





This publication was made possible by the generous support of the Government of Canada through Global Affairs Canada. Published in May 2022.

TABLE OF CONTENTS

ParlAmericas in the Inter-American System4
The Legislative Branch's Role in Implementing the Lima Commitment4
The ParlAmericas Open Parliament Network and Anti-Corruption
Efforts ahead of the VIII Summit of the Americas5
Lima Commitments Addressed through the Work of ParlAmericas6
ParlAmericas Open Parliament Network: Work Undertaken to Advance
Progress on the Lima Commitment8
The COVID-19 Pandemic as Accelerator to Digital Transformation in
Parliaments10
Inclusion and Citizen Participation11
Gender Equality12
Effective Management of Public Resources in Response to Disasters13
Final Considerations14

ParlAmericas in the Inter-American System

The origins of the connection between national parliaments and the Summit of the Americas can be traced to the First Summit in 1994, at which the Miami Plan of Action was adopted. The Plan of Action recognizes the need to promote opportunities for the exchange of experiences between democratic institutions of OAS Member States, particularly between their legislative bodies, and acknowledges the value of inter-parliamentary diplomacy in the Inter-American system.

ParlAmericas, previously known as the Inter-Parliamentary Forum of the Americas - FIPA, was created by the national parliaments of the Americas and the Caribbean in 2001 to coincide with the Third Summit of the Americas in Quebec City. In accordance with Resolution 1673/99 of the OAS General Assembly, the purpose of ParlAmericas' formation was to promote parliamentary participation in the inter-American system and to foster inter-parliamentary dialogue on issues of importance to the hemisphere.

Parliaments play a critical role in the successful implementation of the political commitments that emerge from the Summit of the Americas. Many of the mandates adopted by Governments have implications for the legislative branch. Parliaments are relied upon to ratify inter-American agreements and to harmonize those agreements with national legislation. Through the annual budget approval process, parliaments are asked to approve allocations to different government organs to implement related policies. Through their representative functions, parliamentarians engage directly with constituents, bring the concerns of citizens into decision-making processes, and to inform citizens about how their lives will be impacted by national policies and by international agreements.

For 20 years, ParlAmericas has pursued its mandate by convening representatives of its member parliaments on regional issues that coincide with the thematic topics addressed in the Summit of the Americas processes. Parliamentarians come together through ParlAmericas to strengthen their knowledge base and exchange relevant good practices, based on cooperative political dialogue. For each Summit of the Americas since Quebec City, ParlAmericas has undertaken activities to engage parliamentarians with the Summit process.

The importance of multilateralism and of promoting collaboration, cooperation and coordination between the branches of government at the highest level in the Inter-American System is particularly evident in today's complex political context, characterized by serious challenges to democratic governance, political polarization, social inequalities and citizen distrust of institutions. Furthermore, overlapping global crises, including climate change and the social and economic consequences of the ongoing COVID-19 pandemic, have had dire consequences for the development of the hemisphere. Addressing these transnational crises requires urgent, coordinated action among decision makers.

As preparations are made for the IX Summit of the Americas to be held in Los Angeles, United States from June 6-10, 2022, this report serves as an accountability tool for ParlAmericas member parliaments and for the inter-American community. It presents the work undertaken through ParlAmericas to advance progress on the implementation of the <u>Lima Commitment: Democratic Governance against Corruption</u>, adopted at the VIII Summit of the Americas in Lima, Peru. This work entails the development of tailored knowledge resources for parliamentarians and the convening of inter-parliamentary sessions on topics central to the Lima Commitment in order to promote hemispheric political dialogue that translates into productive legislative action at the national level.

The Legislative Branch's Role in Implementing the Lima Commitment

In the lead up to the VIII Summit, ParlAmericas submitted <u>preliminary recommendations</u> to the Summit Implementation Review Group (SIRG) to inform the negotiations for the Lima Commitment which focused on anti-corruption efforts.

A pressing challenge for the hemisphere, corruption not only impedes adequate investment of public resources, but also deepens economic and social inequalities, undermines trust in institutions, and fosters social discontent and political polarization. The fight against corruption requires concerted efforts to bolster and prioritize a culture of public integrity involving all actors in society.

