

MINUTES

OF THE FIRST MEETING 2022 OF THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN STATES SPECIALIZED GROUP FOR THE PREVENTION AND FIGHT AGAINST CORRUPTION

I. BACKGROUND

Based on article 2.2, subsection m., article 5.1 and article 5.2 of section I of the Procedures for the Organic Functioning of the Community of Latin American and Caribbean States (CELAC), as well as article 7 of the Specialized Group for the Prevention and Fight against Corruption (SGPFC) Operational Guidelines, the First Annual Meeting of the Group was held virtually, due to the sanitary conditions resulting from the Covid-19 pandemic, on May 26, 2022, from the city of Buenos Aires, Argentina.

In accordance with article 4 and article 6, section IV of the same Operational Guidelines, the meeting was chaired by the Anti-Corruption Office of the Presidency of the Nation of the Argentine Republic, country that in 2022 occupies the Presidency Pro Tempore (PPT) of CELAC, and these Minutes were drawn up by the Ministry of Public Administration of the United Mexican States, which acts as the Support Mechanism of the SGPFC.

II. PARTICIPANTS

CELAC Member States representatives of anti-corruption authorities participating in this meeting: Félix Crous, Deborah Lucía Hafford, Luis Villanueva, Omar Sosa, Vanina Aliana Mona, Ana Carina Rodríguez (**Argentina**); Deirdre Clarke-Maycock (**Bahamas**); Julia Susana Ríos Laguna, Bayardo Martínez Villarroel, Andrea Segovia Camargo (**Bolivia**); Valeria Lübbert Alvarez (**Chile**); Beatriz Elena Londoño Patiño, Armando José Navarro Burgos (**Colombia**); José Armando López Baltodano (**Costa Rica**); Mirian Marbán González (**Cuba**); Milagros María Ortiz Bosch, Berenice Barinas, Gilka Meléndez (**Dominican Republic**); Mayra Mejías, Roberto Andrada, Benjamín Vasconez, Verónica Gómez (**Ecuador**); Julia Girones, Gabriela Suarez, Claudia Orozco (**El Salvador**); Gregorio Saavedra, Jaime Rafael Muñoz Flores, Cristian Ricardo Piral Paz, Heidy Panjoj (**Guatemala**); Raine Oliphant, Martin Morgan (**Jamaica**); Luis Enrique Pereda Trejo, Claudia Helietta González Hernández, Berenice Salazar Ayala, María Fernanda Sillero Hernández (**Mexico**); Hernaldo José Chamorro Díaz, Luis Rodríguez (**Nicaragua**); Elsa Fernández Aguilar, Tania Vásquez, Carmen Montenegro, Harry Pinto (**Panama**); Giselle Minardi Lateralra (**Paraguay**); Eloy Alberto Munive Pariona, Carlos Augusto Villena Changanaquí (**Peru**); René Simmons (**Saint Vincent and the Grenadines**); Susana Signorino Barbat, Valeria Martínez (**Uruguay**); Jhosnel Peraza Machado (**Venezuela**).

Guests¹: Giuseppe Abbatino; Laura Valli (**Italy**)

¹ Based on article 13 of the Operational Guidelines of the Community of Latin American and Caribbean States Specialized Group for the Prevention and Fight Against Corruption, adopted by consensus during the Fifth Meeting of Ministers and High Authorities of Prevention and Fight against Corruption of October 27, 2021.

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III. PROCEEDINGS

The Head of the Anti-Corruption Office of the Presidency of the Nation of Argentina, Dr. Félix Crous, opened the Meeting, after welcoming and thanking the participants. Likewise, he thanked Mexico for its support as a Support Mechanism, granting the use of the voice to Luis Enrique Pereda Trejo, General Director of International Perception of Corruption of the Ministry of Public Administration of Mexico, to proceed with the reading of the agenda.

Subsequently, the presidency submitted the agenda to the approval of the members, voting in favor unanimously by those present ([Annex I](#)).

