



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

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## Implementation Review Group

### Eleventh session

Vienna, 8–10 June 2020

## Annotated provisional agenda

### Provisional agenda

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  - (b) Adoption of the agenda and organization of work.
2. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption.
3. Financial and budgetary matters.
4. State of implementation of the United Nations Convention against Corruption:
  - (a) Exchange of information, practices and experiences gained in the implementation of the Convention;
  - (b) Thematic discussion.
5. Technical assistance.
6. Other matters.
7. Provisional agenda for the twelfth session of the Implementation Review Group.
8. Adoption of the report of the Implementation Review Group on its eleventh session.

### Annotations

#### 1. Organizational matters

##### (a) Opening of the session

The eleventh session of the Implementation Review Group will be opened on Monday, 8 June 2020, at 10 a.m., at the Vienna International Centre, M-Building, Plenary Room M. In view of the disruptions caused by the COVID-19 pandemic, the secretariat is exploring the option of conducting some parts of the session in a virtual format, using information and communications technologies. Further information in this regard will be communicated in a timely manner.



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

The provisional agenda for the eleventh session of the Implementation Review Group was adopted by the Group at its second resumed tenth session, held in Abu Dhabi on 17 and 18 December 2019. The proposed organization of work for the eleventh session (see annex) was prepared in line with the guidance contained in the workplan for the subsidiary bodies of the Conference of the States Parties to the United Nations Convention against Corruption, which was adopted by the Conference at its eighth session, held in Abu Dhabi from 16 to 20 December 2019, in order to enable consideration of agenda items 4 and 5 jointly with the Open-ended Intergovernmental Working Group on the Prevention of Corruption.

**2. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption***Drawing of lots*

In its resolution 6/1, the Conference of the States Parties requested the Implementation Review Group to proceed, at the beginning of its seventh session, to the selection of reviewed and reviewing States parties for the second review cycle by the drawing of lots in accordance with paragraphs 14 and 19 of the terms of reference of the Mechanism. The Conference also requested the Group to hold intersessional meetings open to all States parties for the purpose of the drawing of lots in accordance with paragraph 19 of the terms of reference of the Mechanism and without prejudice to the right of a State party to request that the drawing of lots be repeated at the Group's subsequent intersessional meeting or regular session.

Moreover, at its first session, the Implementation Review Group decided that States ratifying or acceding to the Convention after the drawing of lots at the first session of the Group would be reviewed starting in the fourth year of the first review cycle. In its resolution 4/1, the Conference endorsed the practice followed by the Group with regard to the procedural issues arising from the drawing of lots.

In accordance with Conference resolution 6/1, an intersessional meeting open to all States parties for the purpose of the drawing of lots will be convened prior to the eleventh session of the Implementation Review Group. During the intersessional meeting, lots will be drawn for the selection of the reviewing States parties for the fifth year of the second review cycle, in accordance with paragraph 19 of the terms of reference of the Mechanism. In addition, lots will be drawn to select the reviewing States parties for the first- and second-cycle reviews of any States parties that have become parties to the Convention since the previous drawing of lots, held at the tenth session of the Implementation Review Group. Lots may also be drawn to select the reviewing States parties for any States parties requesting redraws. In view of the disruptions caused by the COVID-19 pandemic, the secretariat is exploring options to conduct the drawing of lots in a virtual format, using information and communications technologies. Further information in this regard will be communicated in due time.

The intersessional meeting is being convened without prejudice to the exercise of the rights of States parties in accordance with the terms of reference of the Mechanism during the eleventh session of the Group, and is aimed at enabling the Group to focus on substantive issues during its eleventh session. To this end, the Group will be informed of the outcome of the intersessional meeting, and agenda item 2 will remain open until the last day of its eleventh session.

*Trilateral meetings*

In its resolution 8/2, the Conference welcomed the secretariat's practice of arranging and facilitating trilateral meetings among States parties under review and reviewing States parties on the margins of sessions of the Implementation Review Group, and encouraged States parties to make use of that helpful practice to enhance the efficiency of the review process.

Accordingly, under agenda item 2 and in line with past practice, the secretariat has made arrangements for the scheduling of trilateral meetings among States parties under review and reviewing States parties on the margins of the session.

*Progress made in the conduct of country reviews*

In its decision 5/1, the Conference decided that the Implementation Review Group should include a new item on the agenda of its future sessions allowing for discussion of relevant information collected, with the support of the secretariat, in order to facilitate the assessment of the performance of the Implementation Review Mechanism, in accordance with paragraph 48 of the terms of reference, following the completion of the first review cycle.

In its resolution 8/2, the Conference requested the Implementation Review Group to continue to collect, with the support of the secretariat, relevant information, including the views of States parties, pertaining to the performance of the Implementation Review Mechanism, with a view to continuing, at the appropriate time, its assessment of the performance of the Mechanism, as provided for in paragraph 48 of its terms of reference and decision 5/1. The Conference also requested the secretariat to continue to provide to the Implementation Review Group analyses of the time frames associated with the crucial stages of the review process, including statistics on the number of States parties that are behind schedule, with the aim of facilitating a more efficient process.

