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UNCAC COALITION DISCUSSION DRAFT

A Guide to Transparency and Participation in the UNCAC Review Mechanism

Transparency and civil society participation are essential to the effectiveness of the UNCAC Review Mechanism. An open and inclusive process can bring additional information and technical expertise into the discussions, safeguard the legitimacy and accountability of process, and ensure compliance with international human rights law and with the commitments and principles contained within the UNCAC itself. Multiple international instruments and fora have underscored that the fight against corruption needs to live up to its own standards, and requires the involvement of all stakeholders — from within and outside government — to ensure success.

Since the UNCAC Review Mechanism was adopted in 2009 there have been many positive examples from around the world of how to conduct the country review process. Some countries have led the way by proactively publishing the findings of their reviews — of 156 reviews completed to date, 71 countries have agreed to publish the full report on the UNODC website — or enabling civil society input — 85 per cent of country visits included sessions with non-governmental stakeholders, including civil society.

This draft guidance draws on positive practice in the first cycle of UNCAC reviews as well as applicable international law. It identifies the concrete steps that states parties can take at different stages of the review process to ensure that the entire process is transparent and inclusive and consequently robust and effective.

	Country Review					Guiding Principles
	Preparation	**Self-Assessment**	**Peer Review**	**Report**	**Follow-up**	
PARTICIPATION *(From consultation through to dialogue and partnership)*	*Reviewed state*					
	Form a multi-stakeholder advisory team or joint planning group to consult on the organization of the implementation review.	Consider including civil society representatives as partners in the self-assessment process, including as members of the technical team of experts. Convene broader national stakeholder workshops to gain input on the state performance being assessed.	Include stakeholders from civil society and the private sector in dialogues with the expert review team and encourage their written submissions on the accuracy of the completed self-assessment checklist, if it has been shared, as well as other observations. *Expert reviewers:* Provide opportunities for civil society organisations to submit written and oral inputs related to the country review.	Invite civil society representatives to participate in any dialogue between the country under review and the expert review team, and allow them to provide input to the country report approval process.	Organize stakeholder dialogue to shape a follow-up response to the review recommendations. Provide opportunities for civil society to comment on progress reports and participate in monitoring and planning to address any shortcomings.	**Inclusivity** – ensure participation of a wide range of stakeholders, including marginalized and at risk groups. **Capacity** – where appropriate, train and support stakeholders to participate in the process. **Timeliness** – ensure sufficient time for stakeholders to submit their views and for such views to be taken into account. **Responsiveness** – explain how the stakeholder input has been assessed and incorporated into decisions. **Resourcing** – there should be adequate resourcing to receive and process stakeholder inputs. **Independence** – allow civil society to remain independent and have the right to campaign and act irrespective of the partnership situation.

	Country Review					Guiding Principles
	Preparation	**Self-Assessment**	**Peer Review**	**Report**	**Follow-up**	
	Reviewed state					
TRANSPARENCY *(Proactive Publication)*	Publish information on the UNCAC review process, its methodology, its schedule and the contact details of the focal point. Outline the key entry points for civil society participation and consider other awareness-raising and capacity-building training.	Publish the completed self-assessment checklist as soon as it is available and before the beginning of the peer-review phase. Agree to publication on the UNODC website.	Encourage the expert review teams to visit the country under review and publicize the visit along with a schedule of events. *Expert reviewers:* Provide a draft of its desk review in advance of its country visit to enable informed dialogue with the focal point, civil society and private sector stakeholders.	Make sure to publish and promote the country review findings, including the full country report in the original and local languages.	Proactively and regularly report on progress in relation to the country review recommendations, and the opportunities for civil society engagement with the process.	**Accessibility** – ensure the publication is suitable for stakeholder needs, taking into account issues including geography, language and digital divide. **Open Data** – ensure that all relevant information is published online and in open data format, including as free and reusable data. **Timeliness** – ensure the publication is sufficiently timely to allow for meaningful monitoring of and participation in the process. **Accuracy** - ensure that the most relevant and up-to-date information is provided.

	Conference of States Parties and Subsidiary Bodies
Participation *(From consultation through to dialogue and partnership)*	*Signatory States:* Confirm that in line with CoSP rules of procedure 2 and 17, civil society organizations are entitled to participate as observers in all CoSP subsidiary bodies, including the Implementation Review Group and any UNCAC Working Groups. Be willing to include civil society representatives in national delegations. Ensure sufficient funding for the IRM to enable expert team country visits for meetings. Instruct UNODC to convene a periodic conference of UNCAC stakeholders in advance to the CoSP to share experiences with respect to UNCAC implementation. Drawing on the experience of international human rights treaty bodies, mandate the creation of a safe reporting mechanism, enabling individuals and legal entities to safely share information with the United Nations on corruption issues covered by UNCAC, especially grand corruption.
Transparency *(Proactive Publication)*	*UNODC:* Publish online the list of UNCAC government focal points and all information relating to the review schedule, including whether countries have authorized a country visit, the schedule of such visits, the members of the Peer Review Team and the current status of the review.