The Lima Commitment underscores that preventing and fighting corruption are essential to strengthening democracy and the rule of law in the hemisphere. It is a central tool that, in addition to other instruments, such as the <u>United Nations Convention</u> against <u>Corruption</u> (UNCAC) and the <u>Inter-American Convention against Corruption</u> (IACAC), addresses corruption as a multidimensional and complex phenomenon, intrinsically related to the hemisphere's sustainable development at an economic, political and social level.

Parliamentary functions play a vital role in implementing the anti-corruption agreements established in the Lima Commitment and in aligning these agreements with national legal frameworks. Parliamentarians draft and debate laws, approve national budgets, and provide oversight to ensure optimal performance of government interventions; these functions can be pivotal in guaranteeing that public policies aimed at tackling corruption are implemented effectively and in compliance with the different national and international agreements and provisions that have been adopted by individual countries.

The <u>3rd Gathering of the ParlAmericas Open Parliament Network</u>, hosted by the Congress of the Republic of Peru, was held April 11-12, 2018 as the official parliamentary meeting of the VIII Summit of the Americas, where a <u>v</u> with commitments to advance democratic governance against corruption was adopted by the convened parliamentary delegations. This engagement of parliaments and its resulting declaration is referenced in the Lima Commitment (Commitment 53).

The ParlAmericas Open Parliament Network and Anti-Corruption Efforts ahead of the VIII Summit of the Americas



Lima Commitments Addressed through the Work of ParlAmericas

Commitment

Description



Commitment 1: Strengthening democratic institutions for the prevention of and fight against corruption in the Hemisphere, ensuring that the competent authorities have the necessary guarantees for the proper performance of their functions.



Commitment 5: Promoting public awareness and citizen participation campaigns for the prevention of and participation in the fight against corruption and impunity, and on the tools available to address and combat corruption.



Commitment 6: Recognizing the positive contributions of indigenous peoples and their traditional values and principles, and the contributions of Afrodescendent communities to improving the efficiency, effectiveness, and transparency of public administration and raising awareness in favor of the fight against corruption.



Commitment 7: Promoting gender equity and equality and women's empowerment as a crosscutting goal of our anti-corruption policies, through a task force on women's leadership and empowerment that will actively promote cooperation among inter-American institutions and synergies with other international agencies.



Commitment 10: Promoting the adoption of measures to prevent conflicts of interest, as well as the public filing of financial disclosure statements by public officials, as appropriate.



Commitment 11: Furthering codes of conduct for public officials that contain high standards of ethics, honesty, integrity, and transparency, using as a point of reference the "Guidelines for the Management of Policies for Probity in the Public Administrations of the Americas" and urging the private sector to develop similar codes of conduct.



Commitment 13: Continuing to strengthen national anti-corruption measures or systems and enhancing conditions for the effective participation of civil society, social organizations, academia, the private sector, citizens, and other social actors in monitoring government performance, including the development of prevention mechanisms, channels for reporting possible acts of corruption and facilitating the work of watchdogs including other citizen oversight mechanisms, and incentivizing the adoption of digital means of participation.

Commitment

Description



Commitment 14: Promoting and or strengthening the implementation of national policies and plans, and as appropriate subnational plans in the areas of open government, digital government, open data, fiscal transparency, open budgeting, digital procurement systems, public contracting and a public registry of state suppliers, considering towards that end the participation of civil society and other social actors.



Commitment 16: Implementing and/or strengthening of bodies responsible for transparency and access to public information, based on applicable international best practices.



Commitment 17: Promoting the use of new technologies that facilitate digital government in order to promote transparency, interaction with citizens and accountability, through development of tools for the identification, detection, systematization, and monitoring of government procedures and, to that end, strengthening cooperation and exchange of best practices on the development and application of such technologies.



Commitment 21: Promoting the adoption and/or strengthening of such legislative measures as are necessary to criminalize acts of corruption and related offenses consistent with the United Nations Convention against Corruption (UNCAC), the United Nations Convention on Transnational Organized Crime, and the Inter-American Convention against Corruption (IACAC).



Commitment 27: Promoting the use of digital systems for government procurement and contracting of services and public works, to ensure disclosure, transparency, citizen oversight, and effective accountability.