In response to the significant delays incurred during the second cycle of the Mechanism, in its decision 8/1, the Conference extended the duration of the second cycle to allow for the completion of country reviews, while calling upon States parties to accelerate the completion of the second cycle. At the same time, at its second resumed tenth session, held in December 2019, the Implementation Review Group noted that immediate and significant efforts to address the delays were needed and called on all States to be fully involved in the review process in order to avoid delays and expedite the finalization of country reviews.

The secretariat has compiled and analysed information relating to the overall performance of the Mechanism during the first and second review cycles, including the responses received to the self-assessment checklist, the direct dialogues conducted, the executive summaries and country review reports that have been finalized and the country review reports that have been made available on the website of the United Nations Office on Drugs and Crime (UNODC). Particular emphasis has been placed on analysing reasons for the recurring delays that have arisen during the second cycle and suggested measures to address these delays and accelerate reviews. A comparison between the length of time required for the completion of the different steps of the review process has also been prepared to facilitate the Group's discussion. The Group will have before it a note by the Secretariat on the performance of the Implementation Review Mechanism (CAC/COSP/IRG/2020/2). That document should be read in conjunction with the note by the Secretariat entitled "Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, in particular its second review cycle and the measures required for its completion", which was presented to the Conference for its consideration and which will be brought to the attention of the Group ([CAC/COSP/2019/12](#)).

**Documentation**

Note by the Secretariat on the performance of the Implementation Review Mechanism (CAC/COSP/IRG/2020/2)

Note by the Secretariat on the performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, in particular its second review cycle and the measures required for its completion ([CAC/COSP/2019/12](#))

### **3. Financial and budgetary matters**

In its resolution 3/1, the Conference underlined that the Review Mechanism would require a budget that ensured its efficient, continued and impartial functioning. Pursuant to that resolution, the General Assembly, in its resolution 64/237, requested the Secretary-General to ensure that the Mechanism was adequately funded.

In its resolution 4/1, the Conference decided that the Implementation Review Group should assist it in the fulfilment of its responsibility to consider the budget biennially by engaging with the secretariat during the intersessional period with regard to expenditures and projected costs related to the Review Mechanism.

At its eleventh session, the Implementation Review Group will have before it a note by the Secretariat (CAC/COSP/IRG/2020/4) containing budgetary information on expenditures incurred so far for the operation of the first and second cycles of the Review Mechanism, resources received at the time of writing, both from the regular budget and from voluntary contributions, projected expenditures and the current shortfall in resource requirements for the functioning of the Mechanism.

#### **Documentation**

Note by the Secretariat on financial and budgetary matters (CAC/COSP/IRG/2020/4)

### **4. State of implementation of the United Nations Convention against Corruption**

#### **(a) Exchange of information, practices and experiences gained in the implementation of the Convention**

#### **(b) Thematic discussion**

In accordance with the workplan for the subsidiary bodies of the Conference of the States Parties to the United Nations Convention against Corruption, which was adopted by the Conference at its eighth session, the thematic focus of the eleventh session will be on chapter II (Preventive measures) and chapter III (Criminalization and law enforcement) of the Convention.

In its resolution 8/2, the Conference encouraged States parties to keep using the Implementation Review Group as a platform for the voluntary exchange of information on national measures taken during and after the completion of country reviews, including strategies adopted, challenges encountered and best practices identified, as well as, where appropriate, the follow-up to the recommendations made in the country review reports, while taking into account the need for efficient discussions and decision-making processes in the sessions of the Group. The Conference also welcomed the important and useful thematic implementation reports, regional supplementary addenda and updates on technical assistance needs prepared by the secretariat for the consideration of the Implementation Review Group, and encouraged States parties, the United Nations and other stakeholders to make full use of those documents.

Accordingly, the Group will have before it a thematic report prepared by the Secretariat on the implementation of chapter II (Preventive measures) of the Convention (CAC/COSP/IRG/2020/3).

States parties are encouraged to provide, under agenda item 4, further information on successes, good practices, challenges, technical assistance needs and measures taken after the completion of the country reviews under the first and second review cycles.

Agenda item 4 will be discussed together with item 2 of the agenda of the eleventh meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption at joint meetings of the two groups.

Moreover, in its resolution 8/6, the Conference encouraged States parties to use the outcome of their country reviews to strengthen their anti-corruption frameworks, including by implementing the mandatory provisions of articles 15 and 16 and encouraged States parties to consider using the Implementation Review Group to

update each other on their efforts to do so, and invited the secretariat to collect good practices and lessons learned in that regard. The Conference decided that the Implementation Review Group should include as a topic for 2020 best practices and lessons learned by States parties in investigating and enforcing their laws implementing articles 15 and 16 of the Convention including solicitation, as well as strengthening international cooperation in that regard.

