



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

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## Eighth session

Abu Dhabi, 16–20 December 2019

## Annotated provisional agenda

### Provisional agenda

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  - (a) Implementation of article 63, paragraphs 4 (c) and (d), concerning cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations; as well as appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corruption, in order to avoid unnecessary duplication of work;
  - (b) Status of ratification of and notification requirements under the Convention;
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## **Annotations**

### **1. Organizational matters**

#### **(a) Opening of the eighth session of the Conference**

By its resolution [58/4](#), the General Assembly adopted the United Nations Convention against Corruption, in article 63 of which a Conference of the States Parties to the Convention is established to improve the capacity of and cooperation between States parties to achieve the objectives set forth in the Convention and to promote and review its implementation. Pursuant to paragraph 2 of that article, the first session of the Conference was held in Amman from 10 to 14 December 2006. In accordance with rule 3, paragraph 2, of the rules of procedure for the Conference, adopted at its first session, the second regular session was to be held within one year after the first session. Pursuant to Conference decision 1/1, the second session was held in Nusa Dua, Indonesia, from 28 January to 1 February 2008. Pursuant to Conference decision 2/1, the third session was held in Doha from 9 to 13 November 2009. Pursuant to Conference decision 3/1, the fourth session was held in Marrakech, Morocco, from 24 to 28 October 2011. Pursuant to Conference decision 3/1, the fifth session was held in Panama City from 25 to 29 November 2013. Pursuant to Conference decision 4/1, the sixth session was held in St. Petersburg, Russian Federation, from 2 to 6 November 2015. And, pursuant to Conference decision 4/2, the seventh session was held in Vienna from 6 to 10 November 2017. In compliance with Conference decision 5/2, the eighth session will be held in Abu Dhabi from 16 to 20 December 2019.

#### **(b) Election of officers**

In accordance with rule 22 of the rules of procedure for the Conference, at the opening of each session a president, three vice-presidents and a rapporteur shall be elected from among the representatives of the States parties present at the session.

In accordance with the same rule, the President, the Vice-Presidents and the Rapporteur shall serve as the officers of the Conference at each session. In electing the officers of the session, each of the five regional groups shall be represented by one officer. The offices of the President and the Rapporteur of the Conference shall normally be subject to rotation among the five regional groups.

In accordance with standard practice established for conferences held away from United Nations Headquarters at the invitation of a Government, the President is normally representative of the host Government. The Conference followed that practice at its first, second, third, fourth, fifth and sixth sessions, at which the representatives of Jordan, Indonesia, Qatar, Morocco, Panama and the Russian Federation, respectively, were elected President. Should the Conference decide to follow that practice at its eighth session, the representative of the United Arab Emirates would be elected President of the Conference and the Group of Latin American and Caribbean States would be expected to nominate the Rapporteur. Should the Conference, however, decide to follow rule 22 of its rules of procedure, the Group of Western European and Other States would be expected to nominate the President, while the Group of Latin American and Caribbean States would be expected to nominate the Rapporteur.

Regional groups are urged to engage in consultations on the nomination of candidates to fill the elective offices well in advance of the beginning of the session, with a view to agreeing on a slate of candidates whose number is equal to the number of offices to be filled, thus allowing all officers of the Conference at its eighth session to be elected by acclamation and dispensing with the requirement for a secret ballot.

**(c) Adoption of the agenda and organization of work**

At its seventh session, the Conference decided not to take action on the draft provisional agenda for its eighth session. It was agreed that consultations should continue during the intersessional period.

At the initiative of the United Arab Emirates, informal consultations on the provisional agenda for the eighth session were held in Vienna. Following those informal negotiations, consensus on the present provisional agenda was reached on 28 February 2019.

The proposed organization of work was prepared by the secretariat in accordance with rule 8 of the rules of procedure for the Conference.

The organization of work is intended to facilitate consideration of the agenda items within the time and resources available to the Conference. The resources available to the Conference at its eighth session will permit the holding of parallel meetings with simultaneous interpretation from and into the six official languages of the United Nations. The Conference will thus be able to hold 18 meetings with simultaneous interpretation.

**(d) Participation of observers**

Rule 14 of the rules of procedure for the Conference provides that, subject to prior written notification to the Secretary-General, any State or regional economic integration organization signatory to the Convention shall, in accordance with its article 67, paragraphs 1 and 2, be entitled to participate as an observer in the Conference and may accordingly take part in its deliberations.

Rule 15 of the rules of procedure provides that any State or regional economic integration organization that has not signed the Convention in accordance with its article 67, paragraphs 1 and 2, may apply to the bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

Rule 16 of the rules of procedure provides that, subject to prior written notification to the Secretary-General, the following shall be entitled to participate as observers in the deliberations of the Conference: representatives of entities and organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under its auspices, representatives of United Nations bodies, specialized agencies and funds, as well as representatives of functional commissions of the Economic and Social Council.