Commitment 31: Fostering transparency in the management of infrastructure and public resources allocated to ensure resilience to disaster, including the aforementioned infrastructure platform, in order to improve the response to emergencies and prevention, mitigation, recovery and reconstruction projects, and, to that end, promoting coordination through the Regional Platform for Disaster Risk Reduction in the Americas.



Commitment 55: Taking action such that follow-up measures stemming from the Lima Commitment promote the advancement of gender equity and equality and women's empowerment in the Hemisphere.

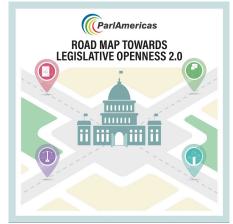
ParlAmericas Open Parliament Network: Work Undertaken to Advance Progress on the Lima Commitment

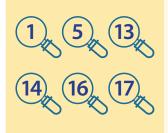
In its first clause, the Lima Commitment calls for the strengthening of democratic institutions in the hemisphere as a central requirement for preventing and combating corruption (Commitment 1).

The ParlAmericas Open Parliament Network (OPN), established in 2015 by parliamentarians from the Americas and the Caribbean, has been working towards the fulfillment of this since its inception. The ParlAmericas OPN has emerged as the primary space in the hemisphere for inter-parliamentary dialogue and collaborations to support national parliaments in advancing open parliament actions.

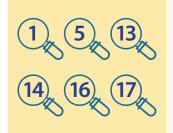
As defined through the Road Map Towards Legislative Openness 2.0, the four pillars of open parliament — transparency and access to public information; accountability; public participation; and ethics and probity — are not intrinsically connected to the institutional strengthening of legislatures. The open parliament pillars are additionally critical to shaping effective regulatory frameworks and to establishing enabling environments for advancing national anti-corruption efforts.

Since the XIII Summit of the Americas, the ParlAmericas OPN has undertaken the following regional activities towards advancing progress on the Lima Commitment:



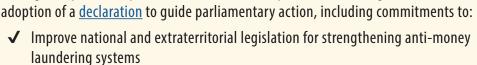


In 2018 the <u>ParlAmericas Open Parliament Commitment Tool</u> was launched during the OPN Gathering held within the framework of the Lima Summit. This online platform allows parliamentarians to view and compare commitments made by legislatures to advance open parliament actions and to use this information to follow up on their governments' commitments.



In 2019 the Parliamentary Staff Network on Open Parliament was launched to create a dedicated space for the exchange of open parliament experiences and good practices that legislative staff are supporting in their respective parliaments, recognizing the crucial role of parliamentary staff in ensuring the sustainability and effective advancement of the open parliament agenda at an institutional level. Annual forums of the parliamentary staff network have been undertaken each year thereafter (2019, 2020, 2021, 2022).





oversight to promote openness and counter corruption. The meeting culminated in the

In 2019, the 4th Gathering of the ParlAmericas Open Parliament Network: <u>Beyond the Walls of Parliament: Strengthening Parliamentary Oversight</u>, brought parliamentarians together from across the Americas and the Caribbean to discuss strengthening parliamentary



✓ Establish national public registries to ensure transparency regarding the beneficial



- Establish national public registries to ensure transparency regarding the beneficial owners of assets, corporations and financial entities
- ✓ Facilitate the exchange of information on taxes, money laundering and bribery, in collaboration with the private sector
- ✓ Promote, within the scope of their powers, the highest ethical standards, by strengthening parliamentary oversight mechanisms to guarantee good practices in public procurement and contracting, and the use of public resources, to ensure transparency in political financing for the identification and prevention of conflicts of interest, and to maintain robust and independent supervisory bodies



In May 2019, <u>Open Parliament Day and the parliamentary track of the Open Government Partnership Global Summit</u>, convened parliamentarians from across the Americas and the Caribbean, as well as delegations from Africa and Asia, in Ottawa, Canada to exchange experiences and good practices to advance open parliament and open government measures.





On August 21, 2020, a virtual inter-parliamentary meeting was held on <u>Strengthening</u> <u>Oversight Responses to the COVID-19 Pandemic</u>.









In November 2020 and January 2021, virtual sessions for Central American legislators were held. Offered in collaboration with the National Democratic Institute (NDI), on *Legislative Modernization Experiences in Latin America*, including sessions on advancing open parliament initiatives for transparency, accountability, open data, public integrity and citizen participation.



