



General Secretariat of the
Organization of American States



The Attorney General's
Ministry of Belize



BELIZE

FINAL PLAN OF ACTION

**FOR THE IMPLEMENTATION OF THE
RECOMMENDATIONS FORMULATED BY THE COMMITTEE
OF EXPERTS OF THE FOLLOW-UP MECHANISM TO THE
INTER-AMERICAN CONVENTION AGAINST CORRUPTION**

July 2010

INTRODUCTION

In 1996, the Member States of the Organization of American States (“the OAS”) adopted the **Inter-American Convention against Corruption**.¹ The Convention, which was the first international legal instrument to address this issue, expressly recognizes the global problem of corruption and the need for an instrument to promote and facilitate inter-country cooperation to combat it. In that regard, it establishes two goals. The first goal is to promote and strengthen the development by each of the States Parties, of the mechanisms needed to prevent, detect, punish, and eradicate corruption. The second goal is to promote, facilitate, and regulate cooperation among the States Parties to ensure the effectiveness of measures and actions to prevent, detect, punish, and eradicate corruption in the performance of public functions and acts of corruption specifically related to such performance.

The Convention specifies the acts of corruption to which it applies and creates binding obligations on Member States under international law. It also seeks to promote institutional development. The Convention makes provisions for cooperation tools such as extradition, seizure of assets, mutual legal assistance, and technical assistance where acts of corruption occur or affect one of the Parties. It also highlights the importance of preventative measures.

The Follow-up Mechanism for the Implementation of the **Inter-American Convention against Corruption** (MESICIC) is an instrument that allows the Member States of the OAS who have ratified the Convention to promote its implementation and follow up on the commitments agreed to in the Convention. It also facilitates technical cooperation activities; the exchange of information, experiences and best practices; and encourages the harmonization of legislation. The Mechanism is guided by the purposes and principles established in the **Charter of the Organization of American States**. It thus takes into account the principles of sovereignty, non-intervention, and the juridical equality of the states, as well as the need to respect the Constitution and the fundamental principles of the legal system of each State Party. The MESICIC, headquartered at the Organization of American States, is an inter-governmental

¹ Taken from the website of the Organization of American States’ Secretariat for Legal Affairs at <http://www.oas.org/juridico/english/fightcur.html>.

mechanism and has participation from States Parties to the **Convention** that sign on to the Mechanism. It is impartial and objective in its operation and in the conclusions that it reaches; operates on the basis of consensus and cooperation; guarantees a fair application and equal treatment among States Parties; does not employ sanctions; and establishes an appropriate balance between the confidentiality and transparency of its activities.

The MESICIC consists of two bodies: the **Conference of States Parties** and the **Committee of Experts**. The Conference of States Parties is the main body of the Mechanism, responsible for determining the general guidelines and directions of the Mechanism within the framework of the purposes and basic principles contained in paragraphs 1 and 2 of the **Report of Buenos Aires**. The Conference of States Parties has the authority and overall responsibility of supervising the implementation of the Mechanism and of adopting the decisions it deems appropriate to achieve its objectives, in accordance with Article 2 of its Rules of Procedure. The Committee of Experts is comprised of experts designated by each State Party. This Committee is responsible for technical analysis of the implementation of the Convention, as well as for facilitating the activities of technical cooperation within the framework of the Mechanism. Secretariat services are carried out by the General Secretariat of the OAS through the **Office of Legal Cooperation** of the **Department of International Legal Affairs**.

In accordance with the Report of Buenos Aires, the Committee shall be responsible for the technical analysis of the implementation of the Convention by the States Parties. In performing this function, the Committee shall undertake the following:

- a. Adopt its annual work plan, for which the Secretariat will develop a draft in conformity with the provisions of Article 9 (a) of these Rules;
- b. Select, from among the provisions of the Convention, those whose implementation by all of the States Parties shall be reviewed, seeking to include both preventive measures and other provisions contained in the Convention, and determine the length of time it shall devote to this task, which shall be known as a "round".
- c. Adopt a methodology for the review of the implementation of the provisions of the Convention selected to be reviewed in each round that is designed to ensure that sufficient reliable information is obtained. The adoption of this methodology shall comply with the procedure described in Article 18 of these Rules;

- d. Adopt a questionnaire on the provisions selected for review in each round, based on OAS document CP/GT/PEC-68/00 rev. 3, entitled "Questionnaire on Ratification and Implementation of the Inter-American Convention against Corruption" and in accordance with Article 18 of these Rules;
- e. Select, in each round, an impartial methodology (such as presentation on a voluntary basis, in chronological order of ratification of the Convention or by lot) for setting the dates for review of the information on each State Party;
- f. Determine the composition of each subgroup, to be comprised of experts from two States Parties in accordance with Article 20 of these Rules, which shall review, with support from the Secretariat, the information on the State Party they have been assigned to review;
- g. Adopt the country reports in regard to each of the States Parties and a Hemispheric Report at the end of each round, in accordance with Articles 21 to 25 of these Rules;
- h. Promote and facilitate co-operation among the States Parties, within the framework of the Convention and in accordance with the Report of Buenos Aires and Article 37 of these Rules.
- i. Approve a yearly activity report, which shall be forwarded to the Conference of States Parties;
- j. Review periodically the operation of the Follow-up Mechanism and propose any recommendation(s) it considers pertinent to the Conference of States Parties regarding the Convention and the Report of Buenos Aires;
- k. Request the assistance and guidance from the Conference of States Parties, when it considers it necessary or convenient in fulfilling its responsibilities.

NATIONAL PLAN OF ACTION

During the Meetings of the Committee of Experts within the First Round, countries expressed the importance of receiving support to fully develop and implement the selected provisions of the Convention and, in particular, the recommendations contained in the country reports adopted by the Committee.

To that end, the OAS General Secretariat, with the financial support of the Canadian International Development Agency (CIDA), carried out a pilot project to create national Plans of Action to implement the Committee's recommendations. During the pilot project the OAS

General Secretariat worked with the first four countries reviewed by the Committee in the First Round of review (Argentina, Colombia, Nicaragua and Paraguay).

In September of 2006, with a contribution from the United States of America, the General Secretariat set up the Anti-Corruption Fund to extend this initiative to other countries participating in MESICIC. Each national Plan of Action was designed to address the following areas:

- (a) Specific actions necessary to implement the recommendations of the MESICIC Committee of Experts;
- (b) Institution, entity or government agency responsible for implementation;
- (c) Estimated costs and resources needed;
- (d) Time frame for execution;
- (e) Indicators that measure the expected results and means of verification

Each participating country was required to prepare a draft Plan of Action, with the assistance of a consultant and the institutions designated by the government in the framework of the MESICIC. A national workshop was to be held in which representatives from civil society, government agencies, the judiciary, legislature, private sector, and international funding agencies would discuss the draft Plan of Action. The Plan of Action was then to be modified and finalized by incorporating the input from the National Workshop.

According to the official register of the OAS General Secretariat, Belize ratified the Inter-American Convention against Corruption on August 2, 2002, and deposited its instrument of ratification on September 6 of that year. In addition, Belize signed the Declaration on the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption on June 9, 2003.

The General Secretariat of the OAS and the Attorney General's Ministry of Belize signed a Memorandum of Understanding to carry out a technical cooperation project intended to help Belize implement the recommendations of the Committee of Experts of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption

(MESICIC) within the framework of the first and second rounds of Review as set out in the Committee's report on the country².

A first Draft of the Belize National Plan of Action against Corruption was completed in June 2009. A National Workshop on the Implementation of the National Plan of Action against Corruption in Belize was held in Belize City at the Radisson Fort George Hotel and Marina on March 11th and 12th 2010. The purpose of the workshop was to review and provide input into the Draft National Plan of Action against Corruption in Belize that was put together under the auspices of the Organization of American States and the Belize Attorney General's Ministry. The workshop (see Appendix One of this report) included input from a broad cross section of stakeholders from the government, and the civil and private sectors in Belize. This input was then aggregated and incorporated into the final draft of the Plan of Action against Corruption in Belize which is presented below.

SECTION I. RECOMMENDATIONS FROM FIRST ROUND OF REVIEW

For its review and in the formulation of these recommendations, the Committee of Experts took into consideration the information provided by Belize up to August 20, 2005. Below is an analysis of these recommendations and suggested measures and the steps that Belize has taken or ought to take toward their implementation.

1. STANDARDS OF CONDUCT AND MECHANISMS TO ENFORCE COMPLIANCE (ARTICLE III, PARAGRAPHS 1 AND 2 OF THE CONVENTION)

Recommendation 1.1: Belize should consider strengthening the implementation of the provisions on conflicts of interest, and ensure that the laws on this matter are applicable to all public officials and employees, so as to permit the practical and effective application of a public ethics system.

² http://www.oas.org/juridico/english/mesicic_com_expertos.htm.

Measure A: Establish a standard for addressing the conflicts that can occur between individual specific government matters in which those persons who perform public functions would be expected to act as part of their responsibilities and an official's or family member's financial interests or her/his outside activities or negotiations for future private employment arrangements. Such a standard could include recusal, request by the person who performs public functions for permission to continue to act, request by the official for a transfer of duties (if appropriate), or direction by an appropriate authority for divestiture/resignation when the conflict is pervasive.

Legal action required to adopt measure: As noted in its response in the *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round*³, public officers in Belize are governed by a code of conduct, which is contained in the Public Service Regulations, subsidiary legislation to the Constitution of Belize⁴. These provisions have been preserved in other pieces of legislation, such as in the Prevention of Corruption Act, Chapter 105 of the Laws of Belize, R.E. 2000-2003; the Criminal Code, particularly sections 281 to 312⁵; and most recently, in the Prevention of Corruption Act of 2007, which has been in force since February 2007. This latter Act has established standards that address the issue of conflicts that can occur between a public official's performance of his duties with his outside activities or future negotiations. This Act creates the offence of corruption and provides at s.1 of Part I of the Third schedule (pursuant to s.22), that a person commits an act of corruption if, inter alia,

- (h) he acquires, or becomes a partner, associate or shareholder in, or a director of a firm or company which has a contract with the Government or with the public body of which such person is a member or employee unless the person makes a disclosure of such partnership, association, shareholding or other interest to the Commission;
- (i) he illegally uses official influence in support of any scheme, or in furtherance of any contract or proposed contract or other matter in regard to which he has an interest;

Additionally, s. 25 of the Act provides that:

- (1) Every person who, subject to subsection (2), acquires or holds a private interest in any contract, agreement or investment emanating from or connected

³ See the Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round, at pp. 1-2. This report was adopted by the Committee in accordance with the provisions of Article 3(g) and 26 of its Rules of Procedure and Other Provisions, at the plenary session held on March 31, 2006, at its ninth meeting, held at OAS Headquarters in Washington D.C., United States, March 27 to April 1, 2006.

⁴ The Constitution Act, Chapter 4 of the Laws of Belize, R.E. 2000-2003.

⁵ Chapter 101 of the Laws of Belize, R.E. 2000-2003.

with the public body in which he or she is employed or which is made on account of that public body, commits an offence of corrupt activities and is liable on summary conviction to a fine of not less than ten thousand dollars.

(2) Subsection (1) does not apply to a person:

(a) who acquires or holds such interest as a shareholder of a listed company;

(b) whose conditions of employment do not prohibit him or her from acquiring or holding such interest; or

(c) in the case of a tender process, a public officer who acquires a contract, agreement or investment through a tender process and whose conditions of employment do not prohibit him from acquiring or holding such interest through an independent tender process; or

(d) unless the person makes a disclosure of such interest to the relevant public body within thirty days of acquiring or holding such interest.

The Committee of Experts opined that the standards incorporated in the Prevention of Corruption Act of 2007 are relevant for advancing the purposes of the Convention, but observed an absence of these standards in the regulation of the activities of former public servants after leaving government service. Therefore, the Committee recommended that Belize **establish a standard for addressing the conflicts that can occur between individual specific government matters in which those persons that perform public functions would be expected to act as a part of their responsibilities and an official's or family member's financial interests or his outside activities or negotiations for future private employment arrangements.** The Committee recommended that some of the measures that Belize could adopt to implement the recommendation could include recusal, request by the person who performs public functions for permission to continue to act, request by the official for a transfer of duties (if appropriate), or direction by an appropriate authority for divestiture/resignation when the conflict is pervasive.

One of the ways of addressing the matter is through an amendment to the Prevention of Corruption Act of 2007, which would have to be drafted by the Attorney General's Ministry with direct input from the Office of the Services Commissions and the Integrity Commission.

Studies, plans or programs needed to implement measure: Any amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General's Ministry for presentation to the Belize Legislature for passage.

Any similar or alternative measure adopted: Prevention of Corruption Act of 2007.

Entities, authorities or agencies responsible for adopting the measure: Any amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General's Ministry with direct input from the Office of the Services Commissions and the Integrity Commission and submitted to the Belize Legislature for approval.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Service, Judicial and Legal and Security Services Commissions, the Public Service Union and the Belize Senate would have to be involved in the decision to adopt or enhance the measure.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: No further studies needed.

Time needed to consider, adopt or implement the measure: Any amendment to the Prevention of Corruption Act of 2007 would require a minimum six-month time frame.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Proposed amendment sent to Belize Legislature;
- d) Adoption of the Amendment by the Belize Legislature;
- e) Use of the amendment by the Ministry of the Public Service, the Public Services Commission and the Integrity Commission in the performance of their duties.

Approximate cost of implementing the measure: The cost of drafting and passing such an amendment in terms of time spent and logistics is approximately US\$5,000.00.

Possible funding sources (national and international) for implementing the measure: Drafting such amendment is usually handled locally in the national budget.

Measure B: Establish suitable restrictions for persons who leave public service, such as prohibitions on participation as a representative of a private interest in ongoing specific matters in which they had participated in an official capacity, or for a reasonable time, restrictions on dealing with former government bodies in which they served.

Legal action required to adopt measure: As noted in the *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round*, there are no set of written restrictions on persons entering or leaving the public service *vis a vis* their private interests and participation. Therefore, an amendment to the Prevention of Corruption Act of 2007 to include restrictions for persons who leave the public service would have to be made. Such restrictions should subsist at least two years from the last day of service with the latter.

Studies, plans or programs needed to implement measure: Any amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General's Ministry and presented to the Belize Legislature for passage.

Any similar or alternative measure adopted: No similar measure has been adopted except for persons serving or who have served as members of the Public Service Commission. Section 105 of the Prevention of Corruption Act of 2007 states:

No person shall be qualified to be appointed as a member of the Commission if he is a member of the National Assembly or, save in respect of the ex officio members, if he holds or is acting in any public office.

Save in respect of the ex officio members, a person shall not, while he holds or is acting in the office of a member of the Commission or within a period of two years commencing from the date on which he last held or acted in that office, be eligible for appointment to any public office.

Entities, authorities or agencies responsible for adopting the measure: The Attorney General's Ministry would be the agency responsible for drafting the new amendment to the Prevention of Corruption Act 2007, the Belize Legislature (House and Senate) would be responsible for passing the new amendment, the three Services Commissions and the Integrity Commission would be responsible for implementing the new amendment.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the three Services Commissions, the Public Service Union and the Belize Senate would be involved in the decision to amend the current Prevention of Corruption Act to include said measure.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any other amendments to the Prevention of Corruption Act of 2007 will have to be drafted by the Attorney General's Ministry and approved by the Belize Legislature.

Time needed to consider, adopt or implement the measure: A minimum of six months would be needed to amend and approve the amendment to the Prevention of Corruption Act to include the measure being suggested.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Passage of the amendment by the Belize Legislature;
- d) Use of the amendment by the Public Services Commission and the Integrity Commission to sanction offenders.

Approximate cost of implementing the measure: The estimated cost for such drafting, including logistics, is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Recommendation 1.2: Strengthen implementation of laws and regulatory systems on the proper conservation and use of public resources.

Measure A: Strengthen implementation of laws and regulatory systems on the proper conservation and use of public resources.

Legal action required to adopt measure: In the Belize Final Report for Round II, the Committee of Experts stated that they consider that this recommendation has been fulfilled with the enactment of the Finance and Audit (Reform) Act of 2005 and of the Prevention of Corruption Act of 2007, both of which establish proper frameworks for ensuring that public resources are properly used and conserved. No further legal action required.

Studies, plans or programs needed to implement measure: No studies or plans required.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005 and the Prevention of Corruption Act of 2007.

Entities, authorities or agencies responsible for adopting the measure: Not applicable.

Entities, authorities or agencies involved in adopting the measure: Not Applicable.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Not Applicable.

Entities, authorities or agencies necessary for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Not Applicable

Time needed to consider, adopt or implement the measure: Not applicable.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Not applicable.

Approximate cost of implementing the measure: Expenses already undertaken by the Belize national budget.

Possible funding sources (national and international) for implementing the measure:
Not Applicable.

Recommendation 1.3: Develop and strengthen mechanisms requiring public officials to report to appropriate authorities acts of corruption of which they become aware in the course of performance of their public functions.

The Committee recommended that Belize could adopt the following measures in order to implement the foregoing recommendation:

Measure A: Establish standards and mechanisms that require public servants to report to appropriate authorities, acts of corruption of which they become aware in the course of performance of their public functions. This should be complemented by measures that protect public servants who report acts of corruption in good faith.

Legal action required to adopt measure: At the 14th Meeting of the MESICIC Committee of Experts, the Committee of Experts stated that they consider that this recommendation has been fulfilled with the enactment of the Prevention of Corruption Act of 2007 which facilitates compliance with the measure. In light of the foregoing, the Committee agreed with Belize's assessment that this recommendation has been fulfilled.

Studies, plans or programs needed to implement measure: Sensitization campaign by the Ministry of the Public Service and the Attorney General's Ministry in which they inform citizens and public servants on about their rights and responsibilities under the Prevention of Corruption Act of 2007.

Any similar or alternative measure adopted: This Prevention of Corruption Act was passed in 2007.

Entities, authorities or agencies responsible for adopting the measure: The sensitization campaign would have to be carried out by the Ministry of the Public Service and the Attorney General's Ministry.

Entities, authorities or agencies involved in adopting the measure: The sensitization campaign would have to be carried out by the Ministry of the Public Service and the Attorney General's Ministry

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: The sensitization campaign would have to be carried out by the Ministry of the Public Service and the Attorney General's Ministry

Time needed to consider, adopt or implement the measure: Such a sensitization campaign would take about six months to carry out.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

- a) number of successful prosecutions under the measure.
- b) percentage of public servants and citizens sensitized to the Prevention of Corruption Act of 2007.

Approximate cost of implementing the measure: Costs of the sensitization campaign would be approximately \$8,000. .

Possible funding sources (national and international) for implementing the measure: Some of the costs of adopting and implementing measure has already been borne by the Government of Belize; however, specific provisions for countrywide sensitization campaigns and for the printing of the materials to be distributed to the public will require additional funds which the Government of Belize may not have provided for under its current budget.

Measure B: Facilitate compliance with this obligation by such measures as it deems appropriate

Legal action required to adopt measure: At its 14th Meeting, the Committee of Experts stated that they considered that this measure had been successfully adopted and implemented by Belize with the enactment of the Prevention of Corruption Act of 2007.

Studies, plans or programs needed to implement measure: Not applicable.

Any similar or alternative measure adopted: On February 6, 2008, the Prevention of Corruption Act, No. 21 of 2007 ("the POCA"), came into effect. In addition to the protective measures highlighted above, the POCA also makes the failure to comply with

the disclosure requirements in s. 30 an offence which attracts a fine of not less than ten thousand dollars (BZ\$10,000.00) or imprisonment of up to one year.⁶

Entities, authorities or agencies responsible for adopting the measure: Not applicable.

Entities, authorities or agencies involved in adopting the measure: Not applicable.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: No further action needed to implement measure

Time needed to consider, adopt or implement the measure: Measure has already been implemented.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: The main indicator to objectively gauge progress in the actions proposed for implementing this measure would be the number of complaints made and a comparative study to determine if there has been an increase in the exercise of the duty to report, which is expected to lead to more successful prosecutions.

Approximate cost of implementing the measure: Costs of adopting and implementing measure has already been borne by the Government of Belize.

Possible funding sources (national and international) for implementing the measure: Costs of adopting and implementing measure has already been borne by the Government of Belize

2. SYSTEMS FOR REGISTERING INCOME, ASSETS AND LIABILITIES (ARTICLE III, PARAGRAPH 4 OF THE CONVENTION)

Recommendation 2: Consider strengthening the systems for registering income, assets, and liabilities.

Measure A: Consider taking necessary steps to enforce the current financial declaration requirements for those to whom the Prevention of Corruption in Public Life Act currently

⁶ Section 30(3) of the Prevention of Corruption Act, 2007 (“the POCA”).

applies, including implementing penalties for those who fail to file and establishing penalties for late filing.