Rule 17 of the rules of procedure provides that relevant non-governmental organizations having consultative status with the Economic and Social Council may apply to the bureau for observer status, which should be accorded unless otherwise decided by the Conference. Other relevant non-governmental organizations may also apply to the bureau for observer status. The secretariat shall circulate as a document a list of such organizations with sufficient information at least 30 days prior to the session of the Conference. If there is no objection to a non-governmental organization being granted observer status, such status should be accorded unless otherwise decided by the Conference. If there is an objection, the matter will be referred to the Conference for a decision.

**(e) Adoption of the report of the bureau on credentials**

Rule 19 of the rules of procedure provides that the bureau of any session shall examine the credentials and submit its report to the Conference.

Rule 20 provides that, pending a decision of the bureau upon their credentials, representatives shall be entitled to participate provisionally in the session. Any representative of a State party to whose admission another State party has made objection shall be seated provisionally with the same rights as other representatives

of States parties until the bureau has reported and the Conference has taken its decision.

**(f) General discussion**

Sub-item 1 (f), entitled “General discussion”, is included in the provisional agenda to allow time for high-level representatives to make statements on matters of a general nature that are related to the implementation of the Convention. The secretariat proposes that the general discussion of the Conference be held at the beginning of its session to provide high-level representatives with an opportunity to express their views and set out the political direction for the Conference. Such organization of the work of the session would also allow more focused and interactive exchanges to take place under the substantive items of the agenda.

A list of speakers for the general discussion to be held under sub-item 1 (f) of the provisional agenda will be opened on 15 November 2019 and will remain open until noon on Monday, 16 December 2019. Delegations are kindly requested to send requests for inscription on the list to the secretariat in writing ([uncac@un.org](mailto:uncac@un.org)). Requests received before 15 November 2019 will have to be resubmitted once the list is open.

The procedures on the establishment of the list of speakers for the general discussion will be follows: (a) representatives of States will be included on the list of speakers on a first-come-first-served basis, on the understanding that representatives at the ministerial or higher levels will be given priority; (b) in the case of Cabinet ministers, delegations will be invited to submit additional information confirming that the speaker is a member of the Cabinet; (c) should a Cabinet minister be replaced by a speaker at the non-Cabinet level, the speaker will be added to the list of speakers based on the time of the submission to the secretariat of the notification regarding the change of speaker; and (d) should a speaker from one delegation wish to switch places on the list with a speaker at the same level from another delegation, those delegations should make their own arrangements and inform the secretariat in writing and a copy should be provided to the other delegation.

In addition, delegations will be requested to adhere to a maximum speaking time: four minutes (or 400 words) will be allotted to all speakers, including high-level representatives; and seven minutes will be allotted to the Chair of each of the regional groups. This will be strictly applied during the general discussion. Longer statements will be posted on the website of the Conference, provided that a clean copy of the statement is forwarded to the secretariat (and unless the delegation informs the secretariat that it does not wish to have its statement posted online). Moreover, the preliminary list of speakers on sub-item 1 (f) is to be circulated to delegations via special message shortly before the Conference.

In order to allow for sufficient time for the Conference to discuss the substantive matters on its agenda, the consideration of the sub-item entitled “General discussion” will be concluded at the latest on the evening of 17 December and the remaining speakers will be invited to take the floor under other items of the agenda.

**2. Review of the implementation of the United Nations Convention against Corruption**

Pursuant to article 63, paragraph 5, of the Convention, the Conference is to acquire the necessary knowledge of the measures taken by States parties in implementing the Convention – and the difficulties encountered by them in doing so – through information provided by them and through such supplemental review mechanisms as may be established by the Conference.

In its resolution 1/1, the Conference agreed that it was necessary to establish an appropriate mechanism to assist it in reviewing the implementation of the Convention, and established an open-ended intergovernmental expert working group to make

recommendations to it. In the same resolution, the Conference underlined the characteristics that the review mechanism should have.

In its resolution 2/1, the Conference set out additional principles that the review mechanism should reflect and tasked the Open-ended Intergovernmental Working Group on Review of the Implementation of the Convention with preparing terms of reference for a review mechanism for consideration, action and possible adoption by the Conference at its third session.

In its resolution 3/1, the Conference established the Mechanism for the Review of Implementation of the Convention, in accordance with article 63, paragraph 7, of the Convention. The annex to resolution 3/1 contains the terms of reference of the Review Mechanism, as well as the draft guidelines for governmental experts and the secretariat in the conduct of country reviews and the draft blueprint for country review reports.

In the same resolution, the Conference established the Implementation Review Group, the functions of which would be 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 the effective implementation of the Convention. On the basis of its deliberations, the Group is to submit recommendations and conclusions to the Conference for its consideration and approval.

The Conference decided that each implementation review phase would be composed of two review cycles, each of five years, and to review, during the first cycle, the implementation of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention and, during the second cycle, the implementation of chapters II (Preventive measures) and V (Asset recovery).

In its resolution 4/1, entitled “Mechanism for the Review of Implementation of the United Nations Convention against Corruption”, the Conference endorsed the guidelines for governmental experts and the secretariat in the conduct of country reviews and the blueprint for country review reports, which had been finalized by the Implementation Review Group at its first session.

