



Conference of the States Parties to the United Nations Convention against Corruption

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Draft report

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Addendum

V. Review of implementation of the United Nations Convention against Corruption and technical assistance

1. At its 7th meeting, on 9 November 2017, the Conference considered agenda item 2, entitled “Review of the implementation of the United Nations Convention against Corruption”, and agenda item 3, entitled “Technical assistance”.

2. The President of the Conference chaired the discussion. In her introductory remarks, she recalled Conference resolution 3/1, which marked the historic adoption of the terms of reference of the Implementation Review Mechanism, and resolution 4/1, in which the Conference had endorsed the work of the Implementation Review Group. She reiterated that one of the purposes of the Mechanism was to help States parties to identify and substantiate specific technical assistance needs and to promote and facilitate the provision of such assistance. She recalled decision 5/1, in which the Conference had tasked the Group with collecting and discussing relevant information on the assessment of the performance of the Mechanism, following the completion of the first review cycle. She also referred to resolution 6/1, in which the Conference had launched the second cycle of the Mechanism, had encouraged States parties to continue sharing information on good practices, experiences and relevant measures taken after the completion of their country reviews, including information on technical assistance and had requested the Group to analyse that information and to submit to the Conference, for consideration and approval at its seventh session, a set of non-binding recommendations and conclusions based on lessons learned from the country reviews of the first review cycle. She also referred to the schedule of meetings of the subsidiary bodies of the Conference for the period 2018–2019 ([CAC/COSP/IRG/2017/CRP.2](#)).

3. A representative of the Secretariat provided an update on the outcome of the resumed eighth session of the Implementation Review Group, as well as the progress made in the conduct of the first and second cycle reviews. The representative also provided an overview of the key thematic findings on implementation emerging from the first review cycle, as presented in the note by the Secretariat containing a set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the Convention during the first review



cycle ([CAC/COSP/2017/5](#)), which had been discussed during the Group's resumed eighth session.

4. To facilitate the deliberations on the thematic outcomes of the first review cycle, a representative of the Secretariat presented the second edition of the study entitled *State of Implementation of the United Nations Convention against Corruption: Criminalization, Law Enforcement and International Cooperation*, which had been launched during the current session. The representative noted that the study was the result of extensive work to analyse and synthesize the outcomes of the first cycle reviews of States parties and that, while the first edition of the study had covered the implementation of chapters III and IV of the Convention by 68 States parties, the second edition covered the implementation of those chapters by 156 States parties. Speakers noted that the study provided a wealth of important and useful information on successes, challenges, good practices and trends identified in the implementation of chapters III and IV of the Convention based on the outcomes of the first review cycle, as well as an overview of the continuously improving quality of country review reports. The study thus served as an important reference document and tool in furthering States' efforts to implement the Convention. One speaker reported on how the individual recommendations and good practices had been addressed in detail in his country's domestic legal and institutional framework. Another speaker welcomed the development of a similar analysis for the outcomes of the second review cycle.

5. A representative of the Secretariat, in introducing the document entitled "Analysis of good practices, experiences and relevant measures taken by States parties after completion of the country reviews during the first cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption" ([CAC/COSP/2017/12](#)), noted that the document provided an overview of progress made in the first cycle reviews and included information relating to 95 States parties that had finalized their first cycle reviews.

6. During the ensuing discussion, speakers shared experiences, challenges and good practices in the country reviews of the first review cycle, as well as measures taken to address the outcomes and conclusions emerging from the reviews and in preparation for the second cycle. Some speakers referred to the development and strengthening of national laws to prevent and counter corruption in areas such as asset confiscation and the liability of legal persons; other speakers reported on the creation or strengthening of oversight bodies and mechanisms to enhance inter-agency cooperation. Some speakers emphasized the important role of civil society and the private sector in efforts to combat corruption and their participation in the country review process. Speakers underscored their continued appreciation for the impact of the Implementation Review Mechanism and the exchange of experiences among States parties in the context of the reviews. Speakers also underscored the importance of adherence to the terms of reference and the guiding principles of the Mechanism. One speaker highlighted the innovative use of information technology and data in the course of his country's review and in monitoring the implementation of review recommendations by relevant government agencies according to agreed deadlines.