Legal action required to adopt measure: At the 14th Meeting of the Committee of Experts, they considered that this recommendation has been fulfilled with the enactment of the Prevention of Corruption Act of 2007 which facilitates compliance with the measure.

Studies, plans or programs needed to implement measure: No further studies are necessary.

Any similar or alternative measure adopted: No similar or alternative measure is required since s.10 of the Prevention of Corruption Act, No. 21 of 2007 (“the POCA”), requires persons in public life, namely Members of the House of Representatives (including the Speaker), Members of the Senate (including the President) and Members of the Town and City Councils, to file sworn declarations of assets, income and liabilities of him/herself, his/her spouse, children and agents in the manner prescribed by the Act.

Additionally, the Belize Integrity Commission may require further information from a declarant, or where it considers it necessary, may advise the Governor General to set up a tribunal to enquire into the fullness or accuracy of a filed declaration.

The Commission is also mandated to publish information in the Gazette, regarding the failure of a person in public life to file a declaration. Such failure includes failure to disclose any material fact in the declaration, without reasonable cause, or failure to furnish further particulars required by the Commission pursuant to s.13, and to submit a report to the Director of Public Prosecutions for appropriate action.

Failure to file a declaration or to provide further particulars to the Commission or the Tribunal may attract a fine of no less than three thousand dollars on a first offence, and a fine of no less than five thousand dollars and/or imprisonment for one year on a second and subsequent offence. In addition, such offenders will be liable to pay the Commission an administrative fine of one hundred dollars for each day that the declaration or explanation remains outstanding.

If the offence includes non-disclosure of property corruptly acquired while in public office, in addition to the penalties highlighted in the preceding paragraph, the property shall be forfeited to the Government if such property is found in Belize. If the property is abroad, the offender shall pay to the Government the equivalent of the value of such property, as assessed by the Courts. If the property has been acquired by a bona fide purchaser for value without notice, the property shall not be forfeited, but the offender shall pay to the Government an amount equivalent to the value of the property or the

price paid by the purchaser, whichever is greater. The Government can take necessary proceedings to recover the sums from the offender as a debt due to the Government.

The Act also creates the offence of filing false declarations, which attracts a fine of between one and five thousand dollars and/or imprisonment for six months.

Entities, authorities or agencies responsible for adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The primary responsibility for implementation of the relevant provisions of the POCA rests squarely on the Integrity Commission, which was established by the same Act.

Entities, authorities or agencies necessary for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: The Integrity Commission has been given the full authority and responsibility of adopting any necessary measures to secure the implementation of the POCA (s.4). The POCA provides that this Commission shall have a Secretariat to assist with the administrative responsibilities of the Commission.

Time needed to consider, adopt or implement the measure: Measure already in place.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

- a. Number of declarations filed;
- b. Percent of declarations filed from possible population universe;
- c. Number of sanctions taken against non-filers;
- d. Number of prosecutions.

Approximate cost of implementing the measure: The cost of implementing the measure has already been borne by the Government of Belize.

Possible funding sources (national and international) for implementing the measure: The cost of implementing the measure has already been borne by the Government of Belize.

Measure B: Identify positions not currently covered by the Act which have duties where the potential for conflict of interest is substantial and require the individuals holding those positions to file financial declarations.

Legal action required to adopt measure: In the Belize Final Report for Round II, as approved by the Committee of Experts at its 14th Meeting, Belize stated that the Constitution of Belize (Section 121 (10) (1) makes provisions for the National Assembly to extend the application of this Act to any public servant or class of public servants⁷.

Studies, plans or programs needed to implement measure: In public consultations with representatives of civil society, organizations and other interested persons, on the matter, the general opinion was that public servants should be given reasonable opportunity to express their views on the matter and to give due consideration to such views.

Any similar or alternative measure adopted: None similar measure adopted.

Entities, authorities or agencies responsible for adopting the measure: Any revisions to the Prevention of Corruption Act of 2007 should be done by the Attorney General's Ministry and approved by the Belize National Assembly.

Entities, authorities or agencies involved in adopting the measure: Belize notes that it will have to engage in public consultations with representatives of civil society, organizations and other interested persons and bodies as deemed necessary in order to obtain public opinion on the matter; and to give public servants reasonable opportunity to express their views on the matter and to give due consideration to such views. Therefore, public consultations involving the participation and contributions of the Integrity Commission, The Public Services Commission, and of Members of the House of Representatives will have to be done and will have to involve the business community, non-governmental organizations, the public service union, and members of the public services of Belize.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Such public consultations will have to be organized by the Attorney General's Ministry but can be undertaken by the University of Belize or non-governmental organizations (NGOs) such as the Society for the Promotion of Education

⁷ See page 32

and Research (SPEAR). For example, SPEAR undertook a study of citizen's perceptions regarding corruption in the Government of Belize that was widely distributed and used in the country of Belize.

Time needed to consider, adopt or implement the measure: Six months of preparation and implementation time would be necessary for the public consultations and six months would be necessary for the Attorney General to draft the necessary amendments and for the National Assembly to adopt the necessary revisions to the Prevention of Corruption Act of 2007.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

- a) Results of national consultations with relevant stakeholders on this issue;
- b) A comparative analysis of the positions that are currently required to file declarations with those proposed through the national consultations;
- c) The number of new posts actually included in the draft amendment to the Prevention of Corruption Act of 2007 as a percentage of those requested through the above national consultations;
- d) Adoption of the amendment to the Prevention of Corruption Act of 2007 with the requisite inclusion of the new category of public servants to whom the requirement to file declaration is extended.

Approximate cost of implementing the measure: The National Consultations would cost approximately US\$20,000.00 and drafting would cost approximately \$8,000.00.

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the national consultations.

Measure C: Use the financial declarations not only to detect actual violations of law and conflicts of interest, but to also serve as a basis for providing counseling on the prevention of conflicts of interest.

Legal action required to adopt measure: No legal action required. The POCA gives the Integrity Commission wide powers, including the power to examine and investigate filed declarations, as well as the power to carry out any inquiries it deems necessary (s.4).

Studies, plans or programs needed to implement measure: The certificate of declaration should be used and studied to determine areas in which officials required to file declarations can be trained in public accountability and in the prevention of conflict of interest. The information derived from such declarations can also be used in a proactive manner to offer counseling services to declarants.

Any similar or alternative measure adopted: As noted in its response in the *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round*, Belize states that the Prevention of Corruption Act of 2007 makes provisions for the reports on the enquiries of the Commission to be sent to the Director of Public Prosecutions (“the DPP”) and to the Attorney General. If the DPP is satisfied that the evidence before him is sufficient to substantiate the commission of an offence under the act, he may institute criminal proceedings against such person. Where the person suspected of the commission of an offence is the DPP, the Attorney General may institute proceedings against him⁸.

Thus, while the POCA makes specific provisions only for the adoption of criminal proceedings against defaulters, it also vests the Commission with wide investigative powers which can be used by the Commission to undertake proactive action such as the provision of counseling services to declarants on the prevention of conflicts of interest.

Entities, authorities or agencies responsible for adopting the measure: This measure would have to be adopted as part of a training program organized by the Integrity Commission in consultation with the Ministry of the Public Service’s Training Unit.

Entities, authorities or agencies involved in adopting the measure: Other agencies that should be involved in adopting the measure (training or sensitization programs such as those suggested by this measure) include the Ministry of the Public Service in conjunction with the relevant Departments or Ministries (in this case it would be all government departments or ministries) and would be carried out by the Training Unit of

⁸ See s. 37 of the Act

the Ministry of the Public Service or the University of Belize (which administers a Bachelor Degree program in Public Management).

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: As mentioned above such programs would be organized by the Integrity Commission in consultation and conjunction with the Training Unit of the Ministry of the Public Service or a university such as the University of Belize.

Time needed to consider, adopt or implement the measure: Approximately six months.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

1. Training or sensitization program designed;
2. Training program adopted and funded;
3. Percent of government ministries which sign on to the program;
4. Percent of senior and middle level public servants who have completed the program.

Approximate cost of implementing the measure: Such training programs would cost approximately US\$20,000.00 to develop and undertake.

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the national consultations

Measure D: Consider making the reports public where appropriate.

Legal action required to adopt measure: As noted in its response in the *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round*, Belize states that, pursuant to s. 12 of the Prevention of Corruption Act of 2007 (the P OCA), the Integrity Commission is required to examine all financial declarations submitted by declarants and to publish Certificates of Declaration in the Belize Government Gazette, if satisfied that the declarations have been fully made. Once the Certificates have been published, any person may make a written complaint to the

Commission with respect to any of these Certificates, and the Commission shall review such complaints for appropriate action and that the confidentiality of the complainant is ensured.

If the Commission considers that a full disclosure has not been made, it may – request further information from the declarant; or require him to attend before the Commission; or conduct independent enquiries and investigations; or summon witnesses and require them to produce documents; or summon the complainant to appear before them to hear from him and any of his witnesses in support of his complaint. If, after concluding its investigations into the matter, the Commission considers that the complaint is groundless or has not been substantiated, it is required to publish a statement to that effect in the Gazette. Additionally, if there is evidence that an offence has been committed either by the complainant or the declarant, the Committee is mandated to report the matter to the DPP. Therefore, no further legal action is required to effectuate this measure.

Studies, plans or programs needed to implement measure: No additional studies, plans or programs are necessary to implement this measure.

Any similar or alternative measure adopted: No other similar or alternative measure was adopted.

Entities, authorities or agencies responsible for adopting the measure: Not applicable.

Entities, authorities or agencies involved in adopting the measure: Not applicable.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Not applicable

Time needed to consider, adopt or implement the measure: Measure already adopted.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

1. Percent of the total possible certificates of financial disclosures that have actually been published in the Government of Belize's Gazette in the time period mandated.

Approximate cost of implementing the measure: Cost has already been borne by the Government of Belize.

Possible funding sources (national and international) for implementing the measure:
Not applicable

3. OVERSIGHT BODIES FOR THE SELECTED PROVISIONS (ARTICLE III, PARAGRAPHS 1, 2, 4 AND 11 OF THE CONVENTION)

Recommendation 3: Strengthen, and when appropriate create, oversight bodies in particular in the area of functions to enforce compliance with the matters covered by the provisions of Article III, paragraphs 1, 2, 4, and 11 of the Convention; provide them with the necessary resources to enable them to carry out their functions in full; and establish mechanisms necessary to permit effective institutional coordination.

In the Belize Final Report for Round I from the 9th Meeting of the Committee of Experts, held on March 27th to April 1st 2006 in Washington, D.C., the Committee stated that Belize has in place oversight bodies for enforcement of compliance of the matters covered in paragraphs 1, 2 and 4 of Article III of the Convention.

It must be noted that the Finance and Audit (Reform) Act, No. 12 of 2005 (FARA) directs the Auditor General to “audit the accounts of all Accounting Officers and of all persons entrusted with the collection, receipt, custody, issue or payment of public moneys, or with the receipt, custody, issue, sale, transfer or delivery of any stamps, securities, stores or other Government property of any kind whatsoever” and to ascertain that all reasonable precautions for the collection of public monies have been taken and all laws, instructions and directions thereon have been duly observed; all expended public monies have been spent in accordance with proper authority and for the purposes intended. Therefore, all reasonable precautions have been taken to safeguard the receipt, custody, issue and proper use of all Government property and all relevant laws, directions and instructions thereon have been duly observed⁹.

The POCA of 2007 enhances the work of the Integrity Commission by creating a Secretariat with a legal adviser, the establishment of an independent budget for the work of the Commission, and vesting that body with wide powers, including Police and investigative powers, to enable the performance of its duties. Most importantly, however, the Bill also establishes a monitoring procedure to ensure transparency and accountability on the part of the Commission in the performance of its duties.

Belize engaged in national consultations on the new POCA 2007 designed to fulfill the above recommendation and Belize notes that the results of national consultations indicates so far, that

⁹ See s. 12 of the Audit and Finance (Reform) Act, 2005.

the general public have expressed their complete satisfaction with what they term “tremendous legislative improvement and transparency of process”, which this Bill seeks to accomplish¹⁰.

In the National Workshop on the Implementation of the Inter-American Convention Against Corruption in Belize held in Belize City on March 11th and 12th 2010, the participants indicated that, while they agreed in principle with the Recommendations and Measures suggested here by the Committee of Experts, they were also cognizant of the existence of extremely limited resources, including financial and technical, which prevented the existing oversight bodies from effectively carrying out their functions. They considered that resources may be sourced from Belize’s international partners to assist agencies currently in the fight against corruption (all are currently severely under-resourced) as a major part of the effort to fight corruption

4. MECHANISMS TO PROMOTE THE PARTICIPATION BY CIVIL SOCIETY AND NONGOVERNMENTAL ORGANIZATIONS IN EFFORTS TO PREVENT CORRUPTION (ARTICLE III, PARAGRAPH 11 OF THE CONVENTION)

Recommendation 4.1: Consider whether the recommendations related to specific mechanisms referred to below indicate a need for Belize to strengthen its general approach to encouraging civil society and non-governmental organizations in efforts to prevent corruption.

As noted in Belize’s response in the *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round* (2006), Belize’s history of Civil Society participation is etched in the very Constitution of Belize, the supreme law of the land, and is reflected at the highest level of governance in the country – in the composition of the Senate. Recently, the Government of Belize amended¹¹ the Constitution of Belize to allow for the appointment of an additional member of the Senate, who shall be selected from civil society. This amendment effectively shifts the balance of power from the representatives of the

¹⁰ See *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round* (March 27th to April 1st 2006 in Washington, D.C).

¹¹ Belize Constitution (Sixth Amendment) Act, 2008, No. 13 of 2008. It entered into force on April 12th 2010 (see S.I. 34 of 2010).

governing political Party to a combination of representatives from civil society and the Opposition Party.¹²

Recommendation 4.2: Strengthen the mechanisms on access to information

Measure A: Conduct a comprehensive review of the rules and regulations that provide exceptions to the right of access to public information, in order to ensure that they do not obstruct the exercise of the right to information as an effective mechanism in efforts against corruption, in accordance with the observations in section 4.2.2 of this report¹³.

Legal action required to adopt measure: The Attorney General’s Ministry would have to commission that such a review of the Belize Freedom of Information Act of Belize be implemented¹⁴.

Studies, plans or programs needed to implement measure: Such a comprehensive review as that described by the proposed measure would have to be undertaken as a consultancy as the Attorney General’s Ministry does not have the necessary human resources to undertake such a comprehensive review on its own.

Any similar or alternative measure adopted: Freedom of Information Act.

Entities, authorities or agencies responsible for adopting the measure: The measure would have to be adopted and implemented under the auspices of the Attorney General’s Ministry but would also have to involve the Ministry of Youth, Sports, Information and

¹² Note, however, four sections of this Amendment, including the section creating the post for a thirteenth Member of the Senate, have not yet entered into force (see S.I. 34 of 2010).

¹³ In the *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round* (March 27th to April 1st 2006 in Washington, D.C), Belize stated, “The general difficulty with respect to the recommendation of the honorable Committee of Experts on this matter is the complexity of engaging in comprehensive reviews and evaluations of systems, legislation and mechanisms. Some of these complexities are posed by the time-frame required to successfully carry out such evaluations, as well as the extremely limited resources, including financial and human, with which small countries like ours operate under. In light thereof, Belize humbly requests the Committee to consider removing these recommendations.

¹⁴ Belize has a set of provisions related to mechanisms for access to information, in particular the Freedom of Information Act, which provides that each ministry has the obligation to publish all rules and procedures used in making decisions, as well as a list of the categories of documents under its jurisdiction in the *Gazette*. An omission of this duty in connection with a document that concerns an administrative rule or practice will mean that a member of the public shall not be subjected to any prejudice by reason of the application of that rule or practice (Section 8, Freedom of Information Act).

Communication and the Ministry of the Public Service, through the Governance Unit (which provides access to public information).

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman and the Integrity Commission would also have to be involved in adopting such a measure along with the Attorney General's Ministry and the Ministry of Youth, Sports, Information and Communication and the Ministry of the Public Service, through the Governance Unit (which provides access to public information).

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: The Comprehensive review suggested by the measure would have to be undertaken as an independent consultancy (and would involve the participation of NGOs and civil society organizations in the review) under the auspices of the Attorney General's Ministry .

Time needed to consider, adopt or implement the measure: Such a comprehensive review would take approximately six months to complete.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: The indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

1. Development of the terms of reference for the consultancy to review the rules and regulations that provide exceptions to the right of access to public information, in order to ensure that they do not obstruct the exercise of the right to information as an effective mechanism in efforts against corruption has been issued;
2. Engagement of consultant;
3. Completion of Consultancy;
4. Recommendations from the consultancy accepted by the Attorney General's Ministry and the Ministry of Public Utilities, Transport, Communications and Emergency Management;
5. Drafting of Amendment to the Freedom of Information Act;
6. Adoption of Amendment to the Freedom of Information Act by the Legislature.

Approximate cost of implementing the measure: The cost of undertaking such a consultancy would be approximately US\$10,000.

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the comprehensive review.

Measure B: Strengthen systems that ensure public access, as appropriate, to information on public administration bodies and their program-related activities, in particular as regards those bodies concerned with the issues covered in this report; and improve, where possible, the use of modern technologies to that effect.

Legal action required to adopt measure: In the *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round* (2006), Belize noted the passage of the Freedom of Information Act and the fact that information can be accessed from the website www.governmentofbelize.gov.bz in which reports from the Office of Governance are posted as indicators that the suggested measure has been successfully implemented. In the Belize Final Report for Round II, approved during the 14th Meeting of the MESICIC Committee of Experts, the Experts concurred that Belize had successfully implemented this measure.

Studies, plans or programs needed to implement measure: There is a need for training of public information providers on what the Act stipulates as well remedies and consequences for those who violate the Act

Any similar or alternative measure adopted: Measure already implemented

Entities, authorities or agencies responsible for adopting the measure: Measure already implemented

Entities, authorities or agencies involved in adopting the measure: Measure already implemented

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Measure already implemented

Time needed to consider, adopt or implement the measure: Measure already implemented.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure could include:

1. Existence of topic areas on website dealing with efforts to combat corruption;
2. Number of requests made orally or in writing to Government Offices or on-line via the Government website on these topic areas;
3. Training sessions on sensitization program completed;
4. Level of satisfaction of persons who have made oral or written requests for information to Government offices and of users of the government website, particularly with regard to these areas dealing with the efforts to combat corruption. This can be measured by a survey.

Approximate cost of implementing the measure: Measure already implemented.

Possible funding sources (national and international) for implementing the measure: Measure already implemented..

Measure C: Carry out a comprehensive evaluation of the use and effectiveness of mechanisms for access to information, and, based on the results of that evaluation, consider the adoption of measures to promote, facilitate, and consolidate the effectiveness of these mechanisms.

Legal action required to adopt measure: At the National Workshop on the Implementation of the Inter-American Convention against Corruption in Belize, held in Belize City on March 11th and 12th 2010, the participants stressed the need for the establishment of a uniform protocol (including procedures for applying for access to information and time frames for responses) to the Freedom of Information Act. They also insisted on the need for training of public information providers on what the Act stipulates as well remedies and consequences for those who violate the Act. The proposed study should incorporate these areas of concern for review with a view to implementation.

Studies, plans or programs needed to implement measure: Such an evaluation would have to be undertaken as a consultancy as the Attorney General's Ministry does not have the necessary human, technical or financial resources to undertake such a comprehensive evaluation on its own of the use and effectiveness of mechanisms for access to

information, and to adopt measures to promote, facilitate, and consolidate the effectiveness of this mechanism based on the results of that evaluation.

Any similar or alternative measure adopted: Freedom of Information Act

Entities, authorities or agencies responsible for adopting the measure: The measure would have to be adopted and implemented under the supervision of the Attorney General's Ministry but would also have to involve Ministry of Youth, Sports, Information and Communication and the Ministry of the Public Service, through the Governance Unit (which provides access to public information).

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman and the Integrity Commission would also have to be involved in adopting such a measure along with the Attorney General's Ministry and the Ministry of Youth, Sports, Information and Communication and the Ministry of the Public Service through the Governance unit (which provides access to public information).

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: The evaluation suggested by the measure would have to be undertaken as an independent consultancy under the supervision of the Attorney General's Ministry.

Time needed to consider, adopt or implement the measure: Such a comprehensive review would take approximately six months to complete.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: The indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

1. The terms of reference for the consultancy to comprehensively evaluate the use and effectiveness of mechanisms for access to information has been issued, including the usefulness of the provision of financial information;
2. The consultancy has been completed;

3. Recommendations from the consultancy have been accepted by the Attorney General's Ministry and the Ministry of Public Utilities, Transport, Communications and Emergency Management for adoption.

Approximate cost of implementing the measure: The cost of undertaking such a consultancy would be approximately US\$10,000.

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the comprehensive review.