In its decision 5/1, entitled “Mechanism for the Review of Implementation of the United Nations Convention against Corruption”, the Conference decided that the Implementation Review Group should begin promptly to collect, with the support of the secretariat, and discuss relevant information to facilitate the assessment of performance in accordance with paragraph 48 of the terms of reference of the Review Mechanism, following the completion of the first review cycle, and that the Group should include in its future sessions an agenda item allowing for the discussion of such information; and that the Group, in the collection of information pursuant to paragraph (a) of the decision, shall take into account future requirements for follow-up in accordance with paragraphs 40 and 41 of the terms of reference.

In its resolution 6/1, entitled “Continuation of the review of implementation of the United Nations Convention against Corruption”, the Conference launched the second cycle of the Review Mechanism, pursuant to paragraph 13 of the terms of reference of the Mechanism and in line with Conference resolution 3/1. It further decided that one fifth of the States parties were to be reviewed in each of the five years of the second review cycle, and that States acceding to the Convention after the sixth session of the Conference should complete the review of implementation of chapters III and IV of the Convention no later than two years after the deposit of their instrument of accession, and should participate in the review of implementation of chapters II and V of the Convention during the final year of the second review cycle.

Pursuant to paragraph 35 of the terms of reference of the Review Mechanism, the secretariat is to compile the most common and relevant information on successes, good practices, challenges, observations and technical assistance needs contained in the country review reports and to include them, organized by theme, in a thematic implementation report and regional supplementary addenda, for submission to the Implementation Review Group. The Conference has before it for its consideration

thematic reports prepared by the Secretariat on the implementation of chapters II and V of the Convention (CAC/COSP/2019/9 and CAC/COSP/2019/10, respectively).

Furthermore, in its resolution 6/1, the Conference requested the Implementation Review Group to analyse the information on successes, good practices, challenges, observations and technical assistance needs emanating from the country reviews of the first review cycle, considering the thematic implementation report prepared in accordance with paragraph 35 of the terms of reference of the Review Mechanism, and to submit a set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the Convention to the Conference for its consideration and approval at its seventh session.

In paragraphs (a) and (b) of its decision 7/1, the Conference recalled its resolution 6/1, in which it had requested the Implementation Review Group to submit, to the Conference for its consideration and approval, a set of non-binding recommendations and conclusions and took note of the set of non-binding recommendations and conclusions, as reviewed by the Implementation Review Group at its resumed eighth session. The Implementation Review Group considered the set of non-binding recommendations and conclusions at its second resumed ninth session and at its tenth session. Accordingly, the Conference will have before it, for its consideration and approval, a set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the Convention (CAC/COSP/2019/3).

An updated analysis of the responses received from States parties on good practices, experiences and relevant measures taken since the completion of the country reviews under the first implementation review cycle is provided in a report of the Secretariat (CAC/COSP/2019/11). The responses collected and the statements made on this topic during the sessions of the Implementation Review Group have been made available online, on the relevant session pages and on the country profile pages on the UNODC website.

Building on the background documents and on the discussions held during the sessions of the Implementation Review Group, the secretariat will provide an oral update on the assessment of the performance of the Review Mechanism.

The Implementation Review Group has held the following sessions: (a) in 2010, the first session and the resumed first session; (b) in 2011, the second session, the resumed second session and the continued resumed second session; (c) in 2012, the third session and the resumed third session; (d) in 2013, the fourth session and the resumed fourth session; (e) in 2014, the fifth session and the resumed fifth session; (f) in 2015, the sixth session and the resumed sixth session; (g) in 2016, the seventh session and the resumed seventh session; (h) in 2017, the eighth session; (i) in 2018, the ninth session, the first resumed ninth session and the second resumed ninth session; and (j) in 2019, the tenth session and the first resumed tenth session.

The second resumed tenth session of the Implementation Review Group will be held during the eighth session of the Conference in Abu Dhabi. It is expected that, at its second resumed tenth session, the Group will focus on its future work, the future of the Implementation Review Mechanism and other issues.

The Conference may wish to consider, in its deliberations, the results of the sessions of the Implementation Review Group held in 2018 and 2019: the ninth session (CAC/COSP/IRG/2018/8), the first resumed ninth session (CAC/COSP/IRG/2018/8/Add.1) and the second resumed ninth session (CAC/COSP/IRG/2018/8/Add.2); and the tenth session (CAC/COSP/IRG/2019/9), the first resumed tenth session (CAC/COSP/IRG/2019/9/Add.1) and the second resumed tenth session.