In May 2021, a <u>virtual webinar</u> was held in collaboration with the OAS, the Transparency and Access to Information Network (RTA) and EUROsociAL+, on the Inter-American Model Law 2.0 on Access to Public Information for the Parliaments in the Americas and the Caribbean.



In March 2022, the 6th Gathering of the ParlAmericas Open Parliament Network: <u>Integrity Matters for Building Stronger Democracies</u>, convened legislators from across the Americas and the Caribbean to discuss establishing and strengthening robust public integrity strategies and frameworks as a sustainable response to counteract corruption and its effects culminating the adoption of a <u>declaration</u> to guide parliamentary action including commitments to:



✓ Foster the adoption and improvement of codes of conduct for public servants in the entire state apparatus in accordance with the highest standards of ethics, probity and transparency.



✓ Promote the strengthening of the principles of transparency and citizen participation in all phases of the political process and the public policy development cycle in such a way that accountability processes are strengthened, and the public interest is prioritized.



✓ Incorporate gender perspectives in the design of national public integrity strategies to ensure that they consider the different experiences and needs of all members of the population in the fight against corruption.



- ✓ Promote the adoption or strengthening of laws and provisions on the management of lobbying to establish a public registry of lobbyists, including national and international individuals and organizations.
- ✓ Advocate for the strengthening of mechanisms established for whistleblower protection and the bolstering of existing national legislation to encourage both citizens and public officials to report acts that violate public integrity standards and affect the public interest.

The COVID-19 Pandemic as Accelerator to Digital Transformation in Parliaments



The COVID-19 pandemic has acted as a catalyst for digital modernization of parliamentary work. It exposed many deficiencies globally with respect to the systems or

procedures necessary to successfully adapt to remote or hybrid parliamentary work.

At the onset of the pandemic in 2020, ParlAmericas supported peer-exchanges among parliamentary leaders to help parliaments adapt to the unprecedented protections put in place to mitigate the health crises. In April and May, virtual meetings were held with Latin American and Caribbean parliaments to share practices for organizing virtual parliamentary sessions and committee work to ensure that parliaments could continue to function while following national and international recommendations to mitigate the spread of COVID-19.

ParlAmericas Publications on Open Parliament

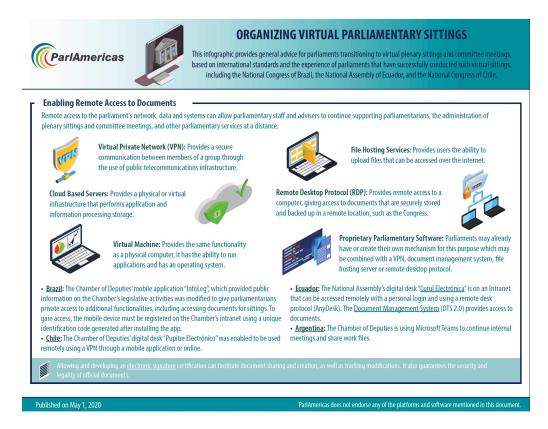
Citizen Participation in the Legislative Process

Legislative Transparency Toolkit

Strengthening Accountability through Fiscal
Openness: A Toolkit for Parliamentarians in the
Americas and the Caribbean

The Importance of Parliamentary Oversight during the COVID-19 Pandemic

Road Map Towards Legislative Openness 2.0



ParlAmericas published a <u>preliminary report</u> on the role of parliament in the context of COVID-19. It provided parliamentarians with an overview of the early socioeconomic and public health implications, as well as recommendations for adapting parliamentary functions to social distancing. ParlAmericas also released two reports with partner organization *Directorio Legislativo* on the challenge of adapting and strengthening the role of parliaments during COVID-19, describing experiences transitioning legislative work methods and agendas to the new reality. The first of these reports provided an analysis from the perspective of <u>open parliament</u> and the second from the perspective of <u>gender equality</u>.

ParlAmericas continues to support parliamentary adaptation efforts by facilitating the exchange of good practices and knowledge resources among member parliaments that inspire continued modernization of their operations. Parliamentary adaptation and modernization is essential to effectively responding to the unique needs presented by the COVID-19 ongoing crisis and other evolving challenges for democratic governance, such as disinformation.

