



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

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Implementation Review Group

Resumed Eighth session

Vienna, 7 and 8 November 2017

Report of the Implementation Review Group on its resumed eighth session, held in Vienna on 7 and 8 November 2017

Addendum

I. Introduction

1. The Implementation Review Group was established by the Conference of the States Parties to the United Nations Convention against Corruption in its resolution 3/1, entitled “Review mechanism”, as an open-ended intergovernmental group of States parties to operate under its authority and report to it. The Group is to have an overview of the review process in order to identify challenges and good practices and to consider technical assistance requirements in order to ensure effective implementation of the Convention.

II. Organization of the session

A. Opening of the session

2. The Implementation Review Group of the United Nations Convention against Corruption held its resumed eighth session in Vienna on 7 and 8 November 2017.

3. The resumed session was chaired by the Vice-Presidents of the Conference of the States Parties to the United Nations Convention against Corruption, [...] and [...].

B. Attendance

4. The following States parties to the Convention were represented at the resumed eighth session of the Implementation Review Group: Algeria, Angola, Argentina, Austria, Bahrain, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, China, Cote d'Ivoire, Cuba, Czechia, Egypt, Finland, France, Gabon, Germany, Ghana, Guatemala, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Japan, Kuwait, Kyrgyzstan, Lesotho, Lithuania, Maldives, Micronesia, Morocco, Myanmar, Nepal, Oman, Pakistan, Paraguay, Russian Federation, Saudi Arabia, Singapore, Slovakia, South Africa, South Sudan, Switzerland, Thailand, Togo, Turkey, United Arab Emirates, United States of America [...].

5. In accordance with Rule 2 of resolution 4/5, the Conference decided that intergovernmental organizations, Secretariat units, United Nations bodies, funds and



programmes, institutes of the United Nations Crime Prevention and Criminal Justice Programme network, specialized agencies and other organizations of the United Nations system may be invited to participate in the sessions of the Implementation Review Group.

6. Interpol an intergovernmental organization was represented by an observer.

III. Review of implementation of the United Nations Convention against Corruption

A. Drawing of lots

7. The Group drew lots for the reviewing States for Japan and Niue, which had become parties to the Convention after the drawing of lots conducted at the eighth session of the Group, held from 19 to 23 June 2017. [...] and [...] were drawn as reviewing States for Japan. [...] and [...] were drawn as reviewing States for Niue. [...] was drawn as other reviewer for Bahrain, [...] was drawn as regional reviewer for Guinea Bissau [...], was drawn as other reviewer for Myanmar, and [...] was drawn as other reviewer for the State of Palestine.

B. Progress Report

8. The Secretariat provided an update on the progress made in the country reviews of the first and second review cycles. With regard to the first review cycle, it highlighted that, at the time of reporting, 176 out of 181 States parties under review had submitted their responses to the self-assessment checklist, 167 direct dialogues (155 country visits and 12 joint meetings in Vienna) had taken place, and 162 executive summaries had been finalized. A further seven executive summaries were in advanced stages of finalization.

9. With regard to the second review cycle, the Secretariat informed the Group that, out of the 29 States parties under review in the first year of the second cycle, all had nominated their focal points. Furthermore, 22 States had submitted responses to the self-assessment checklist, and 18 direct dialogues (17 country visits and one joint meeting) had taken place, with several other country visits at various stages of planning. At the time of reporting, four executive summaries had been finalized, and six additional executive summaries were being completed. Due to the organization of training events at early stages of the review cycle, the majority of States parties under review in the second year of the second cycle had nominated their focal points well before the start of their reviews, and States parties had the opportunity to engage in early preparation of their self-assessment checklists. Nonetheless, progress remained slow as only 11 of 48 self-assessment checklists had been received and no country visits or joint meetings had been held.

C. Outcome of the first cycle reviews

10. The secretariat introduced the discussion paper, “Developing a set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the United Nations Convention against Corruption” ([CAC/COSP/2017/5](#)), which was prepared on the basis of Conference resolution 6/1. This paper analysed the outcomes of the first cycle country reviews in terms of identified successes, good practices, challenges, observations and technical assistance needs concerning the implementation of chapters III and IV of the Convention, based on 149 completed country reviews of the first cycle at the time of drafting. Over 5,000 individual recommendations and nearly 1,000 good practices were reviewed for purposes of the analysis, with a view to facilitating the Group’s deliberations on 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, to be submitted to the Conference at its seventh session, in accordance with para. 11 of resolution 6/1. The paper had been made available to States parties for written comments before the seventh session of the Conference and included in the agendas of the Working Group on Prevention of Corruption, the Working Group on Asset Recovery and the Expert Meeting on International Cooperation for further discussion.

11. It was noted that the issues highlighted in the paper and the outcomes of the first review cycle were the subject of a further analysis in the updated study entitled “State of Implementation of the United Nations Convention against Corruption: Criminalization, Law Enforcement and International Cooperation”, which was available for the seventh session of the Conference and covered 156 countries, compared to the 68 included in the first edition.