In paragraphs (c) and (d) of its decision 7/1, the Conference endorsed the multi-year workplan adopted by the Implementation Review Group at its resumed seventh session and the schedule of meetings approved by the extended Bureau at its meeting on 27 August 2017, invited States parties represented at the meetings of the

Implementation Review Group to share their impressions on the implementation of the workplan and on any impact of the workplan on the attendance of experts, and requested the Secretariat to report on those contributions to the Conference at its eighth session. Accordingly, on 4 June 2019, the Secretariat circulated a note verbale to States parties inviting them to submit comments on the workplan. Those comments have been included in the form in which they were received in the note by the Secretariat on the activities and working methods of the Implementation Review Group (CAC/COSP/2019/4).

The Conference will have before it for its consideration a note by the Secretariat on the performance of the Implementation Review Mechanism, in particular during the second review cycle and the measures required for its completion (CAC/COSP/2019/12).

In its resolution 6/1, the Conference launched the second cycle of the Review Mechanism pursuant to paragraph 13 of the terms of reference of the Mechanism and in line with Conference resolution 3/1. The Conference may wish to use as a basis for its deliberations the information contained in the note by the Secretariat on financial and budgetary matters (CAC/COSP/2019/15).

### **Documentation**

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 (CAC/COSP/2019/3)

Note by the Secretariat on the activities and working methods of the Implementation Review Group (CAC/COSP/2019/4)

Thematic report prepared by the Secretariat on the implementation of chapter II (Preventive measures) of the United Nations Convention against Corruption (CAC/COSP/2019/9)

Thematic report prepared by the Secretariat on the implementation of chapter V (Asset recovery) of the United Nations Convention against Corruption (CAC/COSP/2019/10)

Report of the Secretariat on the analysis of good practices, experiences and relevant measures taken by States parties after the completion of the country reviews during the first review cycle (CAC/COSP/2019/11)

Note by the Secretariat on the performance of the Implementation Review Mechanism, in particular during the second review cycle and the measures required for its completion (CAC/COSP/2019/12)

Note by the Secretariat on financial and budgetary matters (CAC/COSP/2019/15)

Report of the Implementation Review Group on its ninth session, held in Vienna from 4 to 6 June 2018 ([CAC/COSP/IRG/2018/8](#))

Report of the Implementation Review Group on its first resumed ninth session, held in Vienna from 3 to 5 September 2018 ([CAC/COSP/IRG/2018/8/Add.1](#))

Report of the Implementation Review Group on its second resumed ninth session, held in Vienna from 12 to 14 November 2018 ([CAC/COSP/IRG/2018/8/Add.2](#))

Report of the Implementation Review Group on its tenth session, held in Vienna from 27 to 29 May 2019 (CAC/COSP/IRG/2019/9)

Report of the Implementation Review Group on its first resumed tenth session, held in Vienna from 2 to 4 September 2019 (CAC/COSP/IRG/2019/9/Add.1)

### **3. Technical assistance**

In its resolution 3/1, the Conference decided that the Implementation Review Group was to follow up and continue the work previously undertaken by the Open-ended

Intergovernmental Working Group on Technical Assistance. In accordance with that resolution, technical assistance is an integral component of the Review Mechanism. In line with its terms of reference, one of the guiding principles of the Review Mechanism is to assist States parties in the effective implementation of the Convention. The Conference, in its resolution 3/4, endorsed country-led and country-based, integrated and coordinated technical assistance delivery as an effective vehicle for the further implementation of the Convention, and encouraged donors and other assistance providers to incorporate those concepts and capacity-building into their technical assistance programmes.

In its resolution 7/3, entitled “Promoting technical assistance to support the effective implementation of the United Nations Convention against Corruption”, the Conference invited States parties, in completing the self-assessment checklist, to continue to identify technical assistance needs required for the implementation of the articles of the Convention and provide information regarding technical assistance already being provided; and encouraged States parties to continue voluntarily sharing information on the provision of technical assistance and their needs for such assistance, including those needs identified through the review process, and to consider providing such information to the Secretariat for publication on its website. Accordingly, the Conference will have before it a report of the Secretariat on the analysis of technical assistance needs emerging from country reviews and assistance delivered by the United Nations Office on Drugs and Crime during the first review cycle (CAC/COSP/2019/14).

In its resolution 7/2, entitled “Preventing and combating corruption in all its forms more effectively, including, among others, when it involves vast quantities of assets, based on a comprehensive and multidisciplinary approach, in accordance with the United Nations Convention against Corruption”, the Conference urged States parties to increase their efforts and to take measures to prevent and counter corruption, giving the necessary focus to, among others, acts of corruption involving vast quantities of assets, without undermining their commitment to preventing and countering corruption at all levels and in all forms, and thereby contributing to the achievement of the Sustainable Development Goals, in particular Goal 16, by efficiently and effectively implementing the Convention. The Conference will have before it a note by the Secretariat on preventing and combating corruption involving vast quantities of assets (CAC/COSP/2019/13).

In its resolution 7/7, entitled “Strengthening the implementation of the United Nations Convention against Corruption in small island developing States”, the Conference urged States parties and interested donors, including development partners, to support small island developing States in their efforts to implement the Convention, including those aspects that would contribute to the achievement of Sustainable Development Goal 16; encouraged small island developing States to continue efforts aimed at building integrity and preventing and eliminating corruption in the public and private sectors; and requested the Secretariat to submit to the Conference a report on the progress made and the challenges encountered in the implementation of that resolution. Accordingly, the Conference will have before it a report of the Secretariat on strengthening the implementation of the United Nations Convention against Corruption in small island developing States (CAC/COSP/2019/8).