Inclusion and Citizen Participation







The Lima Commitment highlights the importance of promoting public awareness campaigns and citizen participation in preventing and fighting corruption and impunity (Commitment 5). It specifically recognizes the contributions made by Indigenous peoples and their traditional

values and principles, as well as those made by Afro-descendant communities, in improving the efficiency, effectiveness and transparency of public administration, raising awareness of the fight against corruption (Commitment 6). The Commitment also notes the need to improve conditions for the effective participation of civil society, social organizations, academia, the private sector, citizens and other social actors in monitoring government actions as a way to strengthen national anti-corruption systems (Commitment 13).

Meaningful citizen participation in parliaments is one of the four pillars of Open Parliament and has become mainstreamed through all of ParlAmericas' programming and work. Parliaments from the Americas and the Caribbean continue to work on improving opportunities for citizens to participate in the legislative process, and legislators, through their representative and executive oversight roles, can be an important conduit through which citizens can inform public policy more broadly.

At the parliamentary meeting within the framework of the Lima Summit ParlAmericas launched the toolkit on <u>Citizen Participation in the Legislative Process</u>, which presents a selection of good legislative practices for engaging citizens in parliamentary work and provides recommendations for establishing safe spaces for the participation of traditionally marginalized peoples and groups. This toolkit outlines how citizen participation can contribute to strengthening collective intelligence to produce more robust assessments of the potential impacts of legislative actions, and how incorporating diverse considerations throughout the legislative process can help achieve better results.

To develop and institutionalize participatory practices in the establishment of related public policies, the Lima Commitment notes the need to promote Open Government plans and policies (Commitment 14). ParlAmericas is a founding member of the global Open Parliament e-Network (OPeN).¹ OPeN has been an ally of the Open Government Partnership (OGP) to build awareness within the parliaments of the Americas and the Caribbean about OGP, to promote parliamentary oversight for open government plans and policies, and to advocate for the recognition of open parliament initiatives, policies, commitments and plans within the framework of OGP. This global network operates in several regions of the world to support parliamentary efforts linked to processes for co-creating plans and commitments with local organizations and activists, and to implement specific initiatives related to the pillars of Open Parliament (transparency and access to information, accountability, citizen participation and ethics and probity). Since 2018, 11 ParlAmericas member-parliaments have registered 39 new citizen participation open parliament commitments through the ParlAmericas Open Parliament Commitment Tool.

Gender Equality





The Lima Commitment establishes gender equity and equality and women's empowerment as a crosscutting goal of anti-corruption policies, through a task force on women's leadership and empowerment that will actively promote cooperation among inter-American institutions and synergies with other

international agencies (Commitment 7) and establishes that follow-up measures should promote advances in gender equity and equality and women's empowerment (Commitment 55).

Corruption has differential impacts on individuals based on their gender, and underlying gender inequalities allow certain crimes or types of offences, such as sexual extortion, to flourish. Furthermore, reports from the United Nations Development Program (UNDP) have shown that women tend to form part of the poorest sectors of society, causing corruption to disproportionately affect their access to essential public services, including access to justice and security. In a deeply entrenched corrupt system, people with greater material resources are more likely to be able to pay bribes to access basic services. However, women are not always considered in anti-corruption reforms and in the establishment of public policies, or they often participate in working groups, but their voices and contributions are not equally recognized.

Women are underrepresented in positions of power and decision making on combatting corruption, thus limiting the inclusion of their experiences and expertise in the formulation of policy solutions. Mainstreaming gender equality into anti-corruption reforms means assessing the implications of any planned action on both women and men, and ensuring that the design, implementation, monitoring and evaluation of policies and programmes reflects any differentiated needs and concerns. This, in turn, ensures more equitable outcomes for all members of society. Gender-responsive budgeting can help balance the availability of resources for anti-corruption measures to tackle the forms of corruption that disproportionately affect women. Data disaggregated by sex and other demographic factors is essential for evidenced-based policy decisions on the gendered implications of corruption.

Parliamentarians hold the critical role of development and adopting legislative anti-corruption reforms and in the oversight of government policy, therefore it is important not only to have equal representation of women in legislatures but for all legislators to understand how to mainstream gender into their legislative and oversight responsibilities.