12. In the ensuing discussion, speakers welcomed the thematic discussion on successes, good practices, challenges, observations and technical assistance needs based on lessons learned in the first review cycle. It was noted that the discussion on the set of non-binding recommendations helped States parties analyse and synthesize the outcomes of the first review cycle, in view of an assessment of these measures by the Conference. Speakers reiterated that the set of conclusions and recommendations were non-binding in nature and intended to be useful options for policymakers to consider, consistent with the fundamental principles of their legal systems and taking into account national priorities, when reviewing or adopting measures to strengthen the implementation of the Convention. Speakers welcomed the revisions made to the paper to reflect the comments submitted by States parties, including to differentiate conclusions according to the levels of obligation of the Convention and to clarify recommendations, as well as the section containing general observations regarding the Implementation Review Mechanism. The revisions resulted in a more comprehensive and balanced analysis. Some speakers offered concrete suggestions on specific items covered in the paper, such as the statute of limitations and further clarification of recommendations according to the levels of obligation of the Convention. It was noted that these comments would be reflected in the revised version of the paper.

13. It was noted that the paper would be made available to future sessions of the Group to inform further discussion.

D. Outcome of the second cycle reviews

14. In order to facilitate the Group’s discussion on the outcome of the second cycle reviews of chapters II (Preventive measures) and V (Asset recovery) of the Convention, a representative of the secretariat provided an oral update on the initial trends in the second cycle. Due to the limited number of completed reviews in the second cycle, it was too early to come to any clear conclusions or to identify any regional trends. However, some initial trends could be identified, based on 44 individual recommendations and 15 good practices identified so far. For example, all States reviewed thus far received recommendations to strengthen their systems for recruitment, hiring, retention, promotion and retirement of public officials under Art. 7(1). With respect to asset recovery, all States parties received recommendations encouraging them to address gaps relating to politically exposed persons under Art. 52. Prevalent good practices pertained to different aspects of preventing corruption in the public sector (Art. 7). The Secretariat encouraged States parties to continue efforts to record and share practical examples as well as statistics of implementation.

15. In the ensuing discussion, the update by the Secretariat was welcomed. One speaker noted that the trends identified by the Secretariat were consistent with the review of his country which was in the process of being finalized, and noted that some of the benefits of the second cycle included that it could draw from lessons learnt under the first cycle of reviews. However, some speakers stressed the magnitude of

information required to review chapters II and V would lead to additional difficulties, including delays and increased costs of translation. Despite these difficulties, speakers expressed their commitment to the work of the Mechanism and to contributing to discussions which would further improve its effectiveness and efficiency.

E. Organization of work for 2018 and 2019 in line with the multi-year workplan

16. The secretariat updated the Group regarding the schedule of meetings of the subsidiary bodies of the Conference, in accordance with the multi-year workplan for 2018-2019 ([CAC/COSP/2017/CRP.6](#)), which had been submitted in a draft decision by the President for adoption by the Conference.

IV. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption

17. The secretariat presented an overview of progress made in the first cycle reviews as outlined in the note entitled “Good practices and experiences of, and relevant measures taken by, States parties after the completion of the country reviews, including information related to technical assistance” ([CAC/COSP/2017/12](#)). The analysis included information relating to 95 States Parties that had finalized their first cycle reviews. The secretariat noted that States’ efforts had not been limited to the chapters of the Convention under review in that cycle, but had addressed the Convention as a whole. As such, 58 per cent of States had already initiated measures related to Chapters II and V before the second cycle had begun.

18. Overall, the impact of the mechanism was felt across all States, from high-income to least developed countries, with the peer-learning element seen throughout the review process reported as being one of the most important aspects. The secretariat ended the intervention by noting with concern that the delays already encountered in the second cycle were likely to make it very difficult to conclude the reviews in a timely manner. The secretariat reminded the States parties to make efforts to adhere to the timelines set forth in the terms of reference. In order to understand better the reasons for the delays, the secretariat informed that a comparative overview would be prepared for the ninth session of the Implementation Review Group. It would reflect the progress made and delays encountered at each stage of the reviews in the first cycle as compared to the first two years of the second cycle.

19. Echoing the information provided by States in their submissions, many speakers reiterated their countries’ commitment to the Mechanism. A number of speakers noted that their country reviews had resulted in a series of legislative amendments. One speaker reported that the follow-up committee established for his country’s first cycle review, had also been tasked to begin preparations for the second cycle. Another speaker, in voicing appreciation for the analytical note prepared by the secretariat on the impact of the implementation reviews, asked that a similar exercise be undertaken also for the outcome of the second cycle.

20. Speakers noted that the delays encountered remained of concern. Some speakers note that the volume of the information required coupled with the translation requirements made the mechanism very resource-intensive. To this end, it was important to consider ways to make use of information that had already been prepared for other anti-corruption peer reviews in order to avoid duplication of efforts. One speaker noted that the delays were limiting States’ possibility to benefit fully from the review process.

V. Technical assistance

21. The Secretariat provided an overview of the technical assistance needs identified in the context of the country reviews as presented in the note “Analysis of technical assistance needs emerging from the country reviews under the first Implementation Review Cycle” ([CAC/COSP/2017/7](#)). The note contained an analytical overview of technical assistance needs identified over the past five years in the context of the country reviews (2013-2017).

22. The Secretariat then provided an update of technical assistance provided since the sixth session of the Conference ([CAC/COSP/2017/3](#)) to respond to an increasing number of requests for technical assistance at the global, regional and national levels and presented efforts to cooperate and coordinate with other technical assistance providers. A panel discussion was held to facilitate the deliberations on technical assistance, in which delegates from New Zealand, Nigeria, and Singapore participated.

VI. Financial and budgetary matters

23. [..]

VII. Other matters

24. [..]

VIII. Adoption of the report

25. On 8 November 2017, the Implementation Review Group adopted the report on its resumed eighth session ([CAC/COSP/IRG/2017/L.1/Add.8](#)).