### **Documentation**

Report of the Secretariat on strengthening the implementation of the United Nations Convention against Corruption in small island developing States (CAC/COSP/2019/8)

Note by the Secretariat on preventing and combating corruption involving vast quantities of assets (CAC/COSP/2019/13)

Report of the Secretariat on the analysis of technical assistance needs emerging from country reviews and assistance delivered by the United Nations Office on Drugs and Crime during the first review cycle (CAC/COSP/2019/14)



#### 4. Prevention

At its third, fourth, fifth, sixth and seventh sessions, the Conference emphasized the central importance of preventive measures in the fight against corruption and accordingly adopted resolutions 3/2, 4/3, 5/4, 6/6, 7/5 and 7/6.

In its resolution 3/2, the Conference established the Open-ended Intergovernmental Working Group on the Prevention of Corruption and mandated it to assist the Conference in, inter alia: (a) developing and accumulating knowledge in the area of prevention of corruption; (b) facilitating the exchange of information and experience among States on preventive measures and practices; (c) facilitating the collection, dissemination and promotion of best practices in the prevention of corruption; and (d) in encouraging cooperation among all stakeholders and sectors of society in order to prevent corruption.

In its resolution 7/5, entitled “Promoting preventive measures against corruption”, the Conference decided that the Open-ended Intergovernmental Working Group on the Prevention of Corruption, at its next intersessional meetings, should include as the topic for 2018 the use and effectiveness of asset declaration systems and conflicts of interest (art. 7, para. 4, and art. 8, para. 5, of the Convention) and as the topic for 2019 lessons learned on the development, evaluation and impact of anti-corruption strategies (art. 5), while recognizing the recommendation by the Working Group to leave room within its agenda to add or amend topics of discussion to maximize the cross-fertilization of the discussions held by the Working Group and the Implementation Review Group.

In its resolution 7/6, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, the Conference underlined the importance of the conclusions and recommendations of the Working Group emanating from its meetings held in 2016 and 2017, and encouraged States parties to implement them as appropriate; decided that the Working Group should continue its work to advise and assist the Conference in the implementation of its mandate on the prevention of corruption and should hold at least two meetings prior to the eighth session of the Conference; and requested the Secretariat to report on the implementation of that resolution to the Conference at its eighth session.

Accordingly, the Conference will have before it a report of the Secretariat on the implementation of Conference resolution 7/5, on promoting preventive measures against corruption, and resolution 7/6, on follow-up to the Marrakech declaration on the prevention of corruption (CAC/COSP/2019/2).

In accordance with its mandates, to date, the Working Group has held 10 meetings. At its meetings held in Vienna from 5 to 7 September 2018 and from 4 to 6 September 2019, the Working Group discussed, inter alia, the following topics: conflicts of interest; the use and effectiveness of asset declaration systems; the status of implementation of Conference resolutions 7/5 and 7/6; and lessons learned in the development, evaluation and impact of anti-corruption strategies (article 5 of the Convention).

The Conference will have before it a note by the Secretariat on progress on the activities of the Working Group (CAC/COSP/2019/6).

The Conference may also wish to consider, in its deliberations, the reports on the meetings of the Working Group held in 2018 and 2019 ([CAC/COSP/WG.4/2018/5](#) and [CAC/COSP/WG.4/2019/3](#)), as well as a thematic report prepared by the Secretariat on the implementation of chapter II (Preventive measures) of the Convention (CAC/COSP/2019/9).

#### Documentation

Report of the Secretariat on the implementation of Conference resolution 7/5, on promoting preventive measures against corruption, and resolution 7/6, on follow-up to the Marrakech declaration on the prevention of corruption (CAC/COSP/2019/2)

Note by the Secretariat on progress on the activities of the Open-ended Intergovernmental Working Group on the Prevention of Corruption (CAC/COSP/2019/6)

Thematic report prepared by the Secretariat on the implementation of chapter II (Preventive measures) of the United Nations Convention against Corruption (CAC/COSP/2019/9)

Report on the meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption held in Vienna from 5 to 7 September 2018 ([CAC/COSP/WG.4/2018/5](#))

Report on the meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption held in Vienna from 4 to 6 September 2019 (CAC/COSP/WG.4/2019/3)

## **5. Asset recovery**

Asset recovery has been an issue of high priority for the Conference since its first session. In its resolution 1/4, the Conference decided to establish an interim open-ended intergovernmental working group to advise and assist it in the implementation of its mandate on the return of proceeds of corruption.

The Open-ended Intergovernmental Working Group on Asset Recovery was mandated to assist the Conference in, inter alia, developing cumulative knowledge in the area of asset recovery, encouraging cooperation, facilitating exchange of information and identifying the capacity-building needs of States parties in that area.