Recommendation 4.3: Strengthen existing mechanisms and consider creating other ones as part of their efforts to combat corruption.

Measure A: Strengthen consultation mechanisms to enable civil society and nongovernmental organizations to generate opinions and proposals to be taken into account in preventing, detecting, investigating, and punishing corruption.

Legal action required to adopt measure: In the *Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round* (2006), Belize noted that the Minister of the Public Service is aided by three advisory bodies, each of which enjoy participation by civil society (Belize also notes that the membership of each of the below-mentioned Committees include the Chief Executive Officers and Heads of Department of key Ministries and of the Financial Secretary):

The Human Resource Development Committee

This Committee's terms of reference are to provide transparency in the areas of training and development of human resources of the Public Service by, inter alia, strengthening the process for selection of nominees for merit and external scholarship awards. Its functions include advising the Minister of the Public Service on policy goals and strategies regarding training and development of human resources in the Public Service as well as on the priority of training needs and scholarship programs, and to ensure the development, implementation and monitoring of human resource policy and strategy for the Public Service.

The Council on Good Governance and Public Sector Modernization

This Committee was created "pursuant to the mutual commitment of the Government of Belize and other partners to a collaborative approach and increased cooperation on good governance and public sector initiatives." Its responsibilities include, inter alia, making recommendations on good governance initiatives; providing guidance in the implementation of improvement initiatives in public sector administration; serving as forum for interface between the

Government of Belize and its social partners for the sharing of ideas and information arising from modernization and governance endeavors; and making recommendations on modernization initiatives to improve service delivery and enhance structures. Members of this Committee are persons of integrity and leaders from the public, private and social sectors. This Committee was tasked with the preparation of an annual report on their work and accomplishments.

The Joint Staff Relations Council

This Committee advises on matters of human resource development and Management, and among its duties is seeking improved conditions of work for public officers.

At the 14th Meeting of the MESICIC Committee of Experts held from December 8th to the 12th in Washington, D.C., the Committee concurred that Belize had successfully implemented this measure with the establishment of the three above-mentioned Committees but opined that Belize may wish to consider strengthening their terms of reference to specifically address the issue of corruption.

Any similar or alternative measure adopted: None

Entities, authorities or agencies responsible for adopting the measure: Measure already adopted

Entities, authorities or agencies involved in adopting the measure: Measure already adopted

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Measure already adopted

Time needed to consider, adopt or implement the measure: Measure already adopted.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

1. Terms of Reference of the Committee now include addressing the issue of corruption and the role of civil society in participating in the fight against corruption.
2. Agenda and minutes of Committee meetings highlighting the issue of prevention corruption as a topic area of discussion;

3. Number of actions taken by Committee addressing the issue of prevention of corruption.

Approximate cost of implementing the measure: Measure already adopted

Possible funding sources (national and international) for implementing the measure: Measure already adopted.

Measure B: Design and implement programs to publicize consultation mechanisms and, as appropriate, provide training and instruments to officials necessary for effective implementation of those mechanisms.

Legal action required to adopt measure: In the Belize Final Report for Round II, the Committee of Experts concurred with Belize that it had successfully implemented this measure through the creation of the Committees mentioned in the preceding section.

Studies, plans or programs needed to implement measure: Measure successfully implemented.

Any similar or alternative measure adopted: Measure successfully implemented.

Entities, authorities or agencies responsible for adopting the measure: Measure successfully implemented.

Entities, authorities or agencies involved in adopting the measure: Measure successfully implemented.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Measure successfully implemented.

Time needed to consider, adopt or implement the measure: Measure successfully implemented.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

1. Agenda and minutes of Committee meetings highlighting the issue of prevention corruption as a topic area of discussion;
2. Number of actions taken by Committee addressing the issue of prevention of corruption

Approximate cost of implementing the measure: Measure successfully implemented.

Possible funding sources (national and international) for implementing the measure: Measure successfully implemented.

Recommendation 4.4: Implement mechanisms to encourage civil society and nongovernmental organizations to participate in public administration.

Measure A: Develop standards and procedures to establish, maintain and strengthen mechanisms to encourage participation by civil society and nongovernmental organizations in public administration as part of their efforts to prevent corruption.

Legal action required to adopt measure: In the Belize Final Report for Round II the Committee of Experts noted that there is no mandatory requirement for government ministries to consult with civil society when developing rules and regulations. The results of consultations government Ministries and civil society, however, should be made public and open to feedback. Civil society's officials should be invited to any recommended training with public officers in order to ensure meaningful dialogue and participation. Such training should also address issues regarding mutual trust between officers of civil society and government.

Note, however, that the Minister of the Public Service is aided by three advisory bodies, each of which enjoys the participation of civil society. These Committees are the Human Resource Development Committee, the Council on Good Governance and Public Sector Modernization, and the Joint Staff Relations Council. These bodies have an advisory role in the development of public sector principles and initiatives. Their functions also include advising the Minister on the identification of training needs, goals and strategies, as well as on the implementation of improvement initiatives, the development of governance initiatives and interfacing between the Government of Belize and its social partners. The membership of each of these Committees includes the Chief Executive Officers and Heads of Department of key Ministries and of the Financial Secretary.

Studies, plans or programs needed to implement measure: No studies, plans or programs needed.

Any similar or alternative measure adopted: The establishment of three advisory Committees to aid the Minister of the Public Service in identifying needs in the public service of Belize and in developing goals and strategies to address such needs. These Committees are the Human Resource Development Committee, the Council on Good Governance and Public Sector Modernization, and the Joint Staff Relations Council.

Entities, authorities or agencies responsible for adopting the measure, The agencies responsible for adopting the measure include the Ministry of the Public Service, and all other Government Ministries – but it will be up to each Ministry to decide when and how such consultations will be conducted – based, of course on general guidelines to be established by the Ministry of the Public Service:

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General’s Ministry, the Ministry of the Public Service, the Public Service Commission and the Integrity Commission.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: No studies needed.

Time needed to consider, adopt or implement the measure: Approximately three months would be needed for consultation, drafting and issuing the circular memorandum.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of a requirement that comports with the measure;
- b) Approval of the requirement by relevant stakeholders;
- c) Adoption of the measure by all Government Ministries;
- d) Number of uses of the government ministries in developing new rules and regulations.

- e) Number of government and civil society officials trained in the new rules and regulations.

Approximate cost of implementing the measure: The estimated cost for such consultation and drafting is approximately US\$5,000

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure B: Promote public awareness of available corruption-prevention mechanisms.

Legal action required to adopt measure: In the Belize Final Report for Round II, the Committee of Experts concurred that Belize had successfully implemented this measure with the creation of the Government of Belize portal at www.governmentofbelize.gov.bz.

Studies, plans or programs needed to implement measure: Measure successfully implemented.

Any similar or alternative measure adopted: Measure successfully implemented

Entities, authorities or agencies responsible for adopting the measure: Measure successfully implemented

Entities, authorities or agencies involved in adopting the measure: Measure successfully implemented

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Measure successfully implemented

Entities, authorities or agencies necessary for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Measure successfully implemented

Time needed to consider, adopt or implement the measure: Measure successfully implemented

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure:

1. Existence of topic areas on website dealing with efforts to combat corruption;
2. Number of hits on these topic areas of the website.

Approximate cost of implementing the measure: Measure successfully implemented

Possible funding sources (national and international) for implementing the measure: Measure successfully implemented.

5. ASSISTANCE AND COOPERATION (ARTICLE XIV of the Convention)

Recommendation 5.1: Design and implement a comprehensive program of dissemination and training specifically geared to the competent authorities and officials, to ensure they are familiar with and can apply the provisions in force on mutual legal assistance for investigation and prosecution of acts of corruption in the Convention and in other treaties signed by Belize.

Measure A: No measure recommended

Legal action required to adopt recommendation: In its “Report of Belize on the Implementation of Belize of the Recommendations of the Committee of Experts in the

First Round”¹⁵, Belize notes that it is Party to a bilateral treaty with the United States of America on Mutual Legal Assistance in Criminal Matters and that it is negotiating a similar treaty with Mexico, its northernmost neighbor. Additionally, Belize is a Party to a regional treaty on the subject-matter with its CARICOM counterparts; and to a number of multilateral treaties, like the present Convention, the United Nations Convention against Transnational Organized Crime and the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances. These conventions make wide provisions for mutual legal assistance among Member States. Therefore, the legal action required to implement the recommendation is in place.

Studies, plans or programs needed to implement recommendation: In its “Report of Belize on the Implementation of Belize of the Recommendations of the Committee of Experts in the First Round”, the Committee of Experts stated that Belize has not developed specific comprehensive programs to train its competent authorities and officials on the implementation of the country’s mutual legal assistance obligations with regard to investigative and prosecution of acts of corruption. However, it must be noted that the country and its officials have benefitted from several training opportunities under the auspices of relevant international organizations, which have been held both at home and abroad. For example, the United Nations Office on Drugs and Crime (“the UNODC”) organized and hosted a one week training program in Belize City which counted with the participation of, *inter alia*, representatives from the Police Department, the Office of the Director of Public Prosecutions, the Ministry of Foreign Affairs, the Attorney General’s Ministry and the Bench. A follow-up session is being discussed with the UNODC. A number of officers have also received training abroad.

Notwithstanding the above, it is considered that the above cannot provide the relevant authorities with the necessary training regarding Belize’s legal assistance obligations with respect to investigation and prosecution of acts of corruption. As such, it is recommended that Belize should develop specific and formal comprehensive programs to train its competent authorities and officials on the implementation of the country’s legal assistance obligations with regard to investigation and prosecution of acts of corruption.

Any similar or alternative recommendation adopted: No similar measure adopted.

Entities, authorities or agencies responsible for adopting the recommendation: The training program would have to be organized by the Ministry of the Public Service, the Attorney General’s Ministry and the Ministry of National Security.

¹⁵ See the Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round (2006), at p. 17

Entities, authorities or agencies involved in adopting the recommendation: As mentioned above, the training program would have to be organized by the Ministry of the Public Service, the Attorney General's Ministry and the Ministry of National Security

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: The program could be designed by the Training Unit of the Ministry of the Public Service, but must include input from experts of relevant agencies such as the United Nations Office on Drugs and Crime (UNODC) or the Organization of American States.

Entities, authorities or agencies necessary for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: The University of Belize is in an excellent position to institutionalize such a training program as part of its Bachelor's degree in public management program.

Time needed to consider, adopt or implement the recommendation: Six months would probably be needed to institutionalize such a program.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation:

1. Training or sensitization program designed;
2. Training program adopted and funded;
3. Percent of government ministries that sign on to the program;
4. Percent of senior and middle level public servants who complete the program;

Approximate cost of implementing the recommendation: Such a training program would cost about US\$20,000.00 to develop.

Possible funding sources (national and international) for implementing the recommendation: The Inter-American Development Bank (Belize Public Sector Reform Project), the United Nations Office on Drugs and Crime (UNODC), the Organization of American States, or the Central American Integration System (SICA) are possible sources for funding the development and implementation of the training program recommended.

Recommendation 5.2: Identify and ascribe priority to specific areas in which it deems it could need or it could be useful for it to receive technical cooperation from other States Parties in order to further strengthen its capacity to prevent, detect, investigate and punish corruption.

In its “Report of Belize on the Implementation of Belize of the Recommendations of the Committee of Experts in the First Round (2006), Belize recognized the need for further training of its competent authorities and officials to facilitate a more effective collaboration with its counterparts. It stated that training in the investigative field and exchange of information on best practices are a priority to the country.

Measure A: No measure recommended

Legal action required to adopt recommendation: In its “Report of Belize on the Implementation of Belize of the Recommendations of the Committee of Experts in the First Round”¹⁶, Belize informed that it is Party to a bilateral treaty with the United States of America on Mutual Legal Assistance in Criminal Matters and is negotiating a similar treaty with Mexico, its northernmost neighbor. Belize informed further that it is also Party to a regional treaty on the subject-matter with its CARICOM counterparts; and to a number of multilateral treaties, like the present Convention, the United Nations Convention against Transnational Organized Crime, and the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which make wide provisions for mutual legal assistance among Member States. Therefore, the legal action required to implement the recommendation is in place.

Studies, plans or programs needed to implement recommendation: In its “Report of Belize on the Implementation of Belize of the Recommendations of the Committee of Experts in the First Round”, Belize recognized the need for further training of its competent authorities and officials to foster a more effective collaboration with its counterparts. It added that training in the investigative field and exchange of information on best practices are a priority to the country. Therefore, a specific training program is needed in this area of specificity for Belize.

Any similar or alternative recommendation adopted: No similar measure adopted.

Entities, authorities or agencies responsible for adopting the recommendation: The training program would have to be organized by the Ministry of the Public Service, the Attorney General’s Ministry and the Ministry of National Security.

¹⁶ See the Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round (2006), at p. 17

Entities, authorities or agencies involved in adopting the recommendation: As mentioned above, the training program would have to be organized by the Ministry of the Public Service, the Attorney General's Ministry and the Ministry of National Security

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: The program could be designed by the Training Unit of the Ministry of the Public Service, with input from experts of agencies such as the United Nations Office on Drugs and Crime (UNODC) and/or the Organization of American States.

Entities, authorities or agencies necessary for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: The University of Belize is in an excellent position to institutionalize such a training program as part of its Bachelor's degree in public management program.

Time needed to consider, adopt or implement the recommendation: Six months would probably be needed to institutionalize such a program.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation:

1. Training or sensitization program designed;
2. Training program adopted and funded;
3. Percent of government ministries that sign on to the program;
4. Percent of senior and middle level public servants who complete the program;

Approximate cost of implementing the recommendation: Such a training program would cost about US\$20,000.00 to develop.

Possible funding sources (national and international) for implementing the recommendation: Resources need to be sourced from Belize's international partners to assist agencies currently in the fight against corruption (all are currently severely under-resourced) as a major part of the effort to fight corruption in Belize.

The Inter-American Development Bank (Belize Public Sector Reform Project), the Organization of American States and the United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the development and implementation of the training program recommended.

Recommendation 5.3: Strengthen efforts to exchange technical cooperation with other States Parties on the most effective ways and means to prevent, detect, investigate, and punish corruption.

Measure A: No measure recommended.

Legal action required to adopt recommendation: In the “Report of Belize on the Implementation of Belize of the Recommendations of the Committee of Experts in the First Round”¹⁷, Belize informed that it is engaged in identifying the most effective “best practices” regarding prevention; detection; investigation and punishment of corruption from within and from its counterparts in other countries, which it hopes, will greatly assist the country’s zero tolerance policy with respect to corruption and corrupt practices.

Studies, plans or programs needed to implement recommendation: A comparative study of best practices would have to be undertaken by Belize with regards to detection; investigation and punishment of corruption from within and from its counterparts in other countries.

Any similar or alternative recommendation adopted: No similar measure adopted.

Entities, authorities or agencies responsible for adopting the recommendation: The comparative study would have to be organized under the auspices of the Attorney General’s Ministry with input from the Ministry of Finance and the Ministry of National Security.

Entities, authorities or agencies involved in adopting the recommendation: As mentioned above, the comparative study would have to be organized by the Attorney General’s Ministry and the Ministry of National Security.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: The comparative study would have to be a consultancy under the supervision of the Attorney General’s Ministry, with input from

¹⁷ See the Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round” (2006), at p. 18

experts of relevant agencies such as CARICOM, the United Nations Office on Drugs and Crime (UNODC), and the Organization of American States.

Entities, authorities or agencies necessary for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: The UNODC, the OAS and CARICOM would be in excellent positions to assist in this endeavor.

Time needed to consider, adopt or implement the recommendation: Six months would probably be needed to carry out such a consultancy.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation:

1. Establishment of terms of reference for the consultancy includes the comprehensive examination of the most effective “best practices” regarding prevention; detection; investigation and punishment of corruption from within and from its counterparts in other countries;
2. The consultancy is completed;
3. Recommendations from the consultancy are forwarded to the Attorney General’s Ministry for adoption.

Approximate cost of implementing the recommendation: Such a consultancy would cost about US\$8,000.00 to carry out.

Possible funding sources (national and international) for implementing the recommendation: The Inter-American Development Bank (through the Belize Public Sector Reform Project), the United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the development and implementation of the consultancy for identifying best practices in the area of cooperation to prevent, detect, investigate and punish corruption, which is being recommended in this section.

6. CENTRAL AUTHORITIES (ARTICLE XVIII of the Convention)

Recommendation 6.1: Formalize the designation of the Solicitor General as the Central Authority provided for in Article XCIII of the Convention for the

purposes of international assistance and cooperation envisaged in that treaty, and communicate that designation to the Secretariat of the OAS in accordance with the procedures provided to that end.

Measure: No measure recommended

Legal action required to adopt recommendation: The Government of Belize will have to make a decision on the matter since, of recent, the trend has been to designate the Attorney General or the Attorney General's Ministry as Central Authority for Belize for the purposes of international assistance and cooperation. This position has been maintained in international Conventions and bilateral treaties signed by Belize within the past couple of years, such as the Treaty with the United States of America and the CARICOM Treaty. Therefore, no additional legal action is needed.

Studies, plans or programs needed to implement recommendation: No additional studies are needed.

Any similar or alternative recommendation adopted: No similar measure adopted.

Entities, authorities or agencies responsible for adopting the recommendation: The Attorney General's Ministry is the entity responsible for adopting the measure.

Entities, authorities or agencies involved in adopting the recommendation: The matter resides in the Attorney General's Ministry.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: No additional studies necessary.

Entities, authorities or agencies necessary for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: No additional studies necessary

Time needed to consider, adopt or implement the recommendation: The recommendation will be implemented immediately once the decision is made.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation.

1. The Attorney General's Ministry communicates with the Secretariat of the OAS its decision on the Office or official designated as the Central Authority

of Belize pursuant to Article XCIII of the Convention for the purposes of international assistance and cooperation.

Approximate cost of implementing the recommendation: No cost implications are expected to implement this recommendation.

Possible funding sources (national and international) for implementing the recommendation: No additional funding necessary.

Recommendation 6.2: Ensure that said authority has sufficient resources to enable it to carry out its functions.

First Measure: No measure recommended

Legal action required to adopt recommendation: In the Report of Belize on the Implementation of Belize of the Recommendations of the Committee of Experts in the First Round¹⁸, Belize noted that “In practice, the requests for legal assistance from other countries have been addressed by the Attorney General’s Ministry with its existing staff and budget.” Officials have, however, indicated that within the last couple of years, the country has observed a sharp increase in requests for legal assistance, which heightens the need for increasing the resources (human, financial and technical) not only of the Central Authority, but also of the investigative bodies – the Police and the Financial Intelligence Unit – and of the prosecutorial agencies, the Attorney General’s Ministry and the Office of the Director of Public Prosecutions, and of the Courts.

Studies, plans or programs needed to implement recommendation: No additional studies are needed.

Any similar or alternative recommendation adopted: No similar measure adopted.

Entities, authorities or agencies responsible for adopting the recommendation: The Attorney General’s Ministry is the entity responsible for adopting the measure.

Entities, authorities or agencies involved in adopting the recommendation: The Ministry of Finance should be asked to consider the importance of the country’s

¹⁸ See the Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round (2006), at p. 19.

international obligation to provide legal assistance in criminal matters to other countries and should ensure that the budget of the Police, the Financial Intelligence Unit, the Attorney General's Ministry, the Office of the Director of Public Prosecutions and the Courts is adequate to meet the requests for legal assistance.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: No additional studies necessary.

Entities, authorities or agencies necessary for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: No additional studies necessary

Time needed to consider, adopt or implement the recommendation: The recommendation will be implemented immediately once the decision is made.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation.

1. The Attorney General's Ministry communicates with the Secretariat of the OAS its decision to formalize the designation of the Office or official to serve as the Central Authority provided for in Article XCIII of the Convention for the purposes of international assistance and cooperation envisaged in that treaty in accordance with the procedures provided to that end.
2. Funding for the Secretariat (including funding for human, financial and technical resources) for the proper execution of requests for legal assistance (which often requires identification, investigation and prosecution) has been identified and placed in the Attorney General's Ministry's budget.

Approximate cost of implementing the recommendation: Cost implications associated with this recommendation are expected to be borne by the Attorney General's Ministry.

Possible funding sources (national and international) for implementing the recommendation: The Attorney General's Ministry and all other relevant Offices must be given the necessary human, financial and technical resources to carry out their duties.

7. GENERAL RECOMMENDATIONS

Recommendation 7.1: Design and implement, where appropriate, training programs for public servants responsible for application of the systems, standards, measures and mechanisms included in this report, in order to ensure their appropriate acquaintance, management, and application.

First Measure: No measure recommended

Legal action required to adopt recommendation: No legal action required

Studies, plans or programs needed to implement recommendation: Training program should be developed by the Training Unit of the Ministry of the Public Service.