Accordingly, a panel on the topic “Effective action against bribery: criminalizing and enforcing bribery offences under articles 15 and 16 of the Convention, including measures aimed at strengthening cooperation with national authorities”, will be held under agenda item 4. In addition, in light of the high number of recommendations made under the first review cycle on articles 32 and 33 of the Convention, a panel on the topic “Blowing the whistle on corruption: reporting systems and protection mechanisms for witnesses, experts, victims and reporting persons in accordance with articles 32 and 33 of the Convention” will also be organized.

### **Documentation**

Thematic report prepared by the Secretariat on implementation of chapter II (Preventive measures) of the United Nations Convention against Corruption (CAC/COSP/IRG/2020/3)

Executive summaries of country review reports ([CAC/COSP/IRG/II/1/1/Add.18](#), [CAC/COSP/IRG/II/1/1/Add.19](#), [CAC/COSP/IRG/II/2/1/Add.9](#), [CAC/COSP/IRG/II/2/1/Add.10](#), [CAC/COSP/IRG/II/2/1/Add.11](#), [CAC/COSP/IRG/II/2/1/Add.12](#), [CAC/COSP/IRG/II/2/1/Add.13](#) and [CAC/COSP/IRG/II/2/1/Add.14](#))

## **5. Technical assistance**

In its resolution 3/1, the Conference of the States Parties decided that the Implementation Review Group would be in charge of following up and continuing the work undertaken previously by the Open-ended Intergovernmental Working Group on Technical Assistance.

Paragraph 44 of the terms of reference states that the functions of the Implementation Review Group are 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.

In its resolution 7/3, the Conference reaffirmed the importance of addressing the technical assistance priorities identified in the country reviews, and encouraged technical assistance providers to consider those priorities either for new technical assistance programmes or for incorporation into ongoing programmes.

In line with the thematic focus of the eleventh session of the Group, the secretariat will provide an update to the Group on developments since the last note prepared by the Secretariat for the Conference at its eighth session, which contained an analysis of technical assistance needs emerging from the country reviews and assistance delivered by UNODC in support of the implementation of the Convention ([CAC/COSP/2019/14](#)).

Agenda item 5 will be discussed together with item 2 of the agenda of the eleventh session of the Open-ended Intergovernmental Working Group on the Prevention of Corruption at joint meetings of the two groups.

To facilitate the Group’s discussion of the matter, a panel on technical assistance in relation to the articles contained in chapter II of the Convention will be organized.

### **Documentation**

Note by the Secretariat containing an analysis of technical assistance needs emerging from the country reviews and assistance delivered by the United Nations Office on

Drugs and Crime in support of the implementation of the United Nations Convention against Corruption ([CAC/COSP/2019/14](#))

**6. Other matters**

In its resolution 4/6, the Conference decided that briefings on the Review Mechanism would be convened for non-governmental organizations on the margins of the sessions of the Implementation Review Group and be conducted by the secretariat in cooperation with a member of the bureau.

In its resolution 8/2, the Conference encouraged the Implementation Review Group to continue to conduct briefings on the outcomes of the review process for non-governmental organizations on the margins of the sessions of the Implementation Review Group, in accordance with resolution 4/6.

The Group will receive a summary of the briefing that is to be held on Monday, 8 June 2020, on the margins of the eleventh session.

Moreover, under agenda item 6, the Implementation Review Group may wish to discuss any other matters.

**7. Provisional agenda for the twelfth session of the Implementation Review Group**

The Implementation Review Group is to consider and approve, at its eleventh session, a provisional agenda for its twelfth session, which will be drafted by the secretariat in consultation with the Chair.

**8. Adoption of the report of the Implementation Review Group on its eleventh session**

The Implementation Review Group is to adopt a report on its eleventh session.

## Annex

### Proposed organization of work

<i>Date and time</i>	<i>Item</i>	<i>Title or description</i>
<b>Monday, 8 June 2020</b>		
10 a.m.–1 p.m.	1 (a)	Opening of the session
	1 (b)	Adoption of the agenda and organization of work
	2	Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption
3–6 p.m.	3	Financial and budgetary matters
	6	Other matters
	7	Provisional agenda for the twelfth session of the Implementation Review Group
<b>Tuesday, 9 June 2020</b>		
10 a.m.–1 p.m.	4	State of implementation of the United Nations Convention against Corruption <sup>a</sup>
	4 (a)	Exchange of information, practices and experiences gained in the implementation of the Convention
3–6 p.m.	4 (b)	Thematic discussion
<b>Wednesday, 10 June 2020</b>		
10 a.m.–1 p.m.	5	Technical assistance <sup>a</sup>
3–4 p.m.	8	Adoption of the report of the Implementation Review Group on its eleventh session

<sup>a</sup> Agenda items 4 and 5 will be discussed together with item 2 of the agenda of the eleventh session of the Open-ended Intergovernmental Working Group on the Prevention of Corruption at joint meetings of the two groups.