In its resolution 2/3, the Conference decided that the Working Group should continue its work with a view to identifying ways and means of translating into concrete action the recommendations of its first meeting, held on 27 and 28 August 2007. In its resolutions 3/3, 4/4, 5/3, 6/2 and 6/3, the Conference renewed the mandate of the Working Group and decided that it should continue its work of advising and assisting the Conference in the implementation of its mandate on the return of the proceeds of corruption, and that it should also submit reports on its activities to the Conference.

In its resolution 7/1, entitled “Strengthening mutual legal assistance for international cooperation and asset recovery”, the Conference welcomed the outcome of the meetings of the Working Group, invited the Working Group to propose future agenda items and decided that the Working Group should continue its work by, inter alia: (a) continuing its efforts to gather information on and conduct enhanced analysis of best practices for the identification and compensation of all different types of victims in accordance with the Convention, including, as necessary, by soliciting information from States parties, facilitating exchanges among experts and organizing expert panels, while taking into consideration similar work undertaken at prior meetings of the Working Group, by expert panels and in discussions; (b) conducting analysis on third-party challenges and their impact on asset recovery under chapter V of the Convention; (c) continuing to collect data on best practices, with a view to developing non-binding guidelines concerning the timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention; and (d) conducting an analysis of how communication and coordination between various asset recovery practitioner networks could be improved, with a view to developing guidelines for the proactive and timely sharing of information, as mentioned in subparagraph (c).

In accordance with its mandates, to date, the Working Group has held 13 meetings. At its meetings held in Vienna on 6 and 7 June 2018 and on 29 and 30 May 2019, the Working Group discussed, inter alia, the following topics: timely sharing of information in accordance with article 56 of the Convention; improving communication and coordination between various asset recovery practitioner networks; practical aspects of asset recovery, including challenges and good practices; best practices for the identification and compensation of all different types of victims

in accordance with the Convention; and third-party challenges and their impact on asset recovery under chapter V of the Convention.

The Conference will have before it a note by the Secretariat on progress on the activities of the Working Group (CAC/COSP/2019/5).

The Conference may also wish to consider, in its deliberations, the reports on the meetings of the Working Group held in 2018 and 2019 ([CAC/COSP/WG.2/2018/6](#) and [CAC/COSP/WG.2/2019/6](#)), as well as the thematic report prepared by the Secretariat on the implementation of chapter V (Asset recovery) of the Convention (CAC/COSP/2019/10).

Moreover, during the thirteenth session of the Working Group, several speakers made specific comments on and proposals to amend the revised draft non-binding guidelines on the management of frozen, seized and confiscated assets. The Secretary of the meeting informed the Working Group that the comments would be reflected in the revised draft non-binding guidelines and made available, together with any further comments States parties might wish to submit, to the Implementation Review Group at its first resumed tenth session and, subsequently, to the Conference. Accordingly, the Conference will have before it a note by the Secretariat containing the revised draft non-binding guidelines on the management of frozen, seized and confiscated assets (CAC/COSP/2019/16).

Furthermore, the Conference may also wish to consider, in its deliberations, the note by the Secretariat on preventing and combating corruption involving vast quantities of assets (CAC/COSP/2019/13).

### **Documentation**

Note by the Secretariat on progress on the activities of the Working Group on Asset Recovery (CAC/COSP/2019/5)

Thematic report prepared by the Secretariat on the implementation of chapter V (Asset recovery) of the United Nations Convention against Corruption (CAC/COSP/2019/10)

Note by the Secretariat on preventing and combating corruption involving vast quantities of assets (CAC/COSP/2019/13)

Note by the Secretariat containing the revised draft non-binding guidelines on the management of frozen, seized and confiscated assets (CAC/COSP/2019/16)

Report on the meeting of the Open-ended Intergovernmental Working Group on Asset Recovery held in Vienna on 6 and 7 June 2018 ([CAC/COSP/WG.2/2018/6](#))

Report on the meeting of the Open-ended Intergovernmental Working Group on Asset Recovery held in Vienna on 29 and 30 May 2019 (CAC/COSP/WG.2/2019/6)

## **6. International cooperation**

At its fourth session, the Conference adopted resolution 4/2, entitled “Convening of open-ended intergovernmental expert meetings to enhance international cooperation”. In that resolution, the Conference decided to convene open-ended intergovernmental expert meetings on international cooperation to advise and assist it with respect to extradition and mutual legal assistance.

In the same resolution, the Conference decided that the expert meetings should perform the following functions: (a) assist it in developing cumulative knowledge in the area of international cooperation; (b) assist it in encouraging cooperation among relevant existing bilateral, regional and multilateral initiatives and contribute to the implementation of the related provisions of the Convention under the guidance of the Conference; (c) facilitate the exchange of experiences among States by identifying challenges and disseminating information on good practices to be followed in order to strengthen capacities at the national level; (d) build confidence and encourage cooperation between requesting and requested States by bringing together relevant

competent authorities, anti-corruption bodies and practitioners involved in mutual legal assistance and extradition; and (e) assist the Conference in identifying the capacity-building needs of States.