Continuing with the development of the agenda, Deborah Hafford, Director of Institutional Relations of the Anti-Corruption Office of Argentina, announced the start of the First Panel, where member states made presentations in relation to Working Stream I. Ethics and Integrity in public service, and Working Stream II. Business Integrity and Public-Private Partnerships (PPP).

Mexico presented its new "*Code of Ethics of the Federal Public Administration*". The head of the Mexican delegation, Luis Enrique Pereda Trejo, specified that one of the fundamental objectives of the drafting of the new Code of Ethics was to more rigorously observe human rights respect and promotion: "it is not our first code, but if it is the best". It is the result of layers of knowledge and experiences shaping a mandatory instrument for all public officials of the Federal Public Administration. It anchors to universal principles, values and integrity rules, unrelated to any political tendency and it is simplified. It includes new terms based on human rights, such as "dignity" and "gender equality", delimiting that previously they were only inferred, but now their scope is already reflected and explained in the initial references.

Another innovation is that now the Mexican Code of Ethics is a guiding instrument for the behavior of persons not considered public officials while working in federal institutions, such as those providing social services, carrying out professional practices, or other cases. The goal is to promote adequate working environments, foster ethical and responsible behavior, and eradicate behaviors that represent acts of corruption. Pereda Trejo pointed out that, in general, the Code of Ethics seeks to encourage public officials to act from the conviction of not committing acts of corruption and for them to be convinced that their conduct adheres to public ethics ([Annex II](#)).

During the presentation, Mexico pointed out that CELAC is one of the priorities of its foreign policy. Not only because of the historical, ethnic, geographic and cultural ties, but also because of the potential in the unity of the Latin American and Caribbean peoples facing a changing world full of challenges that can be met in a joint and coordinated manner.

Continuing with the agenda, Peru presented the "*Integrity Function in the Public Administration of Peru*", in charge of Eloy Alberto Munive Pariona, Secretary of Public Integrity of the Presidency of the Council of Ministers. He stressed that it is important to have a forward-looking vision, which, for Peru, is about achieving by 2030 an effective capacity to prevent and punish corruption, with high standards of integrity in public entities and with public officials prepared to promptly identify and mitigate the risks that could configure acts of corruption in the exercise of public functions.

He highlighted that the Integrity Function model for Peruvian public sector entities seeks to promote and articulate efforts within the entities for the implementation of the Compliance Model (based on good practices and national and international standards, to strengthen the integrity and

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preventive capacity against corruption). It includes the development of strategies aimed at evaluating and strengthening the ethical performance of public officials; as well as measures to manage the risks of corruption and unethical practices ([Annex III](#)).

Next, the Dominican Republic presented "[*The Government Integrity and Regulatory Compliance Commissions*](#)". Previously, the General Director of Ethics and Government Integrity (DIGEIG) of the Dominican Republic, Milagros Ortiz Bosch, reported the progress that the country has made in this area, primarily the achievement of the independence of the corruption investigation authorities ([Annex IV](#)).

Berenice Barinas, Executive Director of the DIGEIG, mentioned that through Decree 791/21 of December 9, 2021, the old Public Ethics Commissions transformed into Government Integrity and Regulatory Compliance Commissions. The new Commissions bring a preventive integrity approach, as new plural instances with representation of all the occupational groups present in the public administration with the fundamental objective of promoting institutionalization, ethics, the encouragement of honest conduct in public service, monitoring compliance with the code of ethics and conduct. She stressed that the innovative change is that they will serve as operational bodies for the standardization of programs and policies for regulatory compliance, risk prevention, anti-bribery, management of government integrity tools, to prevent acts of corruption and conflicts of interests in public administration. The objective is to guarantee the principle of good governance.

Continuing with the agenda, a space opened for consultations and exchange among the participating States.

Eloy Alberto Munive Pariona, Secretary of Public Integrity of Peru, expressed the importance of taking advantage of the presentations to enable bilateral exchanges or to promote specific spaces to delve into integrity issues.