OPEN Members include ParlAmericas, Directorio Legislativo, the Latin American Network for Legislative Transparency, the National Democratic Institute (NDI), the OSCE Office for Democratic Institutions and Human Rights, and the Westminster Foundation for Democracy (WFD).

As representatives of citizens, parliamentarians have a duty to engage citizens, including women of various socio-economic backgrounds, in the legislative process to ensure that their views are considered in legislative initiatives to counter corruption and to address social inequalities that may exacerbate corruption.

Effective Management of Public Resources in Response to Disasters

31)

The urgent need to promote transparency in the management of infrastructure and public resources allocated to ensure resilience to disasters—including

emergency response policies and prevention, mitigation, recovery and reconstruction projects—and the promotion of coordination in the hemisphere through the Regional Platform for Disaster Risk Reduction in the Americas were specifically included in the Lima Commitment (*Commitment 31*).

The multiple crises that we face include economic recessions, exacerbated inequality in the region, a continuous increase in emissions and a greater risk of natural phenomena and climate change, which could become real disasters if states fail to plan and implement adequate policies to manage these situations. To increase overall resilience, states must have the right tools and resources to understand disaster risk and create holistic disaster management plans. Parliamentarians, whose representative role binds them inextricably to their constituents, also play an essential role in providing accountability to their communities and engaging them in planning.

In 2019, ParlAmericas developed a <u>Parliamentary Protocol for</u> <u>Disaster Risk Reduction and Climate Change Adaptation</u> through

Inter-American Task Force on Women's Empowerment and Leadership

In the framework of the VIII Summit, ParlAmericas became a founding member, along with other agencies and organizations, of the Inter-American Task Force on Women's Empowerment and Leadership,² to support the acceleration of regional progress towards Sustainable Development Goal 5.5, "Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public life." The Task Force functions as a coordination mechanism that reinforces commitments and strategies for advancing women's empowerment and leadership.

Task Force members include the Organization of American States through the Inter-American Commission of Women (CIM) and the Inter-American Commission on Human Rights (IACHR), the Economic Commission for Latin America and the Caribbean (ECLAC), the Inter-American Development Bank (IDB), the Pan American Health Organization (PAHO), ParlAmericas, the United Nations Development Programme (UNDP), UN Women, the Development Bank of Latin America (CAF), the Ibero-American General Secretariat (SEGIB), International IDEA, and two civil society organizations: Caribbean Women in Leadership (CIWiL) and the Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM).

the work of its <u>Parliamentary Network on Climate Change</u> (PNCC), in collaboration with the United Nations Office for Disaster Risk Reduction (UNDRR). This protocol provides recommendations for disaster risk governance, based on the understanding that an important part of the effort to reduce impacts resides in how countries integrate disaster risk reduction into national and local frameworks, laws, regulations and public policies that help the public and private sectors advance in risk governance, that is to say, in how they strengthen their institutions, mechanisms, regulatory and legal frameworks and other provisions aimed at guiding, coordinating and monitoring disaster risk reduction and related public policies. The <u>Sendai Framework for Disaster Risk Reduction 2015-2030</u> explicitly sets out a role for parliamentarians in promoting new legislation or amending relevant existing legislation, monitoring and providing oversight of the actions of the executive in this area and allocating budgetary resources to building disaster-resilient societies. This legislation must include components of transparency and participation in the framework of disaster governance. The aim is not only to be effective and inclusive in establishing these policies that affect or protect communities, but also to facilitate citizen oversight, which can ultimately also be a tool for preventing corruption.

Final Considerations

Corruption, like other critical challenges facing the hemisphere, has implications that transcends national borders, requiring cooperation and a shared regional vision. Despite the significant efforts and progress made in the countries of the Americas and the Caribbean, corruption persists as one of the most serious problems facing our democracies. Parliamentary actors are decisive in the process of developing solutions due to their multiple democratic responsibilities and the platforms at their disposal.

Ahead of the IX Summit of the Americas in June 2022 with the theme of "Building a Sustainable, Resilient, and Equitable Future," anti-corruption efforts will remain a cross-cutting priority, given its pertinence to achieving democratic strengthening, sustainable development, and prosperity and equity for all citizens of the hemisphere.

ParlAmericas will continue to uphold its mandate as parliamentary conveners in the framework of the Summit and to orient its inter-parliamentary work in support of the implementation of commitments emerging from Summit processes.