In accordance with its mandates, to date, the open-ended intergovernmental expert meeting to enhance international cooperation has held eight meetings. At the seventh and eighth expert meetings, held in Vienna on 8 June 2018 and on 31 May 2019, respectively, the topics discussed included the following: lessons learned, good practices and challenges in the implementation of chapter IV of the Convention; civil and administrative proceedings relating to corruption; tools and services of the United Nations Office on Drugs and Crime to promote international cooperation; and common reasons for refusals of and delays in responses to mutual legal assistance requests related to corruption offences under the Convention.

In its resolution 7/1, entitled “Strengthening mutual legal assistance for international cooperation and asset recovery”, the Conference urged States parties to consider, where possible, adopting and making publicly available guidelines and procedures on mutual legal assistance and other forms of international cooperation, including information on relevant civil and administrative proceedings pursuant to article 43 of the Convention, to consider conducting consultations in appropriate cases, as requesting and requested countries, prior to initiating or refusing mutual legal assistance in conformity with the Convention and domestic legislation, and to consider including the practice of spontaneous sharing of information in new bilateral and regional treaties on mutual legal assistance.

At its eighth session, the Conference will have before it a note by the Secretariat on progress on the activities of the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption (CAC/COSP/2019/7) and a note by the Secretariat on international cooperation in civil and administrative proceedings for the detection of offences established in accordance with the Convention (CAC/COSP/2019/7/Add.1).

The Conference may also wish to consider, in its deliberations, the reports on the seventh and eighth expert meetings, held in 2018 and 2019 ([CAC/COSP/EG.1/2018/4](#) and [CAC/COSP/EG.1/2019/4](#)).

### **Documentation**

Note by the Secretariat on progress on the activities of the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption (CAC/COSP/2019/7)

Note by the Secretariat on international cooperation in civil and administrative proceedings for the detection of offences established in accordance with the United Nations Convention against Corruption (CAC/COSP/2019/7/Add.1)

Report of the seventh open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption, held in Vienna on 8 June 2018 ([CAC/COSP/EG.1/2018/4](#))

Report of the eighth open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption, held in Vienna on 31 May 2019 (CAC/COSP/EG.1/2019/4)

## **7. Special session of the General Assembly against corruption**

In its resolution [73/191](#), entitled “Special session of the General Assembly against corruption”, the General Assembly decided to convene in the first half of 2021 a special session of the Assembly on challenges and measures to prevent and combat corruption and strengthen international cooperation; also decided that, at that special session, it shall adopt a concise and action-oriented political declaration, agreed upon in advance by consensus through intergovernmental negotiations under the auspices of the Conference; invited the Conference to lead the preparatory process for the

special session by addressing all organizational and substantive matters in an open-ended manner; requested the United Nations Office on Drugs and Crime to provide substantive expertise and technical support; and decided to conduct the special session and its preparatory process from within existing resources.

Accordingly, under this item, as well as during a meeting to be held in parallel to the plenary, the Conference is expected to discuss the preparations for the special session of the General Assembly on challenges and measures to prevent and combat corruption and strengthen international cooperation, including, as appropriate, modalities for the preparations for and organization of the special session, proposals by States on the structure and substantive contents of the political declaration to be adopted by the Assembly at its special session and other matters of relevance.

## 8. Other matters

In considering the item on other matters, the Conference may wish to recall that the inclusion of the sub-items under “Other matters” does not prejudice the conclusions of discussions of the agendas of future sessions of the Conference.

### (a) **Implementation of article 63, paragraphs 4 (c) and (d), concerning cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations; as well as appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corruption, in order to avoid unnecessary duplication of work**

The General Assembly, in its resolutions [69/199](#) and [71/208](#), invited the Conference to give due consideration to the implementation of article 63, paragraph 4 (c), of the Convention.

In considering sub-item 8 (a) of the agenda, the Conference may wish to continue its deliberations on the full implementation of article 63, paragraph 4 (c), of the Convention, which states that the Conference shall agree upon activities, procedures and methods of work to achieve the objectives set forth in paragraph 1 of that article, including by cooperating with relevant international and regional organizations and mechanisms and non-governmental organizations.

In its resolution 7/4, entitled “Enhancing synergies between relevant multilateral organizations responsible for review mechanisms in the field of anti-corruption”, the Conference requested the Secretariat, within its mandate outlined in Conference resolution 6/1 and in accordance with the Convention and the terms of reference of the Implementation Review Mechanism, to continue its dialogue with States parties and with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption, with a view to facilitating and enhancing synergies, where appropriate, enhancing the performance of the review mechanisms and, in consultation with States parties, developing and disseminating anti-corruption tools and products, avoiding duplication of effort, limiting the burden on States parties reviewed under different review mechanisms with similar thematic areas and ensuring the cost-effectiveness of the mechanisms. In the same resolution, the Conference requested the Secretariat to report back to the Implementation Review Group on progress made in that regard.