7. Speakers also addressed prominent issues pertaining to the operation of the Implementation Review Mechanism, such as challenges in completing the self-assessment checklist, the capacity of governmental experts and delays encountered during the reviews, which had direct implications for resources. A representative of the Secretariat reminded States parties to make efforts to adhere to the timelines set forth in the terms of reference, in particular for the second review cycle. Speakers expressed their commitment to addressing the outcomes and conclusions of the Mechanism, despite the difficulties encountered, and to contributing to discussions that would further improve its effectiveness and efficiency. Some speakers offered concrete suggestions in that regard, such as focusing review reports on essential facts. Some speakers urged States parties to disclose their full country review reports, in order to maximize the potential of country reviews; that would ensure the provision of technical assistance responsive

to the needs identified during the reviews while avoiding duplication of efforts in assistance delivery.

8. With regard to the second cycle reviews, a representative of the Secretariat noted that, because of the limited number of completed reviews, it was too early to come to any clear conclusions on thematic findings or to identify regional trends. Those States parties which had been reviewed so far had received recommendations to strengthen their systems for the recruitment, hiring, retention, promotion and retirement of public officials pursuant to article 7, paragraph 1, of the Convention. With regard to asset recovery, States parties were encouraged to address gaps relating to politically exposed persons pursuant to article 52 of the Convention. Many of the good practices identified so far pertained to different aspects of preventing corruption in the public sector (article 7).

9. A representative of the Secretariat provided the Conference with an overview of the budgetary information related to the first and second cycles of the Implementation Review Mechanism ([CAC/COSP/2017/13](#)), which had been presented to the Implementation Review Group at its resumed eighth session.

10. A representative of the Secretariat expressed the Secretariat's appreciation for the voluntary contributions made by States to support the Implementation Review Mechanism and drew the attention of the Conference to the extrabudgetary funding gap. The representative informed the Conference that, by taking into account pledges that UNODC had received after 31 July 2017, the funding gap had been reduced to \$1,676,600 in relation to the operation of the first two years of the second cycle. The Conference was informed that, in addition to securing full financing for the first two years of the second cycle, financing for the third year of the second cycle, to be launched in June 2018, as well as for the fourth and fifth years of that cycle, needed to be raised.

11. The Secretariat noted that there was a worrying trend of States parties hard-earmarking pledges for the Implementation Review Mechanism by specifying by when and for what specific purpose or for which region or countries the pledged funds had to be used. The Secretariat noted that such conditions complicated the operation of the Mechanism and recalled that the budget of the Mechanism should ensure the efficient, continued and impartial functioning of the Mechanism in line with Conference resolution 3/1.

12. The Secretariat informed the Conference that, given the overall financial situation, the cost-cutting measures that it had implemented following the related discussion at the resumed seventh session of the Implementation Review Group and had presented in detail at both the eighth session and the resumed eighth session of the Group, continued to be in place.

13. The Secretariat informed the Conference that the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee of the General Assembly were reviewing the proposed programme budget for the biennium 2018–2019 submitted by UNODC, which included three additional posts to support the second cycle of the Review Mechanism, to be financed from the regular budget of the United Nations. Should the General Assembly approve the new posts, it would reduce the need for extrabudgetary funding for the second cycle of the Mechanism by approximately \$560,000 per year.

14. The Secretariat noted that pending a decision by the competent bodies and the General Assembly on the programme budget for the upcoming biennium, it would continue to use the current estimates of the requirements for the second review cycle, including for calculating the funding shortfall, and that the Secretariat would submit a revised cost projection for the second cycle at the ninth session of the Implementation Review Group.

