



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

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Implementation Review Group

First resumed tenth session

Vienna, 2–4 September 2019

Draft report of the Implementation Review Group on its first resumed tenth session, held in Vienna, 2–4 September 2019

Addendum

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

A. Drawing of lots

1. No new States parties had acceded to the Convention or ratified the Convention since the last drawing of lots, carried out at the Group's tenth session, held in Vienna from 27 to 29 May 2019. Similarly, no States parties requested a redraw of their reviewing States. Therefore, no drawing of lots to select reviewing States parties was conducted.

B. Progress report

2. A representative of the secretariat provided an update on the progress made in the country reviews of the first and second review cycles. She highlighted that, at the time of reporting, 182 of the 184 States parties under review in the first cycle had submitted their responses to the self-assessment checklist, 173 direct dialogues (159 country visits and 14 joint meetings) had taken place, and 169 executive summaries had been finalized. The finalization of several other executive summaries was imminent.

3. The representative also informed the Group that, under the second review cycle, all 77 States parties under review in the first and second years had nominated their focal points. Moreover, during the first two years of the second cycle, 67 States had submitted responses to the self-assessment checklist, 49 direct dialogues (47 country visits and 2 joint meetings) had taken place and several other country visits were at various stages of planning. At the time of reporting, 27 executive summaries and 11 country review reports had been finalized and several additional executive summaries were being completed. It was noted that, for the third year of the second cycle, 33 of the 36 States parties under review had nominated their focal points, 16 States parties had submitted self-assessment checklists and seven direct dialogues



took place (six country visits and one joint meeting). Moreover, for the fourth year of the second cycle, 21 of the 37 focal point nominations and one response to the self-assessment checklist have been received. The representative of the secretariat drew the attention of the Group to some of the practical challenges encountered in the conduct and completion of the country reviews, such as, inter alia, significant delays in the submission of their responses to the self-assessment checklists, delays in the submission of nominations of focal points and governmental experts, and the number of languages used for some reviews. She also recalled the revised procedures regarding the nomination of governmental experts.

4. A representative of the secretariat also provided a brief update to the Group on recent efforts to facilitate the access of States parties to information, resources and services related to the work of the Implementation Review Mechanism.

5. She briefed the Group on recent efforts to provide States parties with easy and user-friendly access to information, resources and services related to the Mechanism through the UNODC website. She highlighted that, in order to provide a single-entry point for practitioners to access information regarding various types of competent authorities under different Conventions, data from the UNCAC Directory of Competent National Authorities (“CNA Directory”) had been migrated to the Sharing Electronic Resources and Laws on Crime (“SHERLOC”) portal. She further briefed the Group on efforts to re-design and re-conceptualize the UNODC Legal Library. To enhance the search functions and user-friendliness, the search function had been improved, and legal data received during the first and second cycles of the Implementation Review Mechanism was uploaded continuously to keep the library up-to-date. She also informed the Group, that, to further enhance synergies with other relevant multilateral mechanisms, and in response to a request received at the tenth session of the Implementation Review Group, the secretariat planned to add hyperlinks on States parties’ country profiles on the UNODC website to their country profiles on the website to the Financial Action Task Force and the FATF-Style Regional Bodies, to facilitate access for States when searching and collecting information that had already been provided in the course of a mutual evaluation. In addition to the hyperlinks added to other relevant multilateral mechanisms as presented to the Group at its tenth session in May 2019, these additional links could assist States parties in their response to those questions in the self-assessment checklist that relate to the prevention of money-laundering and the prevention and detection of transfers of proceeds of crime.

6. During the ensuing discussion, several speakers reiterated their countries’ commitment to the full implementation of the Convention and expressed support for the Implementation Review Mechanism, which had been widely recognized as an effective tool in assisting States parties in implementing the Convention and preventing and fighting corruption, as well as in serving as a vehicle for identifying gaps and triggering legislative reforms. The smooth functioning of the Mechanism was acknowledged by several speakers. Appreciation was expressed to UNODC for its significant efforts, despite a limited number of staff, in assisting States to advance country reviews, organizing country visits and meetings, and facilitating the finalization of relevant documentation.

7. One speaker proposed that the Group could undertake an assessment of the progress made under the two review cycles, with a focus on the impact that it had had on anti-corruption efforts undertaken and challenges encountered by States in this regard. The speaker stressed the need for the Group to consider coming to an agreement on ways to rationalize and consolidate the work of the Mechanism, in preparation for the Conference. The speaker also stressed that challenges encountered should be clearly defined, with the view to making this and all other relevant information available to the Conference at its eighth session for its consideration.

8. Some speakers stressed that the guiding principles of the Mechanism, in particular its intergovernmental nature and the non-interference in internal affairs,

were key to the success achieved in the first cycle and should continue guiding the work of the Mechanism in its second cycle.

9. Several speakers requested the secretariat to make all the information provided to the Group on progress made in the implementation of the Mechanism available in written form.

10. Speakers shared the experiences of their countries in relation to their participation in the Implementation Review Mechanism both as States parties under review and reviewing States parties. They took stock of the progress made to finalize their own reviews and referred to the efforts undertaken in addressing the recommendations stemming from both review cycles.

11. Some speakers noted the delays observed in the conduct of the second cycle reviews, in particular in terms of the submissions of responses to the self-assessment checklist and the finalization of the subsequent stages of the review process. It was noted that the review process, which according to the model review schedule had a time frame of six months, required a longer time, including in some cases years. It was emphasized that such delays were sometimes due to the large volume of information required for completing the response to the self-assessment checklist and the wide range of institutions whose inputs were required for reviews conducted under the second cycle, in particular as regards chapter II of the Convention. Other reasons mentioned included, *inter alia*, the need to translate working documentation into the different languages for some reviews and additional information requested by the reviewing experts.

12. While noting that experts wished to use the Mechanism in the most effective and accurate way, one speaker emphasized the need for States to better observe the agreed time frames for the conduct of country reviews and focus any requests for additional information only on such information as is required to review the implementation of the specific provisions of the Convention. Moreover, the speaker suggested that any additional detailed information that the reviewing experts may wish to obtain, but which did not have a direct relationship to the review in question, could be requested through bilateral channels, which would, in turn, reduce both the time frames for completing the country reviews and the expenditures incurred. Another speaker stressed that it was incumbent on States to effectively facilitate their participation in the country reviews, by, *inter alia*, submitting their responses to the self-assessment checklist and providing comments, as reviewing States parties, in a timely manner.

13. One speaker reiterated the commitment of his country to the implementation of Conference resolution 6/1, while recognizing that the Mechanism was substantially behind schedule, including, in particular, as regards reviews under the second cycle. He noted that consideration should be given to the implications of the delays identified in relation to country reviews under the second cycle, which was due to end in June 2021 and to the future of the Implementation Review Mechanism. In this regard, he requested the secretariat to provide, in writing, in advance of any substantive negotiations and prior to the next Conference of the States Parties, updated statistical information on progress made under the second cycle, disaggregated by year, as well as estimates regarding the completion of reviews under the second cycle and trends identified. He also requested that the secretariat provide detailed information on the budgetary implications for completing all the pending country reviews under the second cycle as well as for continuing the second cycle beyond the envisaged timeline.

14. Speakers welcomed the work undertaken by the secretariat to promote information sharing and synergies between relevant multilateral mechanisms and referred to the participation of the countries in other mechanisms, with one speaker noting that his country was observing with interest the activities of other groups of States involved in other such mechanisms. States were encouraged to enhance synergies with other mechanisms in order to make better use of them and avoid duplication of efforts.