Accordingly, the Conference may wish to consider, in its deliberations, the report on progress in the implementation of Conference resolution 7/4, entitled “Enhancing synergies between relevant multilateral organizations responsible for review mechanisms in the field of anti-corruption” (CAC/COSP/IRG/2019/11), which will be prepared for the consideration of the Implementation Review Group at its second resumed tenth session.

The Conference may also wish to review progress made in enhancing synergies with respect to the appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corruption, in order to avoid unnecessary duplication of work, in line with article 63, paragraph 4 (d), of the

Convention. The secretariats of other relevant multilateral mechanisms, as well as interested States parties, will be invited to report on their activities in that regard.

**(b) Status of ratification of and notification requirements under the Convention**

In considering sub-item 8 (b) of the agenda, the Conference may wish to review progress made in the promotion of the ratification of or accession to the Convention, in order to increase the number of parties thereto and thus contribute to universal adherence to the instrument.

With regard to notification requirements under the Convention, the Conference may wish to consider how best to ensure the availability of up-to-date information required in accordance with article 6, paragraph 3; article 23, paragraph 2 (d); article 44, paragraph 6 (a); article 46, paragraphs 13 and 14; article 55, paragraph 5; and article 66, paragraph 4, of the Convention.

For its consideration of the item, the Conference will have before it a conference room paper on the status of ratification of the Convention as at 1 December 2019 (CAC/COSP/2019/CRP.1) and a conference room paper on the authorities designated for assistance in prevention, mutual legal assistance and asset recovery as at 1 December 2019 (CAC/COSP/2019/CRP.2).

**(c) Any other matters, including consideration of the venue for the tenth session of the Conference**

As noted in the report on the seventh session of the Conference, held in November 2017 ([CAC/COSP/2017/14](#), para. 118 and annex II), Qatar had introduced a draft decision through which the Government had extended its invitation to host the tenth session of the Conference in Qatar in 2023. The representative of Qatar explained that the revised draft decision had been prepared taking into account suggestions from a number of States parties. However, some speakers noted that, despite informal consultations to reach consensual language on the draft decision submitted by Qatar, they were not in a position to agree to the decision.

The representative of Qatar noted that the draft decision had been submitted in support of the international efforts to combat corruption. He highlighted that the text had been drafted on the basis of the two decisions adopted by the Conference at its fifth session, held in Panama City in 2013, in which the Conference had decided to hold its eighth and ninth sessions in the United Arab Emirates and Egypt, respectively. He emphasized that Qatar was the only candidate for hosting the tenth session. He noted with regret that, despite efforts to amend the text of the draft decision, no consensus had been reached, and he informed the Conference that his delegation would leave the matter to the President of the Conference, while reiterating the readiness of his Government to host the tenth session of the Conference and reaffirming that his Government's offer remained valid.

In concluding the discussion, the President of the Conference noted that Qatar had made an offer to host the tenth session of the Conference and that that offer had been reiterated during the plenary. The President indicated that she valued the offer from Qatar and would draw the Bureau's attention to it.

**9. Provisional agenda for the ninth session**

The Conference is to consider and approve the provisional agenda for its ninth session, which will be drawn up by the secretariat in consultation with the Bureau.

**10. Adoption of the report**

The Conference is to adopt the report on its eighth session.

## Annex

### Proposed organization of work

<i>Date</i>	<i>Time</i>	<i>Item</i>	<i>Title or description</i>	<i>Title or description</i>
Monday, 16 December	10 a.m.– 1 p.m.	1 (a)	Opening of the session	
		1 (b)	Election of officers	
		1 (c)	Adoption of the agenda and organization of work	
		1 (d)	Participation of observers	
		1 (e)	Adoption of the report of the bureau on credentials	
		1 (f)	General discussion	
	3–6 p.m.	1 (f)	General discussion ( <i>continued</i> )	Meeting on preparations for the special session of the General Assembly
Tuesday, 17 December	10 a.m.– 1 p.m.	1 (f)	General discussion ( <i>continued</i> )	Meeting on preparations for the special session of the General Assembly ( <i>continued</i> )
	3–6 p.m.	1 (f)	General discussion ( <i>continued</i> )	Second resumed tenth session of the Implementation Review Group
Wednesday, 18 December	10 a.m.– 1 p.m.	4	Prevention	Second resumed tenth session of the Implementation Review Group ( <i>continued</i> )
	3–6 p.m.	5 and 6	Asset recovery; and international cooperation	Informal consultations
Thursday, 19 December	10 a.m.– 1 p.m.	2 and 3	Review of implementation of the United Nations Convention against Corruption; and technical assistance	Informal consultations
	3–6 p.m.	7	Special session of the General Assembly against corruption	Informal consultations
Friday, 20 December	10 a.m.– 1 p.m.	8	Other matters	Informal consultations
	3–6 p.m.	9	Provisional agenda for the ninth session	
		10	Consideration and adoption of the report	