15. One speaker expressed his country's continuing support for the mixed funding model and at the same time expressed concern at the Mechanism's rising costs since its inception, while recalling the continued financial support provided by his country

and encouraging other donors to provide more voluntary funding to the Mechanism in order to ensure that the mandates entrusted to the Secretariat were sustainable and ensure the smooth operation of the Mechanism in line with its terms of reference.

16. A representative of the Secretariat provided an overview of the technical assistance needs identified in the context of the country reviews, as presented in the note by the Secretariat containing an analysis of technical assistance needs emerging from the country reviews during the first implementation review cycle ([CAC/COSP/2017/7](#)). That note contained an analytical overview of the technical assistance needs identified over the past five years (2013–2017).

17. The Secretariat then provided an update of technical assistance provided since the sixth session of the Conference, as contained in document [CAC/COSP/2017/3](#). To respond to the increasing number of requests for technical assistance at the national, regional and global levels, UNODC had leveraged its network of national and regional anti-corruption advisers, supported by UNODC headquarters, and sought to cooperate and coordinate with other technical assistance providers. Technical assistance covered included support for ratification of and accession to the Convention, follow-up to the recommendations and gaps identified by the Implementation Review Mechanism, regional platforms for fast-tracking implementation of the Convention, legislative assistance, criminalization of corruption offences, international cooperation and asset recovery.

18. Speakers underlined the important role of technical assistance in countering corruption and achieving the Sustainable Development Goals. Speakers welcomed the technical assistance provided by UNODC in support of anti-corruption efforts, including during and in follow-up to the first cycle, and emphasized the continued importance of such technical assistance during the second review cycle. In that context, the representative of the World Bank noted that the Stolen Asset Recovery (StAR) Initiative was ready to provide support to States parties in the area of asset recovery, and encouraged States parties to provide extrabudgetary resources for that purpose.

19. Speakers highlighted the important role of the Mechanism as a tool for identifying technical assistance needs and praised the Mechanism for providing a valuable platform for peer-learning and the sharing of experiences. Echoing the Secretariat's intervention, speakers noted that technical assistance should be country-led and country-based. Several speakers underlined the importance of coordination of technical assistance, in particular at the country level. Speakers encouraged States to raise the technical assistance requirements identified through the Review Mechanism during in-country meetings with donors, international organizations, development banks and civil society. Some speakers emphasized the need for technical assistance on legislative drafting, asset recovery, the prevention of money-laundering and capacity-building for law enforcement authorities, including the use of special investigative techniques, based on international best practices for sharing information and expertise.

20. Some speakers noted the importance of bilateral and multilateral technical assistance, including through civil society organizations. One speaker reported on valuable expertise on legislative reform provided by neighbouring States parties. Another speaker encouraged the United Nations system to continue to mainstream anti-corruption activities in the United Nations Development Assistance Framework. Efforts to integrate technical assistance in anti-corruption into other forms of technical and development assistance, including criminal justice reform and combating organized crime, were noted by one speaker.

21. One speaker highlighted the online training opportunities provided by UNODC and encouraged an analysis of their use to ensure that the training provided was equally applicable in all regions. Speakers considered that the Convention provided a useful framework for the delivery of technical assistance and encouraged UNODC to report regularly to donors and at the sessions of the Implementation Review Group on needs identified and technical assistance delivery.

VI. Other matters

A. [...]

B. [...]

C. Special events

22. A number of special events were held in conjunction with the seventh session of the Conference, as described below.

[...]

VII. Provisional agenda for the eighth session

23. At its 12th meeting, on 10 November 2017, the Conference approved the draft provisional agenda for its eighth session ([CAC/COSP/2017/L.2](#)), on the understanding that the provisional agenda and proposed organization of work would be finalized by the Secretariat in accordance with the rules of procedure of the Conference.

24. A representative of the United Arab Emirates extended the invitation of his Government to all States parties to participate actively in the work and activities of the eighth session of the Conference, to be held in Abu Dhabi in 2019.

VIII. Adoption of the report of the Conference

25. At its [...] meeting, on 10 November 2017, the Conference adopted the report on its seventh session ([CAC/COSP/2017/L.1](#) and Add.1–4).
