



## DECLARATION

**4<sup>th</sup> Gathering of the Open Parliament Network**  
***Beyond the Walls of Parliament: Strengthening Parliamentary Oversight***  
Quito, Ecuador | March 12-14, 2019

We, parliamentarians representing 26 countries in the Americas and the Caribbean, met in Quito, Ecuador on March 12-14, 2019, for the **4<sup>th</sup> Gathering of ParlAmericas' Open Parliament Network, *Beyond the Walls of Parliament: Strengthening Parliamentary Oversight.***

During this gathering, we shared valuable experiences, knowledge, and strategies to consolidate our parliaments' oversight work which can be implemented through open parliament action plans and initiatives, developed in collaboration with civil society. These efforts seek to promote principles of openness within the State, thus strengthening the effective implementation of anti-corruption measures outlined in the Lima Commitment and contributing to the achievement of the 2030 Agenda and its Sustainable Development Goals. Through dialogue and working sessions, we engaged in productive exchanges on the importance of post-legislative scrutiny as a tool that contributes to ensuring that legislation adopted fulfills its objectives and benefits citizens; the consolidation of a regional agenda that allows for systemic transformation to counter corruption; the promotion of the principles of transparency, accountability, citizen participation, and ethics within the executive branch through the exercise of parliamentary oversight; and the application of openness principles in governmental policies related to the Sustainable Development Goals. Our conversations considered intersectional factors that can influence the development and promotion of these efforts, including those related to citizens' race, ethnicity, gender, and origins.

In view of the above and,

### ***Recognizing:***

That during the 8<sup>th</sup> Summit of the Americas, heads of State and of Government from across the hemisphere adopted the *Lima Commitment* to strengthen democratic governance; improve transparency, access to information, whistleblower protections, and human rights, including freedom of expression; regulate the financing of political parties and electoral campaigns; prevent corruption in public works, public procurement and contracting processes; increase international legal cooperation in the fight against bribery, international corruption, organized crime, money laundering, and the recovery of stolen assets; and strengthen the Mechanism for the Implementation of the Inter-American Convention against Corruption. This Commitment recognizes parliament's role in these efforts, and takes note of the 2018 Declaration of the ParlAmericas Open Parliament Network;

That important national, regional and global initiatives were developed to guide the efforts of countries and improve international cooperation on these topics and have been adopted by countries in the region. These include the *United Nations Convention against Corruption*, the *Inter-American Convention against Corruption*, the *Organization for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions*, the *Financial Action Task Force's International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation*, the *OECD Standard for*



*Automatic Exchange of Financial Account Information in Tax Matters, and the Extractive Industries Transparency Initiative;*

That all actions in favour of open States and the fight against corruption contribute to achieving the Sustainable Development Goals, in particular Goal 16 to build effective, accountable and transparent institutions, and that parliaments play an important role in encouraging the application of openness principles, including the availability of reliable and disaggregated data for assessing the results of and/or gaps in public policies to promote gender equality, climate change adaptation and disaster risk reduction, and the inclusion of Indigenous peoples, among other ParlAmericas priority areas;

That post-legislative scrutiny practices facilitate parliaments' oversight role and aim to examine if adopted legislation is being implemented as intended by legislators, as well as following up and contributing to their improvement and refinement, and identifying and disseminating good practices on the topic;

That the Open Government Partnership is a multilateral initiative that seeks to secure concrete commitments from national and sub-national governments to promote transparency, empower citizens, combat corruption, and harness new technologies that strengthen governance;

That the ParlAmericas Open Parliament Network works to promote the development of open parliament action plans and initiatives, as well as to integrate those plans and other parliamentary commitments into national action plans for open government, recognizing the essential work of parliamentary staff to guarantee the sustainability of these efforts;

That civil society plays a key role in the development and implementation of tools and policies to fight corruption, including co-creating open parliament action plans, and that their participation in decision-making processes is fundamental to strengthening our democracies;

That the Report of the Expert Group on Anti-Corruption, Transparency, and Integrity in Latin America and the Caribbean commissioned by the Inter-American Development Bank identifies the following as priorities for adopting a systemic approach to counter corruption: strengthening the rule of law, ensuring a competitive economy with incentives for ethics in business, establishing open procurement and contracting processes, regulating political financing, ending secretive ownership of companies and financing sources, adopting innovations in the public sector, and opening governments to citizens' contributions and experiences through a participatory focus on fighting corruption.