Any similar or alternative recommendation adopted: No similar measure adopted although “the United Nations Office on Drugs and Crime (“the UNODC”) organized and hosted a one week training program in Belize City which counted with the participation of, *inter alia*, representatives from the Police Department, the Office of the Director of Public Prosecutions, the Ministry of Foreign Affairs, the Attorney General’s Ministry and the Bench. A follow-up session is being discussed with the UNODC. A number of officers have also received training abroad.”¹⁹

Entities, authorities or agencies responsible for adopting the recommendation: This recommendation would have to be proposed by the Attorney General’s Ministry (as the proposed Secretariat) and adopted by the Ministry of the Public Service as part of their Training Unit’s program.

Entities, authorities or agencies involved in adopting the recommendation: Training or sensitization programs such as those suggested by this recommendation are organized by the Training Unit of the Ministry of the Public Service in conjunction with all relevant Departments and Ministries. Also, the University of Belize (which administers a Bachelor program in Public Management) could consider offering specific anti-corruption-related degrees or including aspects of anti-corruption in the curricula of some of the degrees offered by the said University.

¹⁹ See the Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round (2006), at p. 18.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation As mentioned above, such programs would be organized by the Training Unit of the Ministry of the Public Service or an educational institution such as the University of Belize.

Time needed to consider, adopt or implement the recommendation: Approximately six months.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation:

1. Training or sensitization program designed;
2. Training program adopted and funded;
3. Percent of government ministries signing for the program;
4. Percent of senior and middle level public servants completing the program;

Approximate cost of implementing the recommendation: Such training programs would cost approximately US\$20,000 to develop and undertake.

Possible funding sources (national and international) for implementing the recommendation: The Inter-American Development Bank (through the Public Sector Reform Project), the United Nations Office on Drugs and Crime (UNODC), the Organization of American States, or the Central American Integration System (SICA) are possible sources for funding the national consultations.

Recommendation 7.2: For said purposes, Belize could take into account the list of broader indicators applicable to the Inter-American system that were available for election, as necessary, by Belize, and which have been published by the Technical Secretariat of the Committee on the OAS Internet web site. Belize could also take into account any information arising from the review of mechanisms developed pursuant to recommendation 7.3 below.

Legal action required to adopt recommendation: No legal action required

Studies, plans or programs needed to implement recommendation: Consultancy to develop procedures and broad indicators via a work-plan for the implementation of the National Plan of Action being developed.

Any similar or alternative measure adopted: No similar measure adopted although a National Plan of Action is being developed for Belize.

Entities, authorities or agencies responsible for adopting the recommendation: This measure would have to be proposed and developed by the Attorney General's Ministry (as the proposed Secretariat) as a consultancy under their supervision.

Entities, authorities or agencies involved in adopting the recommendation: A consultancy would have to be implemented to develop a work-plan based on the National Plan of Action. A national workshop involving stakeholders as participants would have to be undertaken as part of the consultancy.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: The proposed work-plan would have to be developed as a consultancy under the supervision of the Attorney General's Ministry.

Time needed to consider, adopt or implement the recommendation: Such a consultancy would take approximately six months.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation:

1. The terms of reference for the consultancy to develop a work plan to accompany the National Plan of Action is issued;
2. The consultancy is undertaken;
3. The National Workshop is held;
4. Recommendations from the National Workshop is incorporated into the Draft Plan;
5. The consultancy is completed and the recommendations contained in the Draft Plan are accepted and adopted by the Government of Belize.

Approximate cost of implementing the recommendation: Such consultancies would cost approximately US\$8,000.00 to develop and undertake.

Possible funding sources (national and international) for implementing the recommendation: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) or the Organization of American States (OAS) are possible sources for funding for the development of the work plan.

Recommendation 7.3: Implement the recommendations contained in this report and develop, as appropriate and where none exist, procedures to review the mechanisms mentioned herein.

Legal action required to adopt recommendation: The recommendations would have to be developed as part of a National Plan of Action that is:

1. prepared for the Government of Belize;
2. approved and adopted by the Government of Belize; and
3. implemented by the Government of Belize, through the supervision of the Attorney General's Ministry.

SECTION II. RECOMMENDATIONS FROM SECOND ROUND OF REVIEW

1. SYSTEMS OF GOVERNMENT HIRING AND PROCUREMENT OF GOODS AND SERVICES (ARTICLE III (5) OF THE CONVENTION)

Recommendation 1.1 - Consider strengthening the systems of government hiring.

Measure A: Develop, through the relevant legislative and/or administrative procedures, the different stages that comprise the process of selecting and appointing candidates to posts in the Public Service, by adopting provisions and clearly defined criteria that ensure entry to the public service, always taking into account the principles of openness, equity and efficiency as provided in the Convention.

Legal action required to adopt measure: In the Belize Final Report for Round II of the 14th Meeting of the Committee of Experts of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC), held on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that the Belize Constitution²⁰ makes provisions for accountability and transparency in the hiring process in the public service including:

- Constitutional provisions, such as those which establish the Public Services Commission (Section 105); the Security Services Commission and the Judicial and Legal Services Commission (Section 110E); and which also provide that in the performance of their functions, the Commissions shall not be subject to the control of any other person or authority (Sections 105(12) and 115E(12), respectively). Pursuant to Section 106(1) of the Constitution, the Public Services Commission has the power to appoint individuals to hold or act in offices in the public service, with the exception of those offices within the judicial and legal services and the security service. Section 106(3)(c) authorizes the Governor-General, acting in accordance with the advice of the Minister or Ministers, and following public consultation, to make regulations on the formation of schemes for recruitment to the public service; Section 107 grants the Public Services Commission the power to appoint high ranking public officers; and Section 106(5) authorizes the Public Service Commission to delegate its powers, on the conditions it deems fit, to any one or more of its members, or with the consent of the Prime Minister, to any public officer.

With respect to the Judicial and Legal Services Commission, Section 110F(1) of the Constitution grants the Commission the power, inter-alia, to review the suitability of applicants, as well as appoint individuals to hold or act in offices in the judicial and legal services, including the power to make appointments, promotions, transfers, and to confirm appointments; and Section 110F(5) authorizes the Judicial and Legal Service Commission to delegate its powers.

- Statutory provisions, such as the Public Service Regulations, which contain provisions related to the government hiring system, and which apply to all of the above-referenced Service Commissions, pursuant to Regulations 2 and 3 thereof, and to all public officers and offices, subject to the following exceptions specified in Regulation 2(2): the offices of the Prime Minister or other Ministers, Ministers of State, Speaker or Deputy Speaker or member of the House of Representatives, President or Vice President or Senator, member of the Belize Advisory Council, or any Commission established under the Constitution, or the Clerk, Deputy Clerk or staff of the National Assembly, or the Ombudsman or the Contractor-General. In addition, Regulation 3 provides that the Public Service Regulations do not apply to: an office of a Justice of appeal; an officer to whom section 110B of the Constitution applies; an open vote worker to whom the Government

²⁰ See The Belize Constitution, CAP 4 of the Substantive Laws of Belize, Revised Edition 2000-2003

(Open Vote) Workers Regulations apply; an ambassador or High Commissioner; offices to which sections 107, 108 and 109 of the Constitution apply; an office of a Justice of the Supreme Court; and any other category or class of officers where special Regulations are made in respect of that category or class of officers.

- With respect to access to the public service through a merit-based system, Regulation 6 provides that the educational or professional qualifications and other requirements for appointment to permanent posts in the Public Service shall be determined by the Chief Executive Officer, Ministry of the Public Service, after consultation with the appropriate Ministry. In addition, Regulation 11(2) provides that the promotion of officers to fill vacancies shall be approved by the relevant Commission, and that the Commission shall base its decision on the following three factors, in descending order of importance: (a) Performance/Merit; (b) Integrity/Professionalism; and (c) Experience/Employment History.
- With respect to vacancies in the public service, Regulation 7 provides that when a vacancy arises, the Chief Executive Officer of the Ministry shall report it to the Chief Executive Officer of the Ministry of the Public Service and state his recommendations for filling the post. Finally, Regulation 11(1) provides, inter-alia, that no officer shall be appointed to a post for which he is not qualified. In addition to the above-cited Regulations, Circular Memorandum No. 7 of 2008, establishes a new procedure for the creation of new posts and for the filling of vacant posts in the Public Service, and provides at paragraph 2, that all requests to fill vacant posts shall be submitted to the Ministry of the Public Service, and must be accompanied by “a detailed justification for the filling of the vacancy including; date vacancy occurred, cause of vacancy and proposed date for filling of the post.”
- With respect to methods for challenging selection decisions, the Supreme Court Rules of 2005, at Part 56, allows applications for judicial review to be submitted to the Supreme Court. Part 56.1(3) provides that the Court may provide the following remedies: (a) certiorari, for quashing unlawful acts; (b) prohibition; or (c) mandamus, for requiring performance of a public duty; while Part 56.1(4) also empowers the Court to grant an injunction; restitution or damages, or an order for the return of property.

In addition, Section 12(1) of the Ombudsman Act grants the Ombudsman the authority to investigate matters, where he or she has a reasonable cause to believe that (a) an authority or an officer or member of an authority has been guilty of corruption or other wrongdoing; or (b) any person or body of persons may have sustained injustice, injury or abuse as a result of an action taken by an authority, or an officer, or a member of such authority. Additionally, Section 12(4) grants the Ombudsman the power to investigate any reports made to the Governor-General or to the Public Services Commission, in respect of the appointment, removal, promotion, disciplinary control or other personnel matters in relation to any person. Section 22(1) provides that when the Ombudsman’s investigation evidences a breach of duty, misconduct, or a criminal offense, the matter

shall be referred to the person or entity responsible for taking disciplinary or other appropriate action, and submit a special report to the National Assembly, which, pursuant to Section 22(2), may, among other actions and when the report discloses a criminal violation, forward the matter to the Director of Public Prosecutions for appropriate action.

- Statutory provisions, such as the Belize Constitution (Government Open Vote Workers) Regulations, which, pursuant to Article 2 thereof, applies to “*employees of any Government Department whose post is not provided for under any Personal Emoluments item of any Head of Expenditure in the Estimates*” Article 3 classifies workers in two categories: Category A, which includes workers engaged for any permanent year round service, as well as workers who have served for 5 years or more and whose employment is not intended to be permanent year round service, including workers whose employment is intended to be for a particular project only; and Category B, which includes workers with less than five years of service whose employment is not intended to be permanent round the year service, including workers whose employment is intended to be for a particular project only. Article 4 provides that the Head of Department shall engage all workers through the employment exchange of the Labor Department where such a service exists, and also requires the Head of Department to lay out the terms of employment in writing.
- Statutory provisions, such as the National Assembly Staff Act, Chapter 14 of the Laws of Belize R.E. 2000-3003, which at Section 3 establishes the National Assembly Staff Committee, consisting of (a) the Speaker of the House of Representatives, or in his absence the Deputy Speaker, (b) three members of the House of Representatives nominated by the House, (c) the President of the Senate and one other member of the Senate nominated by the Senate, and (d) one member of the staff of the National Assembly nominated by the Staff of the National Assembly or one other person who is not a member of staff nominated by the Staff of the National Assembly; Section 6 grants the National Assembly Staff Committee the power, inter-alia, to appoint and confirm appointments, and to exercise disciplinary control over National Assembly Staff. Section 6 also provides that appeals from decisions of the Committee can be made to the Belize Advisory Council, in respect of Staff of the National Assembly. In addition, the National Assembly Staff (Conditions of Service) Regulations, 2003, provide at Section 3, that the National Assembly Staff Committee makes all permanent appointments in the National Assembly. Section 5 requires the Clerk of the National Assembly to publish the professional qualifications and other requirements for appointment to permanent posts in the National Assembly, after consultation with the Committee. Section 9 requires the Clerk to report vacancies that arise to the Committee, together with his recommendations for filling the post. Section 15(1) provides that no officer shall be appointed or promoted to a post for which he is not qualified, while Section 15(2) provides that the promotion of officers to fill vacancies shall be approved by the Governor-General or the Committee, and that the decision shall be based on the following factors, in descending order of importance: (a) Performance Track Record; (b) Integrity; and (c) Experience. Section 18 allows officers who are qualified for a post pursuant to Section 15, to be appointed to act in a vacant post for up to a year, or in a post that is not vacant for a specified period.

The Committee of Experts observed that the constitutional and legal provisions that refer to the principal systems of government hiring that the Committee examined, based on the information available to it, constitute, as a whole, a body of measures relevant to promoting the purposes of the Convention. However, with regard to the systems of hiring, the Committee noted that Regulation 7 of the Public Services Regulations requires the Chief Executive Officer of each respective Ministry to report her/his recommendation for filling vacancies in that Ministry to the Chief Executive Officer of the Ministry of the Public Service, and while Circular 7 of 2008 requires a detailed justification of the need for the vacancy, there is no requirement, in those cases where a Chief Executive Officer's recommendation with regard to a vacancy is also accompanied by an identification of the person she/he recommends to fill the post, for a justification of the reason for that identification. Therefore, the Committee considered that the government hiring process may benefit from the adoption of provisions which impose such a requirement. Thus, an amendment to Regulation 7 to include a justification for the reason of the identification of the recommended person would have to be put in place.

Studies, plans or programs needed to implement measure: Such an amendment would have to be drafted by the Attorney General's Ministry, discussed with stakeholders such as the Public Service Union and the Public Services Commission and then approved by the Belize Legislature.

Any similar or alternative measure adopted: No similar measure has been adopted:

Entities, authorities or agencies responsible for adopting the measure: As was stated above, such an amendment would have to be drafted by the Attorney General's Ministry, discussed with stakeholders such as the Public Service Union and the Public Services Commission and approved by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** Once the Government approves the amendment to Regulation 7 of the Public Service Regulations, all three Commissions established by the Constitution will be required to adopt the measure. Consequently, all Chief Executive Officers will be required to provide full justification of the reason(s) for identifying and recommending a particular person to fill a vacant post within the Public Service of Belize.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry and approved by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Consultation by the Ministry of the Public Service with relevant stakeholders on the proposal to amend Regulation 7 of the PSR;
- b) Directive from the Ministry of the Public Service to the Attorney General's Ministry to draft the relevant amendment;
- c) Approval of the amendment by relevant stakeholders;
- d) Submission of the amendment the Belize Legislature for approval;
- e) Adoption of the amendment by the three Services Commissions.

Approximate cost of implementing the measure: The estimated cost for such drafting is approximately US\$8,000.00

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure B: Examine the existing job descriptions and classifications, in order to determine whether it would be useful to have a single Job Description or Job Classification Manual containing all generic public sector posts.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that although Circular Memorandum No. 17 of 2007 contains education- and experience-related requirements for certain categories of posts, there are many public sector posts for which there is no description of those requirements readily available. Accordingly, the Committee considers that it might be useful for Belize to examine the existing job descriptions and classifications, with a view to determining whether having a single document containing the job specification for all generic public sector posts, such as a Job Description or Job Classification Manual, would be useful.

Studies, plans or programs needed to implement measure: The development of job descriptions and job specifications to be contained in a job classification manual would

have to be undertaken by the Ministry of the Public Service. Recommendation is that this may be done through a consultancy, under the direct supervision of the Ministry of the Public Service.

Any similar or alternative measure adopted: In the Belize Final Report approved during the 14th Meeting of the Committee of Experts, held on December 8th to the 12th 2008 in Washington, D.C., the Committee noted that at the December 5, 2008 meeting of the Review Subgroup, Belize informed the Committee that the Ministry of the Public Service has embarked upon a general review of the public service, which includes public consultation. Therefore, the time might be right for the development of such a consultancy.

Entities, authorities or agencies responsible for adopting the measure: The measure would have to be adopted and implemented by and through the Ministry of the Public Service.

Entities, authorities or agencies involved in adopting the measure: The Ministry of the Public Service.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: The evaluation suggested by the measure would have to be undertaken as an independent consultancy under the supervision of Ministry of the Public Service.

Time needed to consider, adopt or implement the measure: Such a comprehensive review would take approximately eight months to complete.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: The indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

1. The terms of reference for the consultancy to compile a list of job descriptions and classifications for the Public Service of Belize, which shall be incorporated in a manual;
2. The consultancy has been completed;
3. Results of the consultancy are accepted by the Ministry of the Public Service and submitted to all Government Heads of Departments for their input;
4. Input considered by the Ministry of the Public Service;

5. Approved modifications incorporated into the final document;
6. Approved document circulated to all Heads of Department.

Approximate cost of implementing the measure: The cost of undertaking such a consultancy would be approximately US\$10,000.00.

Possible funding sources (national and international) for implementing the measure: The Inter-American Development Bank (through the Belize Public Sector Reform Project), the United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the comprehensive review.

Measure C: Adopt, through the appropriate legislative and/or administrative procedures, provisions and mechanisms that contain clearly defined criteria for the advertisement of hiring opportunities or vacancies in the public service, as well as the time frame in which they should be advertised, and which take into account the use of the mass media, such as newspapers with national circulation and/or websites, among others.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the Committee of Experts, the Committee noted that they observed an absence of provisions which require the publication of vacancies that occur in the Belize public service. In this regard, Belize responded that there is “*a preference to advertise vacancies within the public service, especially for technical positions, but sometimes the posts are filled by internal promotions or transfers, or from existing applications kept on file; and in those instances, there is no advertisement.*”²¹ Therefore, it is recommended that the Public Service Regulations (PSR) be amended to explicitly require the publication of all vacancies that occur in the Belize public service. In the alternative, the Ministry of the Public Service could adopt the requirement and communicate such requirement to all Government Ministries through a Circular.

Studies, plans or programs needed to implement measure: No special studies are necessary.

Any similar or alternative measure adopted: No similar measure has been adopted.

Entities, authorities or agencies responsible for adopting the measure: The Ministry of the Public Service is overall responsible for adopting the measure, irrespective of

²¹ Response of Belize to the Questionnaire for the Second Round, at p. 5.

whether it opts for an amendment to the PSR or communication to all Heads of Department through a Circular.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Ministry of the Public Service and the three Services Commissions.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: No studies necessary.

Time needed to consider, adopt or implement the measure: Approximately six months would be necessary to approve such an amendment or to or otherwise adopt same.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of the relevant amendment to the PSR or issuing of the Circular to all government Departments;
- b) If amendment to the PSR - approval of the amendment by relevant stakeholders;
- c) If amendment to the PSR - input received from relevant stakeholders;
- d) In any of the two cases - adoption and implementation by the Ministry of the Public Service and the three Services Commissions.

Approximate cost of implementing the measure: The estimated cost for an amendment in time is approximately US\$5,000.00.

Possible funding sources (national and international) for implementing the measure: Both possibilities of addressing the situation are usually handled locally in the national budget.

Measure D: Adopt, through the appropriate legislative and/or administrative procedures and in keeping with the principle of due process, provisions for the establishment of administrative challenge mechanisms to clarify, modify or revoke substantial acts that are part of the recruitment and selection procedures in the Public Service, ensuring a timely, objective, impartial, and effective procedure

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC²², Belize stated that “The Laws of Belize do not specifically address ways to challenge decisions made in the selection of public servants. There are, however, the usual recourses of judicial review via the courts; complaints to the Ombudsman if there are allegations of abuse of power by government officials; and complaints to the relevant Minister”.²³ Therefore, the implementation of this measure would have to include an amendment to the Public Service Regulations and the Services Commissions Regulation to make provisions for mechanisms and procedures to challenge decisions made in the selection of public servants.

Studies, plans or programs needed to implement measure: No special studies are necessary.

Any similar or alternative measure adopted: Presently, decisions made in the selection of public servants can be challenged in Court by way of judicial review, or by way of complaint to the Ombudsman or the relevant Minister.

Entities, authorities or agencies responsible for adopting the measure: Such an amendment would have to be drafted by the Attorney General’s Ministry with direct input from the Ministry of the Public Service and relevant stakeholders, including the Public Service Union and the Services Commissions.

Entities, authorities or agencies involved in adopting the measure: Entities, authorities or agencies involved in adopting the measure: The Ministry of the Public Service, the Services Commissions.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: No studies necessary.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to approve such an amendment.

²² See <http://www.oas.org/juridico/english/blz.htm>

²³ See Response of Belize to the Questionnaire for the Second Round at Page 5.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Ministry of the Public Service and the Public Services Commission;
- d) Development of a public awareness campaign to sensitize the public and public officers of the adoption of the measure.

Approximate cost of implementing the measure: The estimated cost for an amendment in time is approximately US\$5,000.00

Possible funding sources (national and international) for implementing the measure: Drafting such amendment is usually handled locally in the national budget.