On his side, Cristian Piral, in charge of the Secretariat against Corruption of the Guatemala's Public Prosecutor, shared that currently his country is developing an update of the Code of Ethics of the Public Prosecutor. It responds to the commitments of the United Nations Convention Against Corruption (UNCAC), and mentioned the interest in exploring the possibility of exchanging some experiences with Mexico regarding the elaboration of the New Code of Ethics, even considering bilateral cooperation.

In response, Luis Enrique Pereda Trejo, noted that the Code of Ethics for public officials of the Attorney General's Office, an autonomous body, of recent publication. Finally, he said that Mexico is in the best disposition to collaborate individually or collectively to join efforts.

Deborah Hafford confirmed that the priority of the PPT Argentina for this year is to make effective exchanges of horizontal, bilateral or multilateral cooperation within the SGPFC, of products that can be very useful for the countries of the region.

Argentina presented the "[*Registry of Integrity and Transparency for Companies and Entities of Argentina \(RITE\)*](#)", in charge of Luis Francisco Villanueva, Undersecretary of Integrity Policy Planning of the Anti-Corruption Office of Argentina. He mentioned that for a long time there has been a widespread notion that corruption refers exclusively to what happens in the public sector. Today, the current paradigms conceptualize corruption as a more complex phenomenon, which

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has many causes and occurs on the borders where the public and private sectors are articulated, and where conflicts of interest may arise.

He pointed out that Argentina has been strongly working to strengthen preventive and integrity policies. To do so, the *Monitoring System for Private and Public Activities, Before and After the Exercise of Public Function*, registers the background, links and private interests of persons entering senior positions in the National State, up to three years before assuming their function. As well as the activities carried out by these individuals upon exiting from the public function up to one year after their activity in it ends. The aim is of collating and verifying compliance with pre and post public employment standards, with citizen participation control and active transparency mechanisms.

In this sense, he also referred to the *RITE* pointing out that it is an initiative of the Anticorruption Office that has the support of the Inter-American Development Bank (IDB) and the United Nations Program for Development (UNDP). Its objective is to contribute to the development and improvement of integrity programs, the exchange of good practices, and the promotion of transparent environments in business and markets. It is a collaborative, voluntary, public and educational platform.

To close the first panel, Paraguay presented the "*Seal of Integrity in the business sector of Paraguay*", by the Director of Opinions of the General Directorate of Legal Advice of the National Anticorruption Secretariat (SENAC), Giselle Minardi Laterra. Ms. Minardi mentioned that it is a program seeking to be an incentive to integrity, promote programs of this nature, as well as make companies aware of their preponderant role in preventing corruption and disseminating good integrity practices.

The purpose of the Seal of Integrity is to transform the national business ecosystem into a truly virtuous circle, attractive for investments, where integrity, transparency, honesty and sustainability be the norm. She stressed that integrity is a virtue that does not depend on the size of the company. For this reason, the Integrity Seal opens its doors to all companies, seeking to recognize all those who work with integrity and transparency in order to eradicate bad practices. It also provides to the compliant companies, public recognition of their business model, a greater opportunity to work with other actors in the private sector, better conditions for attracting investment, as well as access to a digital library with business integrity tools ([Annex V](#)).

Continuing with the agenda, a space opened for consultations and exchange among the participating States. As there were no comments, the Second Panel began, addressing Working Stream III. Open Government Data for the prevention and fight against corruption, and Working Stream IV. Protection of whistleblowers.

Ana Carina Rodríguez, Undersecretary of Services and Digital Country of the Secretariat of Technological Innovation of the Public Sector at the Head of the Cabinet of Ministers of the Presidency of the Nation of Argentina, pointed out that an open, federal and inclusive State originates from public policies that respond to citizen needs. Argentina works to contribute with tools and programs to enable equal access to information and to design public policies on data.