***We commit to:***

1. Monitoring progress and accompanying the efforts of our States in the fight against corruption, improving collaboration between all branches of the State in pursuit of strengthened democratic governance, which were all aspects of the *Lima Commitment*.
2. Promoting the adoption of existing regional and international agreements and standards to improve international cooperation in the fight against corruption and ensuring the effective implementation of these commitments at the national level, responding to the cross-border challenges of corruption, money laundering, and tax evasion in accordance with national legal systems.

3. Establishing opportunities for collaboration with civil society organizations in the development and implementation of strategies to strengthen parliamentary oversight and openness across all sectors of the government with special attention to public policies addressing gender equality, climate change, and the inclusion of indigenous peoples.
4. Considering, during the initial phases of drafting legislation, demographic data and relevant evidence that contributes to designing specific indicators and targets, disaggregated by gender and other social factors relevant to the national context, which can later be used to evaluate laws and government policies through these specific lenses. Where relevant data and evidence do not exist, advocating for this to be collected.
5. Establishing and strengthening comprehensive mechanisms for legislative scrutiny and analysis that ensure the effective implementation and fulfillment of the intended objectives and promoting the adoption of the Global Declaration on Post-Legislative Scrutiny.
6. Co-creating and implementing open parliament action plans or other initiatives in collaboration with civil society and parliamentary staff, with the objective of developing tools and participatory processes that contribute to strengthening parliamentary oversight and promoting the opening of government institutions.
7. Adopting or improving national and extraterritorial legislation to strengthen anti-money laundering regimes, and establishing national public beneficial ownership registries to enable the identification of assets, companies, and financial entities' owners, facilitating the exchange of information on taxes, money laundering, and bribery, in collaboration with the private sector.
8. Promoting, within the scope of our competences, the highest ethical standards in all branches of the State, through strengthened mechanisms for parliamentary oversight, in order to guarantee the adoption of good practices in public procurement and contracting, the use of public resources, transparency in political financing, the identification and prevention of conflicts of interest, and maintenance of the strength and independence of supervisory bodies, including the establishment of institutional and regulatory frameworks aimed at guaranteeing integrity and access to information.
9. Seeking the adoption and strengthening of legislation to establish effective and robust mechanisms for the investigation of crimes and infractions related to public administration, and tracing, seizing and recovering stolen assets, while also exploring translational law on these matters to improve international coordination between judicial and police authorities.

*Adopted in Quito, Ecuador on March 14, 2019 with reservations to the construction of the points 2, 7 and 9 by the delegations from Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Jamaica, Saint Lucia and Trinidad and Tobago<sup>i</sup>*

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<sup>i</sup> The following modifications reflect the reservations and concerns of the aforementioned Caribbean delegates, who respectively expressed their views that in recent times, international agreements and legal mechanisms are being imposed on their Caribbean States without adequately involving their states in the development of policies and, that this practice of unilateral policy decisions significantly and detrimentally

impacts their economies. Further, that making beneficial ownership registries public rather than restricted to a competent authority could pose a security risk to legitimate business owners.

2. ~~Promoting the adoption of existing regional and international agreements and standards to improve international cooperation~~ Evaluating or exploring existing regional and international agreements and standards for the adoption of fair, equitable and judicious principles and practices in the fight against corruption and ensuring the effective implementation of these commitments at the national level, responding to the cross-border challenges of corruption, money laundering, and tax evasion in accordance with national legal systems.

7. Adopting or improving ~~national and extraterritorial~~ legislation to strengthen anti-money laundering regimes, and establishing national ~~public~~ beneficial ownership registries to enable the identification of assets, companies, and financial entities' owners, facilitating the exchange of information on taxes, money laundering, and bribery, in collaboration with the private sector.

9. Seeking the adoption and strengthening of legislation to establish effective and robust mechanisms for the investigation of crimes and infractions related to public administration, and tracing, seizing and recovering stolen assets, while also ~~exploring mechanisms~~ translational law on these matters to improve international coordination between judicial and police authorities.