Measure E: Strengthen the legal provisions regarding the Service Commissions, so that these authorities have the competence to revoke or take other corrective measures when it is found that an appointment process was, among other things, irregular, improper, or made through fraudulent competition.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that there are no provisions which empower the Service Commissions, as the entities responsible for the government hiring system, to take corrective action in the event that an appointment process was, among other things, irregular, improper, or made through a fraudulent competition.²⁴ Therefore, an amendment to Regulation 7 that provides the Services Commission with the competence to revoke or take other corrective measures when it is found that an appointment process was, among other things, irregular, improper, or made through a fraudulent competition will have to be drafted by the Attorney General's Ministry with input from the Ministry of the Public Service and the Services Commission and by the Prime Minister's Cabinet and the Belize Legislature.

²⁴ See page 7

Studies, plans or programs needed to implement measure: Any amendment to the Regulation 7 would have to be drafted by the Attorney General's Ministry and with input from the Ministry of the Public Service and the Services Commission and approved by the Prime Minister's Cabinet and passed by the Belize Legislature.

Any similar or alternative measure adopted: No similar measure has been adopted.

Entities, authorities or agencies responsible for adopting the measure: The Attorney General's Ministry would be the agency responsible for drafting the new amendment with input from the Integrity Commission, the Ministry of the Public Service and the Services Commission, the Belize Legislature (House and Senate) would be responsible for passing the new amendment and the Public Services Commission and the Integrity Commission would be responsible for implementing the new amendment.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Service Union and the Belize Senate would be involved in the decision to amend the current Prevention of Corruption Act to include said measure.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any other amendments to the Prevention of Corruption Act of 2007 will have to be drafted by the Attorney General's Ministry and approved and passed by Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve the amendment to the Prevention of Corruption Act to include the measure being recommended.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;

- d) Number of uses of the amendment by the Public Services Commission and the Integrity Commission to sanction offenders;
- e) Development of a public awareness campaign to sensitize the public and public officers of the adoption of the measure.

Approximate cost of implementing the measure: The estimated cost for such drafting is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure F: Develop, through the appropriate legislative and/or administrative procedures, the different stages that comprise the process of selecting and appointing workers governed by the Belize Constitution (Government Open Vote Workers) Regulations, by adopting provisions and clearly defined criteria that ensure access to this category of service, and establishing a time limit for the duration of their employment, always taking into account the principles of openness, equity and efficiency as provided in the Convention.

Legal action required to adopt measure: The Belize Final Report of the 14th Meeting of the Committee of Experts, the Committee noted that although workers who are governed by the Belize Constitution (Government (Open Vote Workers), regulations are neither a part of the public service, nor are they appointed by one of the Services Commissions, inasmuch as these workers are government employees and also public servants for the purposes of the Convention, this category of employee includes employees who are carrying out essentially permanent functions²⁵. Similarly, the Committee observed an absence of time limits for the duration of an open vote worker's employment. Accordingly, the Committee recommended that Belize considers the advisability of establishing criteria which adequately develop the hiring system for this category of employee, and establish time limits for the duration of their employment, based on the principles of openness, equity and efficiency enshrined in the Convention. Such a recommendation requires an amendment to the Government (Open Vote Workers) Regulations regarding additional rules and regulations for Open Vote Workers and has to be drafted by the Attorney General's Ministry with input from the Ministry of the Public Service and the Services Commissions.

Studies, plans or programs needed to implement measure: Any amendment to the laws of Belize regarding Open Vote Workers would have to be drafted by the Attorney

²⁵ See page 8

General's Ministry with input from the Ministry of the Public Service and the Services Commissions.

Any similar or alternative measure adopted: No similar measure has been adopted.

Entities, authorities or agencies responsible for adopting the measure: The Attorney General's Ministry would be the agency responsible for drafting the new amendment with input from the Public Services Commission, the Ministry of the Public Service, and the Public Service Union.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Ministry of the Public Service and the Services Commissions.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any other amendments to the laws of Belize regarding rules and regulations for Open Vote Workers will have to be drafted by the Attorney General's Ministry.

Time needed to consider, adopt or implement the measure: Approximately six months.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Implementation of the measure by the Services Commissions and the Ministry of the Public Service.

Approximate cost of implementing the measure: The estimated cost in time for such drafting is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure G: Develop, through the appropriate legislative and/or administrative procedures, the different stages that comprise the process of selecting and appointing National Assembly staff, by adopting provisions and clearly defined criteria that ensure access to those positions, always taking into account the principles of openness, equity and efficiency as provided in the Convention.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the Committee of Experts, the Committee noted that the system of hiring of staff of the National Assembly does not appear to clearly identify and define the different stages of recruitment and selection in the process, which would ensure the openness, equity and efficiency of the process. Accordingly, the Committee recommended that Belize develop, through the appropriate legislative and/or administrative procedures, the different stages that comprise the process of selecting and appointing National Assembly staff, by adopting provisions and clearly defined criteria that ensure access to those positions, always taking into account the principles of openness, equity and efficiency as provided in the Convention. Such a recommendation requires an amendment to the laws of Belize and has to be drafted by the Attorney General's Ministry with input from the Ministry of the Public Service and the Services Commission and approved by the Belize Legislature.

Studies, plans or programs needed to implement measure: Any amendment to the laws of Belize regarding National Assembly Workers would have to be drafted by the Attorney General's Ministry and with input from the Ministry of the Public Service and the Services Commission and approved by the Belize Legislature.

Any similar or alternative measure adopted: No similar measure has been adopted.

Entities, authorities or agencies responsible for adopting the measure: The Attorney General's Ministry would be the agency responsible for drafting the new amendment with input from the Public Services Commission, the Ministry of the Public Service, and the Public Service Union. The Belize Legislature (House and Senate) would be responsible for passing the new amendment.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, and the Public Service Union. The Belize House and Senate would be involved in the decision to amend the laws of Belize regarding rules and regulations for Open Vote Workers.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to

implement the measure: Any other amendments to the laws of Belize regarding rules and regulations for National Assembly workers will have to be drafted by the Attorney General's Ministry and approved by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend the laws of Belize regarding rules and regulations for National Assembly Workers

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Number of uses of the amendment by the Public Services Commission and the Ministry of the Public Service in upholding the rules and regulations regarding National Assembly workers;
- e) Development of a public awareness campaign to sensitize the public and public officers of the adoption of the measure.

Approximate cost of implementing the measure: The estimated cost in time for such drafting is approximately US\$8,000.00

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure H: Adopt, through the appropriate legislative and/or administrative procedures, provisions which provide that the selection and recruitment process for staff of the National Assembly to be based on merit.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that with respect to the system of hiring staff of the National Assembly, the present system does not appear to clearly identify and define the

different stages of recruitment and selection in the process, which would ensure the openness, equity and efficiency of the process²⁶. The Committee therefore recommends that Belize considers adopting, through the appropriate legislative and/or administrative procedures, provisions which provide that the selection and recruitment process for staff of the National Assembly be based on merit. Such a recommendation requires an amendment to the laws of Belize regarding additional rules and regulations for the hiring of staff of the National Assembly has to be drafted by the Attorney General's Ministry with input from the Ministry of the Public Service and the Services Commission, and approved by the Belize Legislature.

Studies, plans or programs needed to implement measure: Any amendment to the laws of Belize regarding additional rules and regulations for the hiring of staff of the National Assembly has to be drafted by the Attorney General's Ministry with input from the Ministry of the Public Service and the Services Commission and approved by the Belize Legislature for passage.

Any similar or alternative measure adopted: No similar measure has been adopted.

Entities, authorities or agencies responsible for adopting the measure: The Attorney General's Ministry would be the agency responsible for drafting the new amendment with input from the Public Services Commission, the Ministry of the Public Service, and the Public Service Union. The Belize Legislature (House and Senate) would be responsible for passing the new amendment.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Service Union and the Belize House and Senate would be involved in the decision to amend the laws of Belize regarding additional rules and regulations for the hiring of staff of the National Assembly.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any other amendment to the laws of Belize regarding additional rules and regulations for the hiring of staff of the National Assembly will have to be drafted by the Attorney General's Ministry, approved by the Belize Legislature.

²⁶ See page 8.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend the laws of Belize regarding additional rules and regulations for staff of the National Assembly

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Number of uses of the amendment by the Public Services Commission and the Ministry of the Public Service in upholding the rules and regulations regarding Open Vote Workers;
- e) Development of a public awareness campaign to sensitize the public and public officers of the adoption of the measure.

Approximate cost of implementing the measure: The estimated cost in time for such drafting is approximately US\$8,000.00

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure I: Adopt, through the appropriate legislative and/or administrative procedures, provisions which require the publication of staff vacancies that arise in the National Assembly.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that although Section 5 of the Staff (Conditions of Service) Regulations, 2003 requires publication of the qualification and other requirements for appointment to posts, there is no requirement that vacancies be publicized²⁷. Therefore, an amendment by the Belize Legislature to provide for the requirement that all National Assembly staff vacancies must be identified would have to be put in place by the Minister of the Public Service and the Public Services Commission and approved by the Belize Legislature.

²⁷ See page 8.

Studies, plans or programs needed to implement measure: No special studies are necessary.

Any similar or alternative measure adopted: No similar measure has been adopted:

Entities, authorities or agencies responsible for adopting the measure: As was stated above, such an amendment would have to be drafted by the Minister of the Public Service and discussed with the Public Services Commissions before passage.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Ministry of the Public Service, the Public Services Commission and the Public Service Union would have to be involved.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: No studies necessary.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Number of uses of the amendment by the Ministry of the Public Service and the Public Services Commission to advertize all National Assembly staff vacancies;
- e) Development of a public awareness campaign to sensitize the public and public officers of the adoption of the measure.

Approximate cost of implementing the measure: The estimated cost for an amendment in time is approximately US\$5,000.00.

Possible funding sources (national and international) for implementing the measure:

Drafting such amendment is usually handled locally in the national budget.

Measure J: Adopt, through the appropriate legislative and/or administrative procedures and in keeping with the principle of due process, provisions for the establishment of administrative challenge mechanisms to clarify, modify or revoke substantial acts that are part of the recruitment and selection procedures for the National Assembly, ensuring a timely, objective, impartial, and effective procedure.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted an absence of provisions in the regulations which would allow for administrative challenges to be made by unsuccessful applicants with respect to the decisions taken in the process of appointing National Assembly staff²⁸.

In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC, Belize stated that “The Laws of Belize do not specifically address ways to challenge decisions made in the selection of public servants. There are, however, the usual recourses of judicial review via the courts; complaints to the Ombudsman if there are allegations of abuse of power by government officials; and complaints to the relevant Minister or the complainant’s local area representative”.²⁹ Therefore, the implementation of this measure would have to include an amendment to the laws of Belize to include such legislative and administrative procedures.

Studies, plans or programs needed to implement measure: No special studies are necessary.

Any similar or alternative measure adopted: No similar measure has been adopted:

Entities, authorities or agencies responsible for adopting the measure: As was stated above, such an amendment would have to be drafted by the Attorney General’s Ministry, after discussions with the .Ministry of the Public Service and the Public Services Commission.

²⁸ See page 8

²⁹ See Page 5.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Belize Legislature would be responsible for adopting the amendment. The Ministry of the Public Service and the Public Services Commissions would be responsible for implementing same.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: No studies necessary.

Time needed to consider, adopt or implement the measure: Approximately six months would be necessary to approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Number of uses of the amendment by the Ministry of the Public Service and the Public Services Commission to implement the new administrative procedures;
- e) Development of a public awareness campaign to sensitize the public and public officers of the adoption of the measure.

Approximate cost of implementing the measure: The estimated cost for an amendment in time is approximately US\$5,000.00.

Possible funding sources (national and international) for implementing the measure: Drafting such amendment is usually handled locally in the national budget.

Measure K: Consider disaggregating the results provided by the Ombudsman on complaints received and their resolution, in order to indicate how many of those complaints were based on challenges to the government hiring and selection process.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts, held on December 8th to the 12th 2008 in

Washington, D.C., the Committee of Experts opined that, considering the wide scope of the Ombudsman's responsibility, which encompasses complaints regarding not only hiring, but also promotions, disciplinary actions, dismissals, as well as corruption and abuse of authority, the Committee considers that it would be useful for these results to be broken down in order to indicate the number of complaints which specifically relate to the government hiring and appointment process. Such a revision would have to be agreed to and done internally by the Ombudsman's Office.

Studies, plans or programs needed to implement measure: No studies, plans or programs needed.

Any similar or alternative measure adopted: No similar measure adopted.

Entities, authorities or agencies responsible for adopting the measure: The Ombudsman's Office would be responsible for adopting the measure.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman would have to be involved in the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: No studies needed.

Time needed to consider, adopt or implement the measure: Approximately three months would be needed.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- A. Report with disaggregated results indicating how many of those complaints were based on challenges to the government hiring and selection process.

Approximate cost of implementing the measure: The estimated cost revising the report is approximately US\$1,000.00.

Possible funding sources (national and international) for implementing the measure: Such revising would be handled by the Ombudsman's Office.

Recommendation 1.2 - Consider strengthening the government systems for the procurement of goods and services.

Measure A: Adopt provisions which define the different stages that constitute the procurement process, and which include selection criteria, time frames, and which identify the entity responsible for making contract award decisions.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that, overall, the provisions and measures which refer to the principal government systems for the procurement of goods and services by Belize that the Committee has examined, based on the information made available to it, constitute a set of relevant measures for the promotion of the purposes of the Convention. However, it also noted that, with regard to the different methods of public contracting provided for by the Finance and Audit (Reform) Act 2005, there is not clear definition of the different stages that constitute the procurement process, particularly as regards selection criteria, timeliness, or the entity responsible for making the final decision to award a contract to a particular contractor. Therefore, it recommends that Belize adopt provisions which define the different stages that constitute the procurement process, and which include selection criteria, time frames, and which identify the entity responsible for making contract award decisions. Such an amendment to the Finance and Audit (Reform) Act of 2005 would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and then approved by the Prime Minister's Cabinet and passed by the Belize Legislature.

In the area of Systems for the Procurement of Goods and Services, this should be implemented but with the proviso that the provision identify the executing agency or ministry with the overall responsibility for the procurement process and the procurement system and that the role of the Ministry of the Public Service (for policy) the Ministry of Finance (for implementation) and the Contractor General's Office (for oversight and monitoring) be clearly defined.

Studies, plans or programs needed to implement measure: Earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank, hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is

likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Finance and Audit (Reform) Act of 2005 adopting provisions which define the different stages that constitute the procurement process, and which include selection criteria, time frames, and which identify the entity responsible for making contract award decisions would have to be drafted by drafted by the Attorney General's Ministry with input from the Ministry of Finance, and all other Ministries, which will then be submitted for the consideration and approval of the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** All Government Ministries, with supervision from the Ministry of Finance.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: All Government Ministries, with supervision from the Ministry of Finance.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;

- d) Implementation of the measure by all Government Ministries, with supervision from the Ministry of Finance and by the Contractor General in evaluating the integrity of contracts.

Approximate cost of implementing the measure: The estimated cost for such drafting in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget; IDB

Measure B: Adopt provisions which establish objective selection criteria in the evaluation of bids.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that although the Belize Finance and Audit (Reform) Act of 2005 contains provisions which provide for three different means of procurement, as well as specific criteria to be included in the respective invitations to tender, there do not appear to be provisions which provide clear criteria upon which the eventual selection will be made, such as, for instance, a requirement that for open tenders, the lowest technically acceptable offer will be awarded the contract. The Committee recommended that Belize considers adopting provisions which establish objective selection criteria in the evaluation of bids because having these criteria in place would help to ensure that selection decisions are not discretionary, arbitrary, or subjective, and would help to achieve the impartiality, transparency and equality required by the Convention. Such an amendment to the Finance and Audit (Reform) Act of 2005 would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and then approved and passed by the Belize Legislature.

Studies, plans or programs needed to implement measure: Earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank, hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Finance and Audit Act of 2005 adopting provisions which establish objective selection criteria in the evaluation of bids would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office, approved and passed by the Belize Legislature

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General's Ministry, the Ministry Finance, the Contractor General's Office, and the Belize Legislature would have to be involved in the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendment will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of the Finance and the Contractor General's Office, approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Implementation by the relevant Government Ministries and/or bodies;
- e) Number of uses of the provisions by the Contractor General in evaluating the integrity of government contracts.

Approximate cost of implementing the measure: The estimated cost for such drafting in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure C: Review Section 20 of the Finance and Audit (Reform) Act of 2005, in order to ensure that in those instances where limited tendering is used, that the government sees to it that there are an adequate number of potential suppliers to ensure competition, as required by Section 20(1) thereof.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted, that, with respect to Section 20 of the Act, which inter-alia, provides guidelines for an instance of selective tendering, Section 20(3) allows the Government, in the event that a permanent list of qualified suppliers is maintained, to select the supplier from that list and award the contract accordingly. The Committee noted concern that this provision would appear to allow for the direct award of a contract to a particular supplier without competition, and would seem to contradict with Section 20(1), which requires the Government to ensure that the number of applicable suppliers is sufficient to ensure competition. Therefore, the Committee recommended a review of Section 20 of the Finance and Audit (Reform) Act of 2005, in order to ensure that in those instances where limited tendering is used, that the government sees to it that there are an adequate number of potential suppliers to ensure competition, as required by Section 20(1) thereof. The Attorney General's Ministry would have to commission that such a review of the Finance and Audit Act be implemented.

Studies, plans or programs needed to implement measure: As noted already, earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank, hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

Any further consultancies, such as those described by the proposed measure, would have to be undertaken as a consultancy as the Attorney General's Ministry does not have the human resources to undertake such a review on its own.

Any similar or alternative measure adopted: No similar measure adopted.

Entities, authorities or agencies responsible for adopting the measure: The measure would have to be adopted and implemented under the auspices of the Attorney General's Ministry but would also have to involve the Ministry of Finance and the Contractor General's Office.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman and the Integrity Commission would also have to be involved in adopting such a measure along with the Attorney General's Ministry and the Ministry of Finance and the Contractor General's Office.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: The review suggested by the measure would have to be undertaken as an independent consultancy under the auspices of the Attorney General's Ministry.

Time needed to consider, adopt or implement the measure: Such a comprehensive review would take approximately six months to complete.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: The indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

1. The terms of reference for the consultancy to review the rules and regulations that provide exceptions to the right of access to public information, in order to ensure that they do not obstruct the exercise of the right to information as an effective mechanism in efforts against corruption has been issued;
2. The consultancy has been completed;
3. Recommendations from the consultancy have been accepted by the Attorney General's Ministry, the Ministry of Finance and the Contractor General.

Approximate cost of implementing the measure: The cost of undertaking such a consultancy would be approximately US\$10,000.00.

Possible funding sources (national and international) for implementing the measure: The Inter-American Development Bank's Belize Public Sector Reform Project and/or the Central American Integration System (SICA) are possible sources for funding the comprehensive review.

Measure D: Examine the need to adopt provisions which either: require a justification of the decision to resort to limited tendering based on extreme urgency or public interest, as provided for by Sections 21(1)(d) of the Finance and Audit (Reform) Act of 2005, or national emergency, as provided for by Section (21)(1)(h)(i) of the same law; or which define those terms.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that, with respect to the limited tendering procedure provided for by Section 21 of the Finance and Audit (Reform) Act, there is no requirement to justify a decision to resort to limited tendering based on “extreme urgency” or “the public interest” as used in Section 21(1)(d); nor of “national emergency”, as used in Section 21(1)(h)(i). At the same time, there is no definition of those terms in the Finance and Audit (Reform) Act of 2005. Therefore, they recommend that Belize examine the need to adopt provisions which either: require a justification of the decision to resort to limited tendering based on extreme urgency or public interest, as provided for by Sections 21(1)(d) of the Finance and Audit (Reform) Act of 2005, or national emergency, as provided for by Section (21)(1)(h)(i) of the same law; or which define those terms. Such an amendment to the Finance and Audit (Reform) Act of 2005 would have to be drafted by the Attorney General’s Ministry with direct input from the Ministry of Finance and the Contractor General’s Office and passed by the Belize Legislature.

Studies, plans or programs needed to implement measure: Earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank, hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Finance and Audit (Reform) Act of 2005 adopting

provisions which establish objective selection criteria in the evaluation of bids would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of Finance, the Contractor General's Office, and the Belize Legislature would have to be involved in the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of the Public Service and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Passage of the amendment by the Belize Legislature;
- d) Number of uses of the provisions by the Contractor General in evaluating the integrity of contracts.

Approximate cost of implementing the measure: The estimated cost for such drafting in time is approximately US\$8,000.

Possible funding sources (national and international) for implementing the measure:

Such legal drafting is usually handled locally in the national budget.

Measure E: Adopt provisions which provide clear selection procedures where the limited tendering procedure is used, and which also require a written justification for the use of this procurement method.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that, with respect to the limited tendering procedure provided for by Section 21 of the Finance and Audit (Reform) Act, there was an absence of provisions which require that a decision to use this procedure be justified in writing. The Committee considers that such a requirement would help ensure transparency in the process as well as reduce the opportunity for discretionary use of this procurement procedure. Therefore, they recommend that Belize adopt provisions which provide clear selection procedures where the limited tendering procedure is used, and which also require a written justification for the use of this procurement method. Such an amendment to the Finance and Audit Act of 2005 would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Studies, plans or programs needed to implement measure: Earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank, hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Finance and Audit (Reform) Act of 2005 adopting provisions which provide clear selection procedures where the limited tendering procedure is used, and which also require a written justification for the use of this procurement method would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and then approved by the Prime Minister's Cabinet and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General’s Ministry, the Ministry of Finance, the Contractor General’s Office, and the Belize Legislature would have to be involved in the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General’s Ministry with direct input from the Ministry of Finance and the Contractor General’s Office and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Implementation of the amendment by the relevant Government Ministries and/or bodies;
- e) Number of uses of the provisions by the Contractor General in evaluating the integrity of contracts.

Approximate cost of implementing the measure: The estimated cost for such drafting in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure F: Adopt provisions which clarify what is meant by day-to-day operations of government, as used in Section 21(1)(h)(ii) of the Finance and Audit (Reform) Act of 2005, in order to ensure that goods and services related to recurring expenses are procured competitively, where appropriate.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington,

D.C., the Committee of Experts noted that subparagraph 21(1)(h)(ii) of the Finance and Audit Act of 2005 provides for goods or services used for day-to-day government operations to be acquired through limited tendering. However it noted that there was an absence of a definition of what constitutes day-to-day government operations, may allow for too much discretion as to when this type of procurement procedure is used for this purpose. In addition, while certain small purchases may need to be acquired by the government as the need arises, the Committee recommended that it might be preferable for other recurring expenses, such as the case of office supplies, to be acquired through competitive means. Therefore, the Committee recommended Belize adopt provisions which clarify what is meant by day-to-day operations of government, as used in Section 21(1)(h)(ii) of the Finance and Audit (Reform) Act of 2005, in order to ensure that goods and services related to recurring expenses are procured competitively, where appropriate. Such an amendment to the Finance and Audit (Reform) Act of 2005 would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and adopted by the Belize Legislature

Studies, plans or programs needed to implement measure: No studies, plans or programs needed.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Finance and Audit Act of 2005 adopting provisions which clarify what is meant by day-to-day operations of government, as used in Section 21(1)(h)(ii) of the Finance and Audit (Reform) Act of 2005, in order to ensure that goods and services related to recurring expenses are procured competitively, where appropriate, would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of Finance, the Contractor General's Office, and the Belize Legislature would have to be involved in the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Implementation of the amendment by the relevant Government Ministries and/or bodies;
- e) Number of uses of the provisions by the Contractor General in evaluating the integrity of contracts.

Approximate cost of implementing the measure: The estimated cost for such drafting in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure G: Adopt provisions which require publication of tender opportunities, including the conditions for participation therein, and the time, method and place for the submission of bids.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted an absence of provisions in the Finance and Audit Act of 2005 which require publication of tender opportunities in the appropriate media, the conditions for participation therein, and the time, method and place for the submission of bids. Therefore, the Committee recommended that Belize adopt provisions which require publication of tender opportunities, including the conditions for participation therein, and the time, method and place for the submission of bids. Such an amendment to the Finance and Audit (Reform) Act of 2005 would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Studies, plans or programs needed to implement measure: Earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank,

hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Finance and Audit (Reform) Act of 2005 adopting provisions which require publication of tender opportunities, including the conditions for participation therein, and the time, method and place for the submission of bids, would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of Finance, the Contractor General's Office, and the Belize Legislature would have to be involved in the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;

- c) Adoption of the amendment by the Belize Legislature;
- d) Implementation of the amendment by the relevant Government Ministries and/or bodies;
- e) Percentage of tender opportunities published annually.

Approximate cost of implementing the measure: The estimated cost for such drafting in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure H. Examine the possibility of publishing, when appropriate, pre-bidding terms and conditions so that interested parties can find out about them and submit comments thereon

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that, in order to enhance transparency in the procurement process, Belize may wish to consider the possibility, when appropriate, of publishing pre-bidding terms and conditions so that interested parties can find out about them and submit comments thereon. Therefore, the Committee recommended that Belize examine the possibility of publishing, when appropriate, pre-bidding terms and conditions so that interested parties can find out about them and submit comments thereon. Such an amendment to the Finance and Audit (Reform) Act of 2005 would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Studies, plans or programs needed to implement measure: No studies, plans or programs needed.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Finance and Audit (Reform) Act of 2005 adopting provisions which require publishing, when appropriate, pre-bidding terms and conditions so that interested parties can find out about them and submit comments thereon, would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of Finance, the Contractor General's Office, and the Belize Legislature would have to be involved in the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and approved by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be needed to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Implementation of the amendment by the relevant Government Ministries and/or bodies;
- e) Percentage of contract pre-bidding terms and conditions published annually.

Approximate cost of implementing the measure: The estimated cost for such drafting in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure I: Consider the introduction of electronic procurement systems, on an incremental basis, so that goods and services may be acquired through those means.

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second

Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC³⁰, Belize stated that “There are no systems in place for electronic methods and no information systems for government procurement. In practice, however, the Ministry of Works used to keep a register of qualified contractors. It is our understanding that such practice was discontinued overtime. However, from its files, the Tendering Committee has knowledge of all tenderers who usually submit tenders, and due to their small numbers, it is not difficult to keep a mental record thereof³¹.”

In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted Belize’s response above and opined that that the use of electronic methods and information systems for government procurement assists in adequately informing the public and ensuring openness, and therefore considers that Belize could consider the use of electronic means to provide information regarding procurement, including the status of bids and awards and the progress of major projects. Additionally, the Committee considers that use of an electronic procurement system in order to carry out the contracting needs of the State might be advantageous. Such a system would have to be implemented at the Ministry of Finance.

Studies, plans or programs needed to implement measure: Earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank, hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

IDB should provide the funding and technical expertise to implement such a system under their Public Sector Reform Project. Each Ministry must acquire and/or train a procurement officer to execute the new provisions efficiently and effectively.

A consultancy for the development and implementation of an electronic procurement system in the Ministry of Finance would have to be undertaken by the Government of Belize.

Any similar or alternative measure adopted: No similar measure adopted.

³⁰ See <http://www.oas.org/juridico/english/blz.htm>

³¹ See page 9.

Entities, authorities or agencies responsible for adopting the measure: The Ministry of Finance would have to undertake the introduction of such a system and the Prime Minister's Cabinet would have to approve it.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Ministry of Finance is the primary entity involved in adopting the measure but the Contractor General's Office would have to be consulted and the Prime Minister's Cabinet would have to approve it.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: The development of the procurement system would have to be done as a consultancy under the auspices of the Ministry of Finance with input from the Contractor General's Office.

Time needed to consider, adopt or implement the measure: Approximately one year would be needed to develop and incrementally implement such an electronic procurement system.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) The terms of reference for the consultancy to develop and monitor the incremental implementation of an electronic procurement system in the Ministry of Finance has been issued;
- b) The consultancy has been completed;
- c) Recommendations from the consultancy are accepted by the Ministry of Finance and the Contractor General's Office and approved by the Belize Legislature;
- d) Use of the system by the Ministry of Finance in 90% of the bidding process for contracts.

Approximate cost of implementing the measure: The estimated cost for a consultancy to develop and implement such an electronic procurement system is approximately US\$50,000.00.

Possible funding sources (national and international) for implementing the measure: The Inter-American Development Bank's Belize Public Sector Reform Project or the

Central American Integration System (SICA) are possible sources for funding the development and implementation of such a procurement system under their Public Sector Reform projects.

Measure J: Strengthen and increase the scope of use of electronic forms of communication, such as the internet, for publicizing the tender and consulting opportunities, status of bids and awards and the progress in the execution of major projects.

Legal action required to adopt measure: The Government of Belize has already been using its website to publish vacancies in the public service and for tender opportunities. Therefore, this recommendation has been successfully implemented.

Studies, plans or programs needed to implement measure: Earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank, hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

Any similar or alternative measure adopted: No other similar or alternative measure was adopted.

Entities, authorities or agencies responsible for adopting the measure: Not applicable.

Entities, authorities or agencies involved in adopting the measure: Not applicable.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Not applicable

Time needed to consider, adopt or implement the measure: Measure already adopted.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Percent of all tenders and bids published on the Government website in one year.

Approximate cost of implementing the measure: Cost has already been borne by the Government of Belize.

Measure K: Establish a national registry of contractors of goods and services, of mandatory use by all State bodies, which contemplates the possibility of ensuring that the registry also include a list of sanctioned contractors, in order to foster the principles of openness, equity and efficiency provided for in the Convention.

Legal action required to adopt measure: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the country under review should consider the advisability of creating a centralized registry of contractors of works, goods and services. This registry should be compulsory for all State bodies and dependencies, its purpose being to foster the principles of openness, equity and efficiency provided for in the Convention. The Committee also suggests that the country under review consider granting to a public body the authority to exclude and/or sanction any contractor, for a certain period of time, from the proposed registry, as circumstances may warrant. There could, for example, be provisions outlining the reasons for an intended exclusion or sanction. This body should also maintain a list of sanctioned contractors. This would necessarily require an amendment to the Finance and Audit (Reform) Act of 2005, which would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office. Such amendment shall be adopted by the Belize Legislature.

Studies, plans or programs needed to implement measure: Earlier this year, the Government of Belize, with sponsorship from the Inter-American Development Bank, hired a consultancy into the existing procurement system in Belize. That study was undertaken by a team comprising of Dr. Carla Barnett (former Financial Secretary), Senator Godwin Hulse, Mr. Baxter Matthews (former Auditor General) and Mrs. Iran Tillett-Dominguez. Therein certain recommendations are made which, if adopted, is likely to address the issues highlighted in this section. The report was prepared using the OECD Methodology. The report of the consultants was recently presented to the Government of Belize for its consideration. Of important note is the fact that it was the Government of Belize that requested the assistance of the Bank to undertake this study.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Finance and Audit (Reform) Act of 2005 adopting provisions for the establishment of a national registry of contractors of goods and services, of mandatory use by all State bodies, which contemplates the possibility of ensuring that the registry also include a list of sanctioned contractors, in order to foster the principles of openness, equity and efficiency provided for in the Convention, would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and then approved by the Prime Minister's Cabinet and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of Finance, the Contractor General's Office.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and adopted by the Belize Legislature. Also, the development of the national registry would have to be undertaken by the Contractor General's Office.

Time needed to consider, adopt or implement the measure: Approximately three months would be needed to develop the registry and six months to prepare and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Development of the National Registry;
- b) Drafting of an amendment that comports with the measure;
- c) Approval of the amendment by relevant stakeholders;
- d) Adoption of the amendment by the Belize Legislature;
- e) Use of the provisions in the government bidding process and in the evaluation of contract bidding processes by the Contractor General's Office.

Approximate cost of implementing the measure: The estimated cost for developing the registry and for drafting the amendment in time is approximately US\$11,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure L: Implement provisions that require prior planning sufficiently in advance of the launch of large-scale or specialized procurement process, such as the preparation of studies, designs and technical evaluations.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts, held on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts observed that there are no provisions in place which require prior planning sufficiently in advance of the launch of large-scale or specialized procurement processes, such as the preparation of studies, designs and technical evaluations. The Committee considered that the adoption of provisions that require prior planning would help to ensure the openness, equity and efficiency of the procurement system. It is considered that Belize can best adopt the recommendation by making the relevant amendments to the Finance and Audit (Reform) Act, 2005 (FARA) to require that prior planning must be done sufficiently in advance of the launch of a large-scale or specialized procurement process, such as the preparation of studies, designs and technical evaluations. Such an amendment to the FARA would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and then approved by the Belize Legislature

Studies, plans or programs needed to implement measure: No studies, plans or programs needed.

Any similar or alternative measure adopted: The Finance and Audit (Reform) Act of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the FARA adopting provisions that require prior planning sufficiently in advance of the launch of large-scale or specialized procurement process, such as the preparation of studies, designs and technical evaluations, would have to be

drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and then approved by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Ministry of Finance and the Contractor General's Office will be primarily responsible for adopting and enforcing the measure in question.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office.

Time needed to consider, adopt or implement the measure: Approximately one year to prepare and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Approval of the amendment by the Belize Legislature;
- d) Use of the provisions in the evaluation of adoption and implementation of the measure by the Ministry of Finance and the Contractor General's Office in the contract bidding processes..

Approximate cost of implementing the measure: The estimated cost for drafting the amendment is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure M: Adopt provisions that facilitate and encourage the participation of citizen oversight mechanisms in monitoring the execution of contracts where their nature, importance, or magnitude so warrants.

Legal action required to adopt measure: In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts, held on December 8th to the 12th 2008 in

Washington, D.C., the Committee of Experts noted an absence of provisions allowing for the establishment of citizen oversight mechanisms to monitor the execution of contracts where their nature, importance, or magnitude so warrant. It is considered that Belize can best adopt the recommendation by making the relevant amendments to the Finance and Audit (Reform) Act, 2005 (FARA) to allow for the establishment of citizen oversight mechanisms to monitor the execution of contracts where their nature, importance, or magnitude so warrant. Such an amendment to the FARA would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and approved by the Belize Legislature.

Studies, plans or programs needed to implement measure: No studies, plans or programs needed.

Any similar or alternative measure adopted: The FARA.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the FARA adopting provisions that require the participation of citizen oversight mechanisms in monitoring the execution of contracts where their nature, importance, or magnitude so warrants, would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office, and approved by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Ministry of Finance and the Contractor General's Office.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office.

Time needed to consider, adopt or implement the measure: Approximately six months would be required to prepare and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Implementation of the measure by the Ministry of Finance and the Contractor General's Office in the government bidding process.

Approximate cost of implementing the measure: The estimated cost for drafting the amendment in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Measure N: Adopt provisions which regulate, in keeping with the principle of due process, administrative challenge mechanisms relating to the substantive acts of the tendering process, such as the basis for the tender or bid, the rejection of bidders, and the designation of the winner, which are designed to clarify, modify, or revoke such acts.

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC³², Belize stated that “...*there are no specified or legislated ways to challenge a selection other than the usual recourse to the courts for judicial review, complaints to the Ombudsman regarding allegations of abuse of power. In practice, contractors have made recourse to the Contractor General with respect not only to the selection criteria, but also with regard to interpretation to provisions of the contract itself; while others have seen it fit to take their complaints to government Ministers, area representatives, and the media*³³.”

In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts, held on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that Belize would benefit from implementing provisions which allow for administrative challenge mechanisms. It considered that Belize can best adopt the recommendation by making the relevant amendments to the Finance and Audit (Reform) Act, 2005 (FARA) to allow for administrative challenge mechanisms relating to the substantive acts of the tendering process, such as the basis for the tender or bid, the rejection of bidders, and the designation of the winner. Such an amendment to the FARA would have to be drafted by the

³² See <http://www.oas.org/juridico/english/blz.htm>

³³ See page 9.

Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and approved by the Belize Legislature.

Studies, plans or programs needed to implement measure: No studies, plans or programs needed.

Any similar or alternative measure adopted: The FARA.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the FARA adopting provisions that would regulate, in keeping with the principle of due process, administrative challenge mechanisms relating to the substantive acts of the tendering process, such as the basis for the tender or bid, the rejection of bidders, and the designation of the winner, which are designed to clarify, modify, or revoke such acts, would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and approved by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: **Entities, authorities or agencies involved in adopting the measure:** The Ministry of Finance and the Contractor General's Office would be responsible for implementing the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Ministry of Finance and the Contractor General's Office and approved by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be required to prepare and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;

- d) Implementation of the amendment by the relevant Government Ministries and/or bodies;
- e) Instances when recourse has been made by members of the public to the amendment to challenge decisions made in the government bidding and tendering process in a one year period.

Approximate cost of implementing the measure: The estimated cost for drafting the amendment in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

2. SYSTEMS FOR PROTECTING PUBLIC SERVANTS AND PRIVATE CITIZENS WHO IN GOOD FAITH REPORT ACTS OF CORRUPTION (ARTICLE III (8) OF THE CONVENTION).

Recommendation 2.1 - Adopt a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including protection of their identities, in accordance with the Constitution and the basic principles of its domestic legal system.

Measure A: Protection for persons who report acts of corruption subject to investigation in administrative or judicial proceedings;

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC³⁴, Belize stated that *“The country itself, however, does not count with an established witness protection system, exclusively for the purposes of protecting public officers or private citizens who in good faith report acts of corruption.”* In addition, Belize noted that *“it does not have any ONE elaborate mechanism to protect public servants and private citizens who, in good faith report acts of corruption. However, the existing procedures coordinated by the Police Department (which enjoys collaboration with Interpol) have proved sufficient to promote the purposes of the Convention³⁵.”*

³⁴ See <http://www.oas.org/juridico/english/blz.htm>

³⁵ This information was provided by Belize in its comments on the Draft Preliminary Report prepared by the Technical

In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts, held on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the provisions, measures and mechanisms which refer to the principal systems for the protection of public servants and private citizens who, in good faith, report acts of corruption in Belize, are relevant to promoting the purposes of the Convention. However, they suggested that the current system in place could benefit from further development of the existing mechanisms. Therefore, the Committee recommended that Belize adopt a comprehensive legal and regulatory framework that provides: (1) protection for public servants and private citizens who, in good faith, report acts of corruption, including protection of their identities, in accordance with its Constitution and the basic principles of its domestic legal system; as well as (2) protection for persons who report acts of corruption subject to investigation in administrative or judicial proceedings.

It is considered that Belize can best adopt the recommendation by amending the Prevention of Corruption Act, 2007 (POCA 2007) to provide for the establishment of a protection programme. Such an amendment to the POCA 2007 would have to be drafted by the Attorney General's Ministry with direct input from the relevant stakeholders, including the Ministry of the Public Service, the three Services Commissions, the Police Department, and subsequently approved by the Belize Legislature.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Studies, plans or programs needed to implement measure: Such a comprehensive regulatory and legal framework could be adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize's. This would then have to be researched as a consultancy through the Attorney General's Ministry and then drafted by such.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force. In addition, addressing the Acts of Corruption and in particular Belize's Prevention of Corruption Act of 2007, Belizeans, both private citizens and

public servants, need to be sensitized about the Act and their rights and obligations under it as this is still not well known among both sectors

Any similar or alternative measure adopted: The Prevention of Corruption Act of 2007, and the Justice Protection Act.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Prevention of Corruption Act of 2007 adopting a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including protection of their identities, in accordance with its Constitution and the basic principles of its domestic legal system and protection for persons who report acts of corruption subject to investigation in administrative or judicial proceedings, would have to be developed and drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved by the Belize Legislature. Similarly, if the Government of Belize opts to adopt the present measure by making the relevant amendments to the Justice Protection Act, and bringing such Act into force, relevant drafting would have to be made by the Attorney General's Ministry, with relevant input from the Ministry of the Public service, the Services Commissions and the Integrity Commission, followed by approval by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union should be consulted on the adoption of the recommendation. Amendment of legislation would be drafted by the Attorney General's Ministry and adopted by the Belize Legislature. The Police Department and the Office of the Director of Public Prosecutions would have primary responsibility in the adoption of the Justice Protection Act.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be developed through a consultancy and then drafted by the Attorney General's Ministry with direct input from the Public Services Commission and the Integrity Commission and approved by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately one year would be needed to develop, draft and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment to the POCA of 2007 and/or the Justice Protection Act that comports with the measure;
- b) Approval of the amendments by relevant stakeholders.
- c) Adoption of the amendments the Belize Legislature;
- d) Implementation of the Justice Protection Act;
- e) Number of uses of the amendments and the Justice Protection Act in the protection of persons who report acts of corruption subject to investigation in administrative or judicial proceedings;
- f) Percentage of Belizeans sensitized about the Act and their rights and obligations under it.

Approximate cost of implementing the measure: The estimated cost for research, development and drafting the amendment, as well as sensitization, is approximately US\$30,000.00. It should also be noted that one of the main reasons for the lack of implementation of the Justice Protection Act is the lack of resources necessary to properly implement it. This will require a significant increase in the Attorney General's Ministry's, the Police's and other relevant Ministry's budget to implement.

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended as well as assistance to the Attorney General's Ministry with the implementation of the justice Protection Act and sensitization of the public on its contents.

Measure B: Protection of whistleblowers and their families, not only in relation to their physical integrity but also as it concerns the workplace, especially when the person is a public official and the acts of corruption involve superiors or co-workers;

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC³⁶, Belize stated that "... *The country itself, however, does not count with an established witness protection system, exclusively for the purposes of protecting*

³⁶ See <http://www.oas.org/juridico/english/blz.htm>

public officers or private citizens who in good faith report acts of corruption.”³⁷.”

In the Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the provisions, measures and mechanisms which refer to the principal systems for the protection of public servants and private citizens who, in good faith, report acts of corruption in Belize, that the Committee has examined, based on the information made available to it, are relevant to promoting the purposes of the Convention. However, it suggested that the current system in place this system could benefit from further development of the existing mechanisms.

Therefore, the Committee recommended that Belize adopts a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including protection of whistleblowers and their families, not only in relation to their physical integrity but also as it concerns the workplace, especially when the person is a public official and the acts of corruption involve superiors or co-workers. It is considered that Belize can best adopt the recommendation by making the relevant amendments to the Prevention of Corruption Act, 2007 (POCA 2007). Such an amendment to the POCA 2007 would have to be drafted by the Attorney General’s Ministry with direct input from the relevant stakeholders, including the Ministry of the Public Service, the three Services Commissions, the Police Department and the Office of the Director of Public Prosecutions, which shall be subsequently approved by the Belize Legislature.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Studies, plans or programs needed to implement measure:

Such a comprehensive framework could be adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize. This would then have to be researched as a consultancy through the Attorney General’s Ministry and then drafted by such. In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which

³⁷ See page 10

can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Any similar or alternative measure adopted: The Prevention of Corruption Act of 2007 and the Justice Protection Act

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Prevention of Corruption Act of 2007 adopting a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including protection of whistleblowers and their families, not only in relation to their physical integrity but also as it concerns the workplace, especially when the person is a public official and the acts of corruption involve superiors or co-workers, would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature. .

Similarly, if the Government of Belize opts to adopt the present measure by making the relevant amendments to the Justice Protection Act, and bringing such Act into force, relevant drafting would have to be made by the Attorney General's Ministry, with input from the Ministry of the Public service, the Services Commissions and the Integrity Commission, followed by approval by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Prime Minister's Cabinet and the Belize Legislature would have to be involved in the decision as well as the Police and the Office of the Director of Public Prosecution in the decision to amend and implement the Justice Protection Act

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Public Services Commission and the Integrity Commission and approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately one year would be required to develop, draft and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment to the POCA of 2007 and/or the Justice Protection Act that comports with the measure;
- b) Approval of the amendments by relevant stakeholders;
- c) Adoption of the amendments by the Belize Legislature;
- d) Implementation of the Justice Protection Act;
- e) Number of uses of the amendments and the Justice Protection Act in the protection of whistleblowers and their families, not only in relation to their physical integrity but also as it concerns the workplace, especially when the person is a public official and the acts of corruption involve superiors or co-workers.

Approximate cost of implementing the measure: The estimated cost for research, development and drafting the amendment is approximately US\$25,000.00. However, this cost could be combined with the cost of researching and drafting other parts of the same comprehensive legal and regulatory framework to reduce the overall cost. It should also be noted that one of the main reasons for the lack of implementation of the Justice Protection Act is the lack of resources necessary to properly implement it. This will require a significant increase in the Attorney General Ministry's budget to implement.

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended as well as assistance to the Attorney General's Ministry with the implementation of the Justice Protection Act.

Measure C: Expand the existing mechanisms for reporting, such as anonymous reporting or protection of identity reporting, that guarantee the personal security and the confidentiality of the identity of public servants and private citizens who, in good faith, report acts of corruption;

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC³⁸, Belize stated that “....*The country itself,.... does not have any ONE elaborate mechanisms to protect servants and private citizens who, in good faith*

³⁸ See <http://www.oas.org/juridico/english/blz.htm>

report acts of corruption. However, the existing procedures coordinated by the Police Department (which enjoys collaboration with Interpol) have proved sufficient to promote the purposes of the Convention.³⁹”

In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the provisions, measures and mechanisms which refer to the principal systems for the protection of public servants and private citizens who, in good faith, report acts of corruption in Belize, that the Committee has examined, based on the information made available to it, are relevant to promoting the purposes of the Convention. However, it suggested that the current system in place could benefit from further development of the existing mechanisms.

Therefore, the Committee recommends that Belize adopt a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including the expansion of the existing mechanisms for reporting, such as anonymous reporting or protection of identity reporting, that guarantee the personal security and the confidentiality of the identity of public servants and private citizens who, in good faith, report acts of corruption. Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General’s Ministry with direct input from Public Services Commission and the Integrity Commission and then approved by the Prime Minister’s Cabinet and passed by the Belize Legislature.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Studies, plans or programs needed to implement measure: Such a comprehensive regulatory and legal framework would have to be adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize. In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Any similar or alternative measure adopted: The Prevention of Corruption Act of 2007 and the Justice Protection Act.

³⁹ See page 10

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Prevention of Corruption Act of 2007 adopting a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including the expansion of the existing mechanisms for reporting, such as anonymous reporting or protection of identity reporting, that guarantee the personal security and the confidentiality of the identity of public servants and private citizens who, in good faith, report acts of corruption, would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved by the Prime Minister's Cabinet and passed by the Belize Legislature.

Similarly, if the Government of Belize opts to adopt the present measure by making the relevant amendments to the Justice Protection Act, and bringing such Act into force, relevant drafting would have to be made by the Attorney General's Ministry, with relevant input from the Ministry of the Public service, the Services Commissions and the Integrity Commission, followed by approval by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Prime Minister's Cabinet and the Belize Legislature would have to be involved in the decision, as well as the Police and the Office of the Director of Public Prosecution in the decision to amend and implement the Justice Protection Act

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Public Services Commission and the Integrity Commission and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately one year would be required to develop, draft, and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment to the POCA of 2007 and/or the Justice Protection Act that comports with the measure;
- b) Approval of the amendments by relevant stakeholders;
- c) Adoption of the amendments by the Belize Legislature;
- d) Implementation of the Justice Protection Act;
- e) Number of uses of the amendments and the Justice Protection Act in the protection of whistleblowers and their families, by creating mechanisms to report any threats or reprisals against whistleblowers, stating the appropriate authorities to process protection requests and the bodies responsible for providing it.

Approximate cost of implementing the measure: The estimated cost for research, development and drafting the amendment is approximately US\$25,000.00. However, this cost could be combined with the cost of researching and drafting other parts of the same legal and regulatory framework to reduce the overall cost. It should also be noted that one of the main reasons for the lack of implementation of the Justice Protection Act is the lack of resources necessary to properly implement it. This will require a significant increase in the Attorney General Ministry's budget to implement

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended as well as assistance to the Attorney General's Ministry with the implementation of the Justice Protection Act.

Measure D: The creation of mechanisms to report any threats or reprisals against whistleblowers, stating the appropriate authorities to process protection requests and the bodies responsible for providing it.

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC⁴⁰, Belize stated that "... *The country itself, however, does not count with an established witness protection system, exclusively for the purposes of*

⁴⁰ See <http://www.oas.org/juridico/english/blz.htm>

*protecting public officers or private citizens who in good faith report acts of corruption.*⁴¹ ”

In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the provisions, measures and mechanisms which refer to the principal systems for the protection of public servants and private citizens who, in good faith, report acts of corruption in Belize, that the Committee has examined, based on the information made available to it, are relevant to promoting the purposes of the Convention. However, it suggested that the current system in place could benefit from further development of the existing mechanisms.

Therefore, the Committee recommends that Belize adopt a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including the creation of mechanisms to report any threats or reprisals against whistleblowers, stating the appropriate authorities to process protection requests and the bodies responsible for providing it. Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General’s Ministry with direct input from Public Services Commission and the Integrity Commission and then passed by the Belize Legislature.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

In addition, Belize could also consider that penalties contained in the Public Service Regulations should also include penalties for breach of confidentiality when there has been reports of acts of corruption by public servants and that such penalties should be harsh:

Any person who is entitled to receive information about acts of corruption and who communicates such information to any other person not entitled to receive such information shall be guilty of an offense and shall be liable upon summary conviction to a fine not exceeding \$10,000.

Studies, plans or programs needed to implement measure: Such a comprehensive regulatory and legal framework would have to be adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize. In the

⁴¹ See page 10

alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force

Any similar or alternative measure adopted: The Prevention of Corruption Act of 2007 and the Justice Protection Act.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Prevention of Corruption Act of 2007 adopting a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including the creation of mechanisms to report any threats or reprisals against whistleblowers, stating the appropriate authorities to process protection requests and the bodies responsible for providing it, would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and passed by the Belize Legislature.

Similarly, if the Government of Belize opts to adopt the present measure by making the relevant amendments to the Justice Protection Act, and bringing such Act into force, relevant drafting would have to be made by the Attorney General's Ministry, with relevant input from the Ministry of the Public service, the Services Commissions and the Integrity Commission, followed by approval by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Prime Minister's Cabinet and the Belize Legislature would have to be involved in the decision as well as the Police and the Office of the Director of Public Prosecution in the decision to amend and implement the Justice Protection Act.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Public Services Commission and the Integrity Commission and approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately one year would be required to develop, draft and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Development of a comprehensive regulatory and legal framework adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize;
- b) Drafting of an amendment to the POCA of 2007 and/or the Justice Protection Act that comports with the measure;
- c) Approval of the amendments by relevant stakeholders;
- d) Adoption of the amendments by the Belize Legislature;
- e) Implementation of the Justice Protection Act;
- f) Number of uses of the amendments and the Justice Protection Act in the protection of whistleblowers and their families, by creating mechanisms to report any threats or reprisals against whistleblowers, stating the appropriate authorities to process protection requests and the bodies responsible for providing it.

Approximate cost of implementing the measure: The estimated cost for research and drafting the amendment in time is approximately US\$12,000.00. However, this cost could be combined with the cost of researching and drafting other parts of the same legal and regulatory framework to reduce the overall cost. It should also be noted that one of the main reasons for the lack of implementation of the Justice Protection Act is the lack of resources necessary to properly implement it. This will require a significant increase in the Attorney General Ministry's budget to implement

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended as well as assistance to the Attorney General's Ministry with the implementation of the Justice Protection Act. .

Measure E: Witness protection mechanisms that offer witnesses the same guarantees as public servants and private citizens;

Legal action required to adopt measure: In its Reply to the QUESTIONNAIRE ON THE PROVISIONS OF THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION SELECTED IN THE SECOND ROUND AND FOR FOLLOW-UP ON THE RECOMMENDATIONS FORMULATED IN THE FIRST ROUND – MEETING OF THE MESICIC⁴², Belize stated that “...*The country itself, however, does not count with an established witness protection system, exclusively for the purposes of protecting public officers or private citizens who in good faith report acts of corruption.*”⁴³.”

In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the provisions, measures and mechanisms which refer to the principal systems for the protection of public servants and private citizens who, in good faith, report acts of corruption in Belize, that the Committee has examined, based on the information made available to it, are relevant to promoting the purposes of the Convention. However, it suggested that the current system in place this system could benefit from further development of the existing mechanisms.

Therefore, the Committee recommends that Belize adopt a comprehensive legal and regulatory framework that provides the incorporation of witness protection mechanisms that offer witnesses the same guarantees as public servants and private citizens. Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General’s Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Studies, plans or programs needed to implement measure: Such a comprehensive regulatory and legal framework would have to be adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize. In the alternative, Belize could consider amending the Justice Protection Act of 2005, which

⁴² See <http://www.oas.org/juridico/english/blz.htm>

⁴³ See page 10

establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Any similar or alternative measure adopted: The Prevention of Corruption Act of 2007 and the Justice Protection Act.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Prevention of Corruption Act of 2007 adopting a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including the creation of mechanisms to report any threats or reprisals against whistleblowers, stating the appropriate authorities to process protection requests and the bodies responsible for providing it, would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

Similarly, if the Government of Belize opts to adopt the present measure by making the relevant amendments to the Justice Protection Act, and bringing such Act into force, relevant drafting would have to be made by the Attorney General's Ministry, with relevant input from the Ministry of the Public service, the Services Commissions and the Integrity Commission, followed by approval by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Belize Legislature would have to be involved in the decision as well as the Police and the Office of the Director of Public Prosecution in the decision to amend and implement the Justice Protection Act.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be developed and drafted by the Attorney General's Ministry with direct input from the Public Services Commission and the Integrity Commission and approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately one year would be required to develop, draft and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment to the POCA of 2007 and/or the Justice Protection Act that comports with the measure;
- b) Approval of the amendments by relevant stakeholders;
- c) Adoption of the amendments by the Belize Legislature;
- d) Implementation of the Justice Protection Act;
- e) Number of uses of the amendment in the protection of whistleblowers and their families, through the development of witness protection mechanisms that offer witnesses the same guarantees as public servants and private citizens.

Approximate cost of implementing the measure: The estimated cost for research and drafting the amendment is approximately US\$25,000.00. However, this cost could be combined with the cost of researching and drafting other parts of the legal and regulatory framework to reduce the overall cost. It should also be noted that one of the main reasons for the lack of implementation of the Justice Protection Act is the lack of resources necessary to properly implement it. This will require a significant increase in the Attorney General Ministry's budget to implement

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended as well as assistance to the Attorney General's Ministry with the implementation of the Justice Protection Act

Measure F: Develop mechanisms to facilitate international cooperation on the foregoing matters, when appropriate, including the technical assistance and cooperation provided for by the Convention, as well as the exchanges of experiences, training, and mutual assistance.

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC⁴⁴, Belize stated that "Additionally, if the offence includes a

⁴⁴ See <http://www.oas.org/juridico/english/blz.htm>

money laundering aspect, the person who reports the offence can also be treated as a participant or witness pursuant to the CARICOM Agreement Establishing the Regional Justice Protection Program, of which Belize is a Party and which has been given legislative authority by virtue of the Justice Protection Act, No. 48 of 2005". Therefore, precedent has been set for the establishment of mechanisms to facilitate international cooperation on the foregoing matters, when appropriate, including the technical assistance and cooperation provided for by the Convention, as well as the exchanges of experiences, training, and mutual assistance. Belize should also consider including for funding the immediate implementation of a nationwide education and sensitization program regarding current laws and efforts underway in Belize to fight corruption

Studies, plans or programs needed to implement measure: Such agreements would have to be worked out through the Attorney General's Ministry and the Ministry of Foreign Affairs.

Any similar or alternative measure adopted: The establishment of the Justice Protection Act, No. 48 of 2005.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, such agreements would have to be worked out through the Attorney General's Ministry and the Ministry of Foreign Affairs.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of Foreign Affairs, the Public Services Commission, the Integrity Commission, the Public Services Union and the Belize Legislature would have to be involved in adopting the measure.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such agreements would have to be worked out through the Attorney General's Ministry and the Ministry of Foreign Affairs.

Time needed to consider, adopt or implement the measure: Timeframes would depend on the nature of the agreements and may take a year to complete.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of bilateral agreements that comport with the measure;
- b) Approval of the agreements by relevant stakeholders;

- c) Signing of the agreements by the Attorney General's Ministry or the Ministry of Foreign Affairs;
- d) Use of agreements to facilitate international cooperation on the foregoing matters, when appropriate, including technical assistance and cooperation provided for by the Convention, as well as the exchanges of experiences, training, and mutual assistance.

Approximate cost of implementing the measure: The estimated cost for pursuing such agreements in time and logistics such as travel is approximately US\$7,000.00.

Possible funding sources (national and international) for implementing the measure: Resources, including funding and technical assistance, needs to be sourced from Belize's international partners to assist agencies currently in the fight against corruption (all are currently severely under-resourced) and to sensitize the public on such efforts as a major part of the effort to fight corruption.

The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for pursuing such agreements.

Measure G: Develop a simple whistleblower protection application process;

Legal action required to adopt measure: In its Reply to the QUESTIONNAIRE ON THE PROVISIONS OF THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION SELECTED IN THE SECOND ROUND AND FOR FOLLOW-UP ON THE RECOMMENDATIONS FORMULATED IN THE FIRST ROUND – MEETING OF THE MESICIC⁴⁵, Belize stated that “.... *The country itself, however, does not count with an established witness protection system, exclusively for the purposes of protecting public officers or private citizens who in good faith report acts of corruption.*”⁴⁶.”

In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the provisions, measures and mechanisms which refer to the principal systems for the protection of public servants and private citizens who, in good faith, report acts of corruption in Belize, that the Committee has examined, based on the information made available to it, are relevant to promoting the purposes of the Convention. However, it

⁴⁵ See <http://www.oas.org/juridico/english/blz.htm>

⁴⁶ See page 10

suggested that the current system in place this system could benefit from further development of the existing mechanisms.

Therefore, the Committee recommends that, as part of the further development of its comprehensive regulatory and legal framework, Belize develop a simple whistleblower protection application process. Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Studies, plans or programs needed to implement measure: Such a comprehensive regulatory and legal framework would have to be adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize. In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Any similar or alternative measure adopted: The Prevention of Corruption Act of 2007 and the Justice Protection Act.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Prevention of Corruption Act of 2007 adopting a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including the creation of a simple whistleblower protection application process, would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

Similarly, if the Government of Belize opts to adopt the present measure by making the relevant amendments to the Justice Protection Act, and bringing such Act into force, relevant drafting would have to be made by the Attorney General's Ministry, with

relevant input from the Ministry of the Public service, the Services Commissions and the Integrity Commission, followed by approval by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General’s Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Prime Minister’s Cabinet and the Belize Legislature would have to be involved in the decision as well as the Police and the Office of the Director of Public Prosecution in the decision to amend and implement the Justice Protection Act..

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be developed and drafted by the Attorney General’s Ministry with direct input from the Public Services Commission and the Integrity Commission and approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately one year will be required to develop, draft and approve such amendments.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment to the POCA of 2007 and/or the Justice Protection Act that comports with the measure;
- b) Approval of the amendments by relevant stakeholders;
- c) Adoption of the amendments by the Belize Legislature;
- d) Implementation of the Justice Protection Act;
- e) Number of uses of the application process including number of applications received.

Approximate cost of implementing the measure: The estimated cost for research and drafting the amendment is approximately US\$25,000.00. However, this cost could be combined with the cost of researching and drafting other parts of the legal and regulatory framework to reduce the overall cost. It should also be noted that one of the main reasons for the lack of implementation of the Justice Protection Act is the lack of resources

necessary to properly implement it. This will require a significant increase in the Attorney General Ministry's budget to implement

Possible funding sources (national and international) for implementing the measure:

The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended as well as assistance to the Attorney General's Ministry with the implementation of the Justice Protection Act .

Measure H: Provisions which provide for administrative and criminal sanctions for the failure to observe the rules and/or duties relating to protection.

Legal action required to adopt measure: In its Reply to the questionnaire on the provisions of the Inter-American Convention Against Corruption selected in the Second Round and for the follow-up on the recommendations formulated in the First Round meeting of the MESICIC⁴⁷, Belize stated that "... *"The country itself, however, does not count with an established witness protection system, exclusively for the purposes of protecting public officers or private citizens who in good faith report acts of corruption."*

28 In addition, Belize noted that *"it does not have any ONE elaborate mechanisms to protect servants and private citizens who, in good faith report acts of corruption. However, the existing procedures coordinated by the Police Department (which enjoys collaboration with Interpol) have proved sufficient to promote the purposes of the Convention"*⁴⁸.

In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the provisions, measures and mechanisms which refer to the principal systems for the protection of public servants and private citizens who, in good faith, report acts of corruption in Belize, that the Committee has examined, based on the information made available to it, are relevant to promoting the purposes of the Convention. However, it suggested that the current system in place this system could benefit from further development of the existing mechanisms.

⁴⁷ See <http://www.oas.org/juridico/english/blz.htm>

⁴⁸ This information was provided by Belize in its comments on the Draft Preliminary Report prepared by the Technical Secretariat

Therefore, the Committee recommends that Belize adopt a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including provisions which provide for administrative and criminal sanctions for the failure to observe the rules and/or duties relating to protection. Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

Studies, plans or programs needed to implement measure: Such a comprehensive regulatory and legal framework would have to be adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize

Any similar or alternative measure adopted: The Prevention of Corruption Act of 2007 and the Justice Protection Act.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Prevention of Corruption Act of 2007 adopting a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including provisions which provide for administrative and criminal sanctions for the failure to observe the rules and/or duties relating to protection, would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Belize Legislature would have to be involved in the decision as well as the Police and the Office of the Director of Public Prosecution in the decision to amend and implement the Justice Protection Act.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to

implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Public Services Commission and the Integrity Commission and approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately one year would be required to develop, draft and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment to the POCA of 2007 and/or the Justice Protection Act that comports with the measure;
- b) Approval of the amendments by relevant stakeholders;
- c) Adoption of the amendments by the Belize Legislature;
- d) Implementation of the Justice Protection Act;
- e) Number of uses of the amendments and the Justice Protection Act to sanction individuals for the failure to observe the rules and/or duties relating to protection.

Approximate cost of implementing the measure: The estimated cost for research and drafting the amendment in time is approximately US\$25,000.00. However, this cost could be combined with the cost of researching and drafting other parts of the legal and regulatory framework to reduce the overall cost. It should also be noted that one of the main reasons for the lack of implementation of the Justice Protection Act is the lack of resources necessary to properly implement it. This will require a significant increase in the Attorney General Ministry's budget to implement.

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended as well as assistance to the Attorney General's Ministry with the implementation of the Justice Protection Act .

Measure I: Provisions that clearly delineate the respective competence of judicial and administrative authorities with respect to this area.

Legal action required to adopt measure: In its Reply to the QUESTIONNAIRE ON THE PROVISIONS OF THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION SELECTED IN THE SECOND ROUND AND FOR FOLLOW-UP ON

THE RECOMMENDATIONS FORMULATED IN THE FIRST ROUND – MEETING OF THE MESICIC⁴⁹, Belize stated that “.... *“The country itself, however, does not count with an established witness protection system, exclusively for the purposes of protecting public officers or private citizens who in good faith report acts of corruption.”* In addition, Belize noted that *“it does not have any ONE elaborate mechanisms to protect servants and private citizens who, in good faith report acts of corruption. However, the existing procedures coordinated by the Police Department (which enjoys collaboration with Interpol) have proved sufficient to promote the purposes of the Convention”⁵⁰.*”

In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts opined that the provisions, measures and mechanisms which refer to the principal systems for the protection of public servants and private citizens who, in good faith, report acts of corruption in Belize, that the Committee has examined, based on the information made available to it, are relevant to promoting the purposes of the Convention. However, it suggested that the current system in place this system could benefit from further development of the existing mechanisms.

Therefore, the Committee recommends that Belize adopt a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including provisions that clearly delineate the respective competence of judicial and administrative authorities with respect to this area. Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General’s Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

In the alternative, Belize could consider amending the Justice Protection Act of 2005, which establishes a programme for the protection of certain witnesses and other persons, to include acts of corruption created by the POCA 2007 as offences which can give rise to protection under the Programme. Subsequently, the Justice Protection Act needs to be brought into force.

⁴⁹ See <http://www.oas.org/juridico/english/blz.htm>

⁵⁰ This information was provided by Belize in its comments on the Draft Preliminary Report prepared by the Technical Secretariat

Studies, plans or programs needed to implement measure: Such a comprehensive regulatory and legal framework would have to be adopted from a legal precedent in another Caribbean country or a country with a similar legal framework as Belize.

Any similar or alternative measure adopted: The Prevention of Corruption Act of 2007 and the Justice Protection Act.

Entities, authorities or agencies responsible for adopting the measure: As discussed above, an amendment to the Prevention of Corruption Act of 2007 adopting a comprehensive legal and regulatory framework that provides protection for public servants and private citizens who, in good faith, report acts of corruption, including provisions that clearly delineate the respective competence of judicial and administrative authorities with respect to this area, would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the measure: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Prime Minister's Cabinet and the Belize Legislature would have to be involved in the decision as well as the Police and the Office of the Director of Public Prosecution in the decision to amend and implement the Justice Protection Act.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the measure: Any such amendments will have to be drafted by the Attorney General's Ministry with direct input from the Public Services Commission and the Integrity Commission and approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately one year would be required to develop, draft and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment to the POCA of 2007 and/or the Justice Protection Act that comports with the measure;
- b) Approval of the amendments by relevant stakeholders;

- c) Adoption of the amendments by the Belize Legislature;
- d) Implementation of the Justice Protection Act;
- e) Number of uses of the amendments and the Justice Protection Act to protect whistleblowers from both the public and private sectors.

Approximate cost of implementing the measure: The estimated cost for research and drafting the amendment in time is approximately US\$25,000.00. However, this cost could be combined with the cost of researching and drafting other parts of the legal and regulatory framework to reduce the overall cost. It should also be noted that one of the main reasons for the lack of implementation of the Justice Protection Act is the lack of resources necessary to properly implement it. This will require a significant increase in the Attorney General Ministry's budget to implement.

Possible funding sources (national and international) for implementing the measure: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended as well as assistance to the Attorney General's Ministry with the implementation of the Justice Protection Act.

3. ACTS OF CORRUPTION (ARTICLE VI (1) OF THE CONVENTION)

Recommendation 3.1 - Review Section 26(b) and 27(b) of the Prevention of Corruption Act, 2007, so as to make it more fully consistent with Article VI(1)(a) of the Convention, by incorporating therein, the words “directly or indirectly”.

Legal action required to adopt recommendation: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that, with respect to paragraphs (a) of Article VI(1) of the Prevention of Corruption Act (POCA) of 2007, while Section 3(1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, RE 2003, which criminalizes bribery, does not contain the words “directly or indirectly” as used by the Convention, it nonetheless includes that element, in that it makes reference to a person who solicits or receives a bribe “by himself or by or in conjunction with any other person”.

Unlike the provisions of the 2003 POCA, the Committee considers that Sections 26(b) and 27(b) of the 2007 POCA, which also criminalize bribery committed by members of the National Assembly and members of public bodies, respectively, do not contemplate the element of “directly or indirectly”, as used by the Convention. Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General’s Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

Studies, plans or programs needed to implement recommendation: No studies necessary.

Any similar or alternative recommendation adopted: The Prevention of Corruption Act of 2007.

Entities, authorities or agencies responsible for adopting the recommendation: As discussed above, such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General’s Ministry with direct input from Public Services Commission and the Integrity Commission and then approved by the Prime Minister’s Cabinet and passed by the Belize Legislature.

Entities, authorities or agencies involved in adopting the recommendation: The Office of the Ombudsman, the Attorney General’s Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Belize Legislature would have to be involved in the decision to adopt the measure.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: Any such amendments will have to be drafted by the Attorney General’s Ministry with direct input from the Public Services Commission and the Integrity Commission and approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the recommendation: Approximately six months would be required to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;

- b) Approval of the amendment by relevant stakeholders;
- c) Adoption of the amendment by the Belize Legislature;
- d) Number of uses of the amendment in the protection of persons who report acts of corruption subject to investigation in administrative or judicial proceedings.

Approximate cost of implementing the recommendation: The estimated cost for drafting the amendment in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the recommendation: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended.

Recommendation 3.2 - Review Section 26(a) and 27(a) of the Prevention of Corruption Act, 2007, so as to make it more fully consistent with Article VI(1)(b) of the Convention, by incorporating therein, the words “directly or indirectly”.

Legal action required to adopt recommendation: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that, with respect to paragraph (b) of Article VI(1) of the Prevention of Corruption Act of 2007, while section 3(2) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, RE 2003, which criminalizes bribery, does not contain the words “directly or indirectly” as used by the Convention, it nonetheless includes that element, in that it makes reference to a person who solicits or receives a bribe “by himself or by or in conjunction with any other person”. Also, unlike the provisions of the 2003 POCA, the Committee considers that sections 26(a) and 27(a) of the 2007 POCA, which also criminalize bribery committed in respect of members of the National Assembly and members of public bodies, respectively, do not contemplate the element of “directly or indirectly”, as used by the Convention.

Therefore, the Committee recommends that Belize review section 26(a) and 27(a) of the Prevention of Corruption Act, 2007, so as to make it more fully consistent with Article VI(1)(b) of the Convention, by incorporating therein, the words “directly or indirectly”. It is considered that Belize can best adopt the recommendation by making the relevant amendments to the 2007 POCA to specifically incorporate the expression “directly or

indirectly” in sections 26(a) and 27(a). Such an amendment to the 2007 POCA would have to be drafted by the Attorney General’s Ministry and approved by the Belize Legislature

Studies, plans or programs needed to implement recommendation: No studies or plans necessary. .

Any similar or alternative recommendation adopted: The Prevention of Corruption Act of 2003, which is still in force.

Entities, authorities or agencies responsible for adopting the recommendation: Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General’s Ministry and approved by the Belize Legislature.

Entities, authorities or agencies involved in adopting the recommendation: Adoption of the measure must be by the entire Government Service and implementation must be by the legal system.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: Any such amendments will have to be drafted by the Attorney General’s Ministry and approved by the Belize Legislature.

Time needed to consider, adopt or implement the measure: Approximately six months would be required to prepare and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Drafting of an amendment that comports with the measure;
- b) Approval of the amendment by the Belize Legislature;

Approximate cost of implementing the measure: The estimated cost for drafting the amendment in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the measure: Such legal drafting is usually handled locally in the national budget.

Recommendation 3.3 - Review the definition of “public servant” contained in the Prevention of Corruption Act, 2007, by covering “a person who performs public functions”.

Legal action required to adopt recommendation: In its Belize Final Report of the 14th Meeting of the MESICIC Committee of Experts on December 8th to the 12th 2008 in Washington, D.C., the Committee of Experts noted that Section 1(c) makes specific reference to a bribe given to a “public servant” related to performance of the “public servant’s public functions.” The Committee considers that because the definition of “public servant” does not include a person who performs public functions, as contemplated by Article VI(1)(b) of the Convention, this provision is insufficient to achieve the objectives thereof. Therefore, the Committee recommends that Belize review the definition of “public servant” contained in the Prevention of Corruption Act, 2007, by covering “a person who performs public functions.” Such an amendment to the Prevention of Corruption Act of 2007 would have to be drafted by the Attorney General’s Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature

Studies, plans or programs needed to implement recommendation: General consultations with the Ministry of the Public Service, the Services Commissions and even with the wider public service would be in order since adoption of the proposed terminology will indeed cover people who are currently not considered public servants. This will increase not only benefits, but also duties and responsibilities, legal and otherwise.

Any similar or alternative recommendation adopted: The Prevention of Corruption Act of 2007.

Entities, authorities or agencies responsible for adopting the recommendation: General consultations with the Ministry of the Public Service, the Services Commissions

and even the wider public service would have to be undertaken as a consultancy under the auspices of the Attorney General's Ministry. Based on the results of these consultations a decision would be made to amend the existing definition of "public servant". Any such amendment would have to be drafted by the Attorney General's Ministry with direct input from the Ministry of the Public Service, the Services Commissions and the Integrity Commission and then approved by the Belize Legislature.

Entities, authorities or agencies involved in adopting the recommendation: The Office of the Ombudsman, the Attorney General's Ministry, the Ministry of the Public Service, the Public Services Commission, the Integrity Commission, the Public Services Union and the Belize Legislature would have to be involved in the decision.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: General consultations with the Ministry of the Public Service, the Services Commissions and even the wider public service would have to be undertaken as a consultancy under the auspices of the Attorney General's Ministry. Based on the results of these consultations a decision would be made by the Attorney General's Ministry to recommend the drafting of an amendment. Any such amendment would have to be drafted by the Attorney General's Ministry with direct input from Public Services Commission and the Integrity Commission and then approved and passed by the Belize Legislature.

Time needed to consider, adopt or implement the recommendation: Approximately three months would be required for the general consultations and six months to amend and approve such an amendment.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation: Indicators necessary to objectively gauge progress in the actions proposed for implementing the measure are:

- a) Conduct general consultations with the Ministry of the Public Service, the Services Commissions and even the wider public service as a consultancy under the auspices of the Attorney General's Ministry.
- b) Drafting of an amendment that comports with the measure;
- c) Approval of the amendment by relevant stakeholders;
- d) Adoption of the amendment by the Belize Legislature;

- e) Number of uses of the amendment in the investigation of acts of corruption in Belize.

Approximate cost of implementing the recommendation: The estimated cost for drafting the amendment in time is approximately US\$8,000.00.

Possible funding sources (national and international) for implementing the recommendation: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding the research and drafting of the amendment recommended.

Recommendation 3.4 - Consider the convenience of harmonizing the provisions of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Re 2003, with those of the Prevention of Corruption Act, 2007.

Legal action required to adopt recommendation: In its Reply to the QUESTIONNAIRE ON THE PROVISIONS OF THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION SELECTED IN THE SECOND ROUND AND FOR FOLLOW-UP ON THE RECOMMENDATIONS FORMULATED IN THE FIRST ROUND – MEETING OF THE MESICIC⁵¹

With respect to provisions related to the criminalization of the acts of corruption provided for in Article VI(1) of the Convention that were examined by the Committee, said Committee observed that they constitute a set of provisions relevant to the promotion of the purposes of the Convention. Nonetheless, they were of the view that Belize to consider complementing and implementing certain provisions in this area. They advised therefore, *“that although Section 1(b) of Part 1 of the Third Schedule of the Prevention of Corruption Act, 2007, criminalizes the fraudulent use or concealment of the proceeds of the corruption offences specified therein, the 2003 POCA has no similar provision. Thus, because Section 1(b) of the Third Schedule to the 2007 POCA does not apply to the offences criminalized by the 2003 POCA, the Committee considers that the 2003 POCA does not criminalize the fraudulent use and concealment of the proceeds of passive and active bribery contemplated therein. In this regard, the Committee considers that Belize might wish to consider the convenience of harmonizing the provisions of the Prevention of Corruption Act, 2007, and the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, RE 2003.”*

Further, the Committee noted that “the 2007 POCA and the 2003 POCA contain different definitions of the acts of corruption contained in Article VI(1) of the Convention.” Similarly, the Committee observed that “Section 3(1) and 3(2) of the 2003 POCA, which criminalize active and passive bribery,

⁵¹ See <http://www.oas.org/juridico/english/blz.htm>

respectively, state that those offenses are misdemeanors, while the 2007 POCA criminalizes similar conduct as acts of corruption.”

Therefore, the legal action required is the merging of the provisions of the two POCAs, POCA 2007 and Chapter 105 of the Laws of Belize, R.E. 2000 – 2003, will require an in-depth analysis of both pieces of legislation to produce one from those two – being careful not to leave anything out.

Studies, plans or programs needed to implement recommendation: Consultancy to prepare an in-depth analysis of both pieces of legislation resulting in the production piece of legislation that harmonizing the provisions of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Re 2003, with those of the Prevention of Corruption Act, 2007 that can be taken to the Legislature for approval.

Any similar or alternative measure adopted: The Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Re 2003, and the Prevention of Corruption Act, 2007.

Entities, authorities or agencies responsible for adopting the recommendation: The in depth analysis would have be undertaken under the auspices of the Attorney General’s Ministry as a consultancy under their supervision and the resulting legislation would have to be drafted by them and passed to the Legislature for approval.

Entities, authorities or agencies involved in adopting the recommendation: A consultancy to undertake the analysis would have to be done under the auspices of the Attorney General’s Ministry and the resulting legislation would have to be drafted by the Attorney General’s Ministry and the sent to the Legislature for approval.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: A consultancy to undertake the analysis would have to be done under the auspices of the Attorney General’s Ministry and the resulting legislation would have to be drafted by the Attorney General’s Ministry and the sent to the Legislature for approval.

Time needed to consider, adopt or implement the recommendation: Such a consultancy would take approximately three months and the drafting and approval of the Legislation an additional six months.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation:

- a) The terms of reference for the consultancy to undertake is issued; an in depth analysis of both pieces of legislation resulting in the production piece of legislation that harmonizing the provisions of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Re 2003, with those of the Prevention of Corruption Act, 2007 that can be taken to the Legislature for approval;
- b) The consultancy is undertaken;
- c) The new legislation is drafted;
- d) The new is sent to the Belize Legislature for approval;
- e) The Belize Legislature approves the new legislation.

Approximate cost of implementing the recommendation: Such consultancies would cost approximately US\$12,000.00 to undertake the consultancy and draft the new legislation.

Possible funding sources (national and international) for implementing the recommendation: The United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) or the Organization of American States (OAS) are possible sources for funding for the consultancy and the drafting of the new legislation.

4. GENERAL RECOMMENDATIONS

Recommendation 4.1 - Design and implement, when appropriate, training programs for public servants responsible for implementing the systems, provisions, measures, and mechanisms considered in this report, for the purpose of ensuring that they are adequately known, managed, and implemented.

Legal action required to adopt recommendation: No legal action required

Studies, plans or programs needed to implement recommendation: In the area of the training of public servants, specific types of training should be mandated, particularly in

the area of succession planning.⁵² Adequate funds need to be allocated to provide the resources for such training. Training program should be developed by the Training Unit of the Ministry of the Public Service.

Any similar or alternative measure adopted: No similar measure adopted although “the United Nations Office on Drugs and Crime (“the UNODC”) organized and hosted a one week training program in Belize City which counted with the participation of, inter alia, representatives from the Police Department, the Office of the Director of Public Prosecutions, the Ministry of Foreign Affairs, the Attorney General’s Ministry and the Bench. A follow-up session is presently being discussed with the UNODC. A number of officers have also received training abroad.”⁵³

Entities, authorities or agencies responsible for adopting the recommendation: This measure would have to be proposed by the Attorney General’s Ministry (as the proposed Secretariat) and adopted by the Ministry of the Public Service as part of their Training Unit’s program.

Entities, authorities or agencies involved in adopting the recommendation: Training or sensitization programs such as those suggested by this recommendation are organized by the Ministry of the Public Service in conjunction with the Department or Ministry

⁵² Succession planning refers to planning to replace senior civil servants who decide to leave or have to leave their posts in the public service because of :

- promotion within the organization
- move to part-time arrangements for better work-life balance
- voluntary departure from the organization to pursue a career elsewhere
- involuntary departure from the organization
- retirement
- serious illness
- death

⁵³ See the Report of Belize on the Implementation of the Recommendations of the Committee of Experts in the First Round (2006), at p. 18.

under which the relevant personnel works (in this case it would be all government departments or ministries) and would be carried out by the Training Unit of the Ministry of the Public Service or the University of Belize (which administers a Bachelor program in Public Management).

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation: As mentioned above such programs would be organized by the Training Unit of the Ministry of the Public Service or a university such as the University of Belize.

Time needed to consider, adopt or implement the recommendation: Approximately six months.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation:

1. Training or sensitization program designed;
2. Training program adopted and funded;
3. Percent of government ministries who have signed on to the program;
4. Percent of senior and middle level public servants who have completed the program.

Approximate cost of implementing the recommendation: Such training programs would cost approximately US\$20,000 to develop and undertake.

Possible funding sources (national and international) for implementing the recommendation: The Inter-American Development Bank under its Belize Public Sector Reform project, the United Nations Office on Drugs and Crime (UNODC) or the Central American Integration System (SICA) are possible sources for funding such a training program.

Recommendation 4.2 - Select and develop procedures and indicators, when appropriate and where they do not yet exist, to analyze the results of the systems, provisions, measures, and mechanisms considered in this report, and to verify follow-up on the recommendations made herein.

Legal action required to adopt recommendation: No legal action required

Studies, plans or programs needed to implement recommendation: Consultancy to develop procedures and broad indicators via a work-plan for the implementation of the National Plan of Action being developed.

Any similar or alternative measure adopted: No similar measure adopted although a National Plan of Action is being developed by Belize.

Entities, authorities or agencies responsible for adopting the recommendation: This measure would have to be proposed and developed by the Attorney General's Ministry (as the proposed Secretariat) as a consultancy under their auspices.

Entities, authorities or agencies involved in adopting the recommendation: A consultancy would have to be implemented to develop a work-plan based on the National Plan of Action developed by the Attorney General's Ministry (the proposed Secretariat). A national workshop involving stakeholders as participants would have to be undertaken as part of the consultancy.

Entities, authorities or agencies responsible for designing, preparing or implementing studies, plans projects, programs or any other actions needed to implement the recommendation : The proposed work-plan would have to be developed as a consultancy under the auspices of the Attorney General's Ministry.

Time needed to consider, adopt or implement the recommendation: Such a consultancy would take approximately six months.

Indicators necessary to objectively gauge progress in the actions proposed for implementing the recommendation:

1. The terms of reference for the consultancy to develop a work-plan to accompany the National Plan of Action has been issued;
2. The consultancy has been completed;
3. Recommendations from the consultancy have been accepted by the Attorney General's Ministry for adoption

Approximate cost of implementing the recommendation: Such consultancies would cost approximately US\$8,000.00 to develop and undertake.

Possible funding sources (national and international) for implementing the recommendation: The Inter-American Development Bank's Public Sector Reform project in Belize, the United Nations Office on Drugs and Crime (UNODC) , the Central American Integration System (SICA) or the Organization of American States (OAS) are possible sources for funding for the development of the work plan.

Recommendation 4.3: Develop, as appropriate and where they do not yet exist, procedures designed to analyze the mechanisms mentioned in this report, and the recommendations contained in it.

Legal action required to adopt recommendation: The recommendations would have to be developed as part of a National Plan of Action that is:

- a) adopted by the Attorney General's Ministry;
- b) taken to the Prime Minister's Cabinet for its approval;
- c) implemented through the Attorney General's Ministry as the Secretariat.