Ms Rodríguez specified that [Argentina's Open Data Policy](#) is included in the Open Government Strategic Plan 2020-2023, which seeks as a central objective to build a shared vision of open government among the government sector, civil society and citizens. The lines composing the

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Strategic Plan are those of National Open Government, Federal Open Government, Open State, International Open Government and Open Government Ecosystem, structured around spaces for action and possible articulation at the national, federal and global level, with the goal to advance towards an open and inclusive state. She pointed out that, since 2020, the process of opening data has been strengthened, as a result of the Covid-19 pandemic, with the possibility of generating socio-health and economic public policies based on evidence that provide timely, relevant, and high quality ongoing information on the situation.

She concluded by mentioning that the Open Data Policy strengthens ethics and integrity in the National Public Administration, contributes to the formulation of transparency and anti-corruption policies, allows evidence-based decision-making, active citizen participation, and well-being and social inclusion ([Annex VI](#)).

Berenice Barinas, Executive Director of DIGEIG continued with the presentation of the "*National Open Data Policy of the Dominican Republic*", whose main objective is to facilitate access, use and reuse of public data, as well as to serve as a starting tool of a culture of openness in the use of data. She pointed out that the Policy instructs a process of opening public data in all institutions of the public administration of the Dominican Republic, to ensure its publication in an open and interoperable data format ([Annex VII](#)).

Colombia presented the "*CONPES 4070 OF 2021: Policy Guidelines for the Implementation of an Open State Model in Colombia*". The Secretary of Transparency of the Presidency of the Republic, Beatriz Elena Londoño Patiño, defined the CONPES as Public Policy documents that draw lines on certain issues for different authorities to commit to concrete actions and to allocate the needed budget for the effective fulfillment of the task. It constitutes an Action and Follow-up Plan (PAS) as a monitoring instrument of the execution of the proposed actions for the fulfillment of the CONPES objective, where it is possible to identify the responsible entities, the execution periods, the resources, and other characteristics.

She specified that in CONPES 4070 there is for the first time a clear line to work, formulate and implement a public policy of transparency, integrity and legality towards an open State. Its creation consolidates the open State model in Colombia and strengthens the relationship between the State and its citizens through two foundations: inter-institutional articulation between all administrative entities, and a collaborative relationship with citizens.

CONPES 4070 comprises five fundamental pillars: (1) promote of transparency and the right of access to public information; (2) support a culture of public integrity; (3) consolidate the institutional capacity to fight corruption and of a culture of legality; (4) bolster co-responsibility between actors for the generation of public value, and (5) encourage public innovation initiatives towards an Open State. It also responds to the need of design and implement public policy guidelines aimed at consolidating and implementing an open State model, which promotes better performance of the public administration. The foregoing, by recognizing the importance of achieving an effective articulation of actions of transparency and access to public information, integrity, legality, citizen participation and innovation that guarantee a relationship between the State and citizens based on trust and on the balance between the citizen expectations and the responses provided by public institutions ([Annex VIII](#)).

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The chair of the SGPFC made a motion to submit to the members' approval the possibility of giving a brief space to Bolivia, which requested the floor at the end of the panel for a brief presentation, with a general approval.

At the beginning of the presentations of Working Stream IV: Protection of whistleblowers, the SGPFC presidency thanked Laura Valli, Member of the Board of the National Anti-Corruption Authority (ANAC) and ANAC representative in the *Network of European Integrity and Whistleblowing Authorities-NEIWA* in Italy. The presidency highlighted that, although Italy is a State that is not part of the Latin American and the Caribbean region, it is relevant to bring voices from another regions to enrich the discussion.

Laura Valli's presentation: "*Whistleblowing and the EU Directive n. 1937/2019*", refers to a regulation to protect individuals reporting corruption in an organization. It establishes a series of obligations for companies with more than 50 workers, such as creating internal complaint channels, guaranteeing the anonymity of the complainant, and protecting her/him from possible reprisals by the company.

The European Commission has approved the proposal for a new Directive to protect whistleblowers reporting corruption or fraud and legal violations in the countries of the European Union. It considers protection on matters related to public procurement, financial services, money laundering and financing of terrorism, transportation security, environmental protection, nuclear and food security, animal health, public health, and consumer and data protection and information systems (Annex IX).

As established in the agenda, Omar Sosa, National Director of Investigations of the Undersecretariat for Anticorruption Investigations of the Anticorruption Office of Argentina, presented the "*Whistleblower Protection Scheme in Argentina: Regulations and Implementation*". Mr. Sosa began by setting the scope of its presentation within the federal criminal sphere in Argentina, noting that it defines a whistleblower as a citizen who informs the competent authority of the existence of an allegedly criminal event.

He indicated that the National Criminal Procedure Code in force in Argentina grants the power to denounce for a crime prosecuted *ex officio*, to the victim, and also, to the person who, without intending to be affected, knows of the crime. In that sense, the figure of denouncer is essential to detect an illegal act and to sanction those responsible. Therefore, it is essential to establish a system that encourages the reporting of illegal acts and protects the complainant from reprisals and persecution.

In those crimes that coincide with acts of corruption and that, in Argentina, some of them are crimes against the public administration for which it is not possible to detect a direct victim, the figure of whistleblower becomes even more relevant. This is so since the witness is normally part of the public agency where these acts take place or that the perpetrators or participants are hierarchical superiors or co-workers, or they have some business relationship (as suppliers or contractors). Therefore, it is logical that a possible complaint generates the fear of labor, economic or even physical reprisals against the complainant. That is why various international documents on the matter have established the obligation of the signatory countries to develop incentive and protection schemes for whistleblowers. (Annex X)

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It followed a space for consultations and exchange with the participating States, during which a question emerged for Dr. Valli in relation to the regulations of the European Union and the amount of time spent at the negotiation process and reaching consensus for the establishment of Directive (EU) 2019/1937.

Dr. Valli said that it took time like any process, however, the results represented a great advance and there is even a proposal for a Directive that will broaden the scope.

The Plurinational State of Bolivia, in the voice of the Vice Minister against Corruption, Susana Ríos Laguna, presented the “*Accountability System*”. Vice Minister Ríos began by highlighting the importance of citizen participation, since without it is impossible to take timely action and identify where the greatest risks of corruption are.

She pointed out that through a survey carried out from May 25 to August 31, 2021, the population reported on the effectiveness and quality of the information of the Public Rendering of Accounts. The survey allowed identifying that a large part of the population recognizes the need to update the contents and the implementation of tools that facilitate access to information. Under these criteria, the creation of the Public Accountability System was determined to strengthen agile and timely access to information and to have statistical data that allow the formulation of prevention policies and the fight against corruption.

The system is a technological tool that strengthens and promotes the exercise of social participation and control, and access to information, through the digital publication of information related to the public accountability process carried out by public entities and companies in Bolivia, of free access for civil society, in general, and social control, in particular. It allows having statistical information on the execution and monitoring of public resources, as well as standardized information for a better exercise of the right of access to information and of social participation and control. ([Annex XI](#))

The Argentine presidency of the SGPFCA thanked the interventions and, as there were no questions from the national representatives, announced the beginning of the third panel for a collective reflection on the deliverables agreed under the Mexico PPT in 2021, namely:

- * CELAC Principles for the strengthening of Ethics and Integrity in the Public Service;
- * CELAC Principles for the promotion of Business Integrity;
- * Document for the exchange of 2022 experiences on the Protection of Whistleblowers in Latin America and the Caribbean, and
- * 2022 Compendium of Good Practices on Citizen Participation Mechanisms to Fight Corruption,

It also presented the next steps to achieve the objectives and working calendar ([Annex XII](#)).

The presidency pointed out that the PPT intends to confirm the deliverables agreed upon in the past presidency. And regarding the CELAC Principles, it mentioned that they will be documents agreed by all the members of the SGPFCA and inspired by other forums or groups on integrity and transparency of international and regional organizations in which several of our countries already participate.

The proposed principles will allow the SGPFCA to have a reference framework, a set of standardized baselines that offer practical guidance for the application at the local, national and regional levels

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of aspects on certain matters that may be sufficiently broad, inclusive and general, so as not to generate any interference in the internal legal systems of each State. In this sense, they will be open documents, for circulation among all the members of the SGPFCA so that they can contribute, in order to reflect the various current regional trends.

The aim is to create products that differ from others that are already circulating and that accurately reflect the perspective of our Latin American and Caribbean region with its own thematic agenda.

The priority objective for the PPT is the construction of the CELAC principles, to be useful documents for the countries, providing a general framework for formulation and exchange of new public policies, new initiatives, and new models of regulations containing these standardized principles. Especially the incorporation of information technologies with crosscutting gender perspective and the protection of human rights.

Regarding the second body of deliverables: the document for the exchange of experiences and the compendium of good practices (of collective construction) will circulate among the countries to share the advances in terms of protection for whistleblowers and citizen participation, and easily summarize all the information. All this in order to promote horizontal cooperation between all members.

To conclude, the Argentine chair of the SGPFCA thanked Mexico for its cooperation and all the participating member states, and called on the entire membership active participation in the construction of the documents. It then opened a space for consultations and exchanges with the participating States regarding the scheduling of upcoming activities.

Mexico, in its capacity as Support Mechanism of the SGPFCA, recognized the work of the PPT of Argentina and indicated a review of the calendar to avoid overlapping with other international commitments.

To conclude, the Director of Institutional Relations of the Anti-Corruption Office of Argentina, Deborah Hafford, asked those present to send by email an update on the public officials who represent the countries in the SGPFCA, in order to have a database and facilitate the contact between all.

IV. AGREEMENTS AND DECISIONS

- **First:** Approval of the calendar of activities proposed by the chair of the SGPFCA.
- **Second:** The SGPFCA chair will circulate the presentations of the First Meeting 2022.
- **Third:** The chair of the SGPFCA will send to the entire CELAC membership the guidelines for the construction of the 2022 Compendium of Good Practices on Mechanisms for Citizen Participation to Fight Corruption, and for the 2022 Document for the exchange of experiences on Protection for Whistleblowers of Corruption in Latin America and the Caribbean.
- **Fourth:** The Presidency of the SGPFCA will submit for consideration of the entire CELAC membership the draft of the CELAC Principles for the strengthening of Ethics and Integrity in the Public Service and the CELAC Principles for the promotion of Business Integrity.
- **Fifth:** The next meeting of the SGPFCA will tentatively occur in person in November of the current year in Buenos Aires.



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The Argentine presidency of the SGPFC concluded the **First Meeting 2022**, having collected the main points of agreement and results in these Minutes, together with all its aforementioned Annexes, which are an integral part thereof.

Buenos Aires, Argentina, May 26th, 2022.

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ANNEXURES	
First meeting of SGPFC 2022	
No.	Title / Link
I	Schedule
II	Presentation "New Code of Ethics of the Federal Public Administration of Mexico"
III	Presentation "Integrity Function in the Public Administration of Peru"
IV	Presentation "The Dominican Republic Government Integrity and Regulatory Compliance Commissions"
V	Presentation "Seal of Integrity in the business sector of Paraguay"
VI	Presentation "Open Government Data - Argentina"
VII	Presentation "National Open Data Policy of the Dominican Republic"
VIII	Presentation CONPES 4070 DE 2021 "Policy Guidelines for the Implementation of an Open State Model in Colombia"
IX	Presentation "Whistleblowing and the EU Directive n. 1937/2019".
X	Presentation "Whistleblower Protection Scheme in Argentina: Regulation and Implementation"
XI	Presentation "Accountability System in Bolivia"
XII	Calendar