the coming months.

<sup>59.</sup> Framework Agreement between the Governmnt of the Republic of El Salvador and the OAS General Secretariat, at: <a href="https://www.oas.org/en/media\_center/press\_release.asp?sCodigo=E-028/21">https://www.oas.org/en/media\_center/press\_release.asp?sCodigo=E-028/21</a>

<sup>60.</sup> The CICIES is proposing amendments to: the Law onf Illicit Enrichment of Government Officials and Public Servants (1959); the Criminal Code (1998) and Code of Criminal Procedure (1973); the Law against Money Laundering (1998); amendment or repeal of the Law governing the Fund for Civil Defense and Disaster Prevention and Mitigation, FOPROMID, (2005); the Government Ethics Act (2011); and the Special Law on Expropriation (*Extinción de Dominio*) Administration of Illegally Acquired Assets or Assets to be used for Illicit Purposes (2013).

<sup>61.</sup> For further information, see: https://www.oas.org/es/centro\_noticias/comunicado\_prensa.asp?sCodigo=C-034/21

Electoral Observation and Cooperation: The Department for Electoral Cooperation and Observation (DECO) deploys Electoral Observation Missions (EOM), <sup>62/</sup> with a view to analyzing and studying various specific aspects of the way elections are run, such as electoral justice, which focuses on the legal and regulatory framework govern; Ing the electoral process; political party/electoral financing, which examines countries' political financing systems, how they are applied, and accountability; and gender, which analyzes the conditions for effective exercise of women's and men's political rights.

Thus, in 2019, in EOMs deployed to observe electoral processes in Bolivia, Colombia, Dominica, Ecuador, El Salvador, Guatemala, and Panama, electoral observation methodologies were reportedly applied, and recommendations made for strengthening countries' electoral systems.

In 2020, EOMs were deployed to Costa Rica, Dominican Republic, Guyana, Peru, and Suriname, in which electoral justice, political/electoral /financing, and gender methodologies were applied.

#### **Technical Cooperation**

Honduras: Under a project was executed in coordination with the Congress of Honduras, advice was provided for putting in place a new electoral legal framework, comprising mechanisms for imparting electoral justice and political party/electoral financing and accountability systems. This project provided important input in connection with the political-electoral reform under way in Honduras aimed at revamping its political-electoral system.

In addition, DECO helped prepare the "Media Literacy and Digital Security: Twitter best practices," presented in September 2019, and worked with the Special Rapporteurship for Freedom of Expression of the Inter-American Commission on Human Rights on drafting the "Guide to guaranteeing freedom of expression regarding deliberate disinformation in electoral contexts."

<sup>62.</sup> The specific reports and recommendations of each EOM can be consulted at: www.oas.org/EOMDatabase/default.aspx?Lang=en.

<sup>63.</sup> While the gender perspetive is incorporated in all the methodologies, in the El Salvador elections the specific gender methodology was not applied.

<sup>64.</sup> For further information on the Media Literacy and Digital Security, see: <a href="https://www.oas.org/en/sms/cicte/docs/20190913-DIGITAL-ENG-Alfabetismo-y-seguridad-digital-Twitter.pdf">https://www.oas.org/en/sms/cicte/docs/20190913-DIGITAL-ENG-Alfabetismo-y-seguridad-digital-Twitter.pdf</a>

<sup>65.</sup> For further information on the "Guide to guarantee freedom of expression regarding deliberate disinformation in electoral contexts," see: http://www.oas.org/en/iachr/expression/publications/Guia\_Desinformacion\_VF%20ENG.pdf

DECO also helped with work on the Guide entitled "Cybersecurity considerations of the democratic process for Latin America and the Caribbean" 66/ developed by the Cyber-security Program of the Inter-American Committee against Terrorism (CICTE).

Promoting Peace: Transparent public administration is a pre-requisite for healthy coexistence. For that, citizens need to be trained in ethical principles and values, with social responsibility and adaptability. Through the Education for Peace Program established by the OAS General Assembly and supported by the Summits of the Americas, the Department for the Promotion of Peace of the SFD will encourage the learning of values and practices of a democratic political culture through meetings, workshops, training sessions, and seminars on the subject, directed at all sectors of society, especially youth.

http://www.oas.org/en/sms/cicte/docs/ENG-Cybersecurity-Democratic-Process-LAC.pdf

<sup>66.</sup> For further information on the guide to Cybersecurity considerations for the democratic process for Latin America and the Caribbean, see: