



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

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## Implementation Review Group

### Resumed twelfth session

Vienna, 6–10 September 2021

## Draft report

### 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 held its resumed twelfth session in Vienna from 6 to 10 September 2021, in a hybrid format (in person and online).

3. The Implementation Review Group held [...] meetings, which were chaired by Harib Saeed al-Amimi (United Arab Emirates), President of the Conference at its eighth session; most of the meetings were held jointly with the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and the Working Group on Asset Recovery. The Implementation Review Group considered items 1, 2, 3 and 6 of the agenda for its twelfth session. The Group considered items 4 and 5 of its agenda jointly with the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and the Working Group on Asset Recovery.

4. On 6 September, the Group adopted the organization of work for the session, as contained in the annotated provisional agenda ([CAC/COSP/IRG/2021/1/Add.1](#)).

5. In her introductory statement, the Secretary of the Conference, inter alia, provided an overview of the organization of work and of the separate and joint proceedings of the resumed twelfth session of the Implementation Review Group, the tenth open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and the fifteenth



meeting of the Working Group on Asset Recovery. The Secretary noted that, in line with the workplan for the subsidiary bodies adopted by the Conference at its eighth session, the thematic focus of the present session of the Implementation Review Group was international cooperation and asset recovery, with the view to drawing on the thematic synergies between the deliberations of the Group and the expert meeting to enhance international cooperation under the Convention and the Working Group on Asset Recovery.

## **B. Attendance<sup>1</sup>**

6. The following States parties to the Convention were represented at the session: Albania, Algeria, Argentina, Armenia, Australia, Austria, Bahrain, Belarus, Belgium, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, China, Colombia, Cuba, Cyprus, Czechia, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mauritius, Mexico, Mongolia, Montenegro, Myanmar, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, State of Palestine, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

7. The European Union, a regional economic integration organization that is a party to the Convention, was represented at the session.

8. In accordance with rule 2 of Conference 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.

9. The following United Nations initiatives and institutes of the United Nations crime prevention and criminal justice programme network were represented by observers: United Nations Global Compact network, Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, Basel Institute on Governance, Korean Institute of Criminology and United Nations Interregional Crime and Justice Research Institute.

10. The following intergovernmental organizations were represented by observers: Community of Sahelo-Saharan States, Cooperation Council for the Arab States of the Gulf, Council of Europe, Council of the Interparliamentary Assembly of the States members of the Commonwealth of Independent States, Economic Community of West African States, Economic Cooperation Organization, European Union Agency for Law Enforcement Cooperation (Europol), International Anti-Corruption Academy, International Criminal Police Organization (INTERPOL), International Development Law Organization, International Federation of Red Cross and Red Crescent Societies, League of Arab States, Organisation for Economic Co-operation and Development, Organization of American States, Organization of the Petroleum Exporting Countries

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<sup>1</sup> The information on attendance as presented in the present advance version of the report on the resumed twelfth session of the Implementation Review Group has been prepared on the basis of the registrations received from delegations. In the final version of the report, the information on attendance will be updated on the basis of the list of delegates who participated in the hybrid meeting.

(OPEC), Permanent Court of Arbitration, World Customs Organization and World Bank.

### **III. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption**

#### **A. Drawing of lots**

11. Lots were drawn for the review of Somalia for the first and second review cycles. For the first review cycle, Equatorial Guinea and Belize were drawn for the review of Somalia. For the second review cycle, Liberia and Tonga were drawn for the review of Somalia.

12. In response to a request by Paraguay for a redraw of its reviewing State from the same geographical region for the second cycle, Argentina was drawn. In response to a request by Romania for a redraw of its other reviewing State party, Nepal was drawn. In addition, Italy was drawn to act as the reviewing State from the same geographical region for the second cycle review of the European Union, following a deferral by the State party that had previously been drawn.

13. Provisional redraws were carried out in cases where reviewing States could defer acting as reviewers in accordance with the terms of reference of the Implementation Review Mechanism and could not be reached for immediate confirmation of their readiness to conduct the reviews.

#### **B. Progress made in the conduct of country reviews**

14. A representative of the secretariat made an introductory statement and provided an update on progress achieved to date in the conduct of country reviews. In relation to the first review cycle, he informed the Group that, of 187 States parties under review, 183 States parties had submitted their responses to the self-assessment checklist and 175 direct dialogues had been held (comprising 161 country visits and 14 joint meetings). A total of 173 executive summaries and 161 country review reports had been finalized, and more were nearing finalization. In relation to the second review cycle, 131 States parties had submitted their responses to the self-assessment checklist and 72 direct dialogues had been held (comprising 67 country visits, including 4 online country visits, and 5 joint meetings). A total of 57 executive summaries had been finalized, and approximately 94 per cent of all country visits had included other stakeholders in the discussion.

15. In addition, the representative acknowledged that the impact of the ongoing COVID-19 pandemic on the Implementation Review Mechanism had gone beyond the initial estimates of the secretariat. Efforts had to be shifted towards the desk-based elements of country reviews, which, in some instances, made it possible to complete executive summaries and country review reports more quickly. In other cases, especially in relation to the country visits, a negative impact on the pace of the reviews was observed. Delays in the country reviews had been observed at different stages, including in the designation of focal points and reviewing experts (including 51 missing nominations for reviews in the second cycle), the submission of responses to the self-assessment checklist (including 44 missing responses), the submission of desk-based reviews and the scheduling of country visits. While the representative reiterated his understanding of the challenges faced by States parties as a result of the ongoing pandemic, he also underscored the need to advance country reviews. In that regard, he outlined the efforts of the secretariat to follow up on the next steps of reviews more regularly and formally, including by sending letters to inform States parties of delays that had arisen in the reviews. In addition, he noted that the Implementation Review Group would, in the future, be provided with information on

the names of States that had not designated their focal points or governmental experts or not provided responses to the self-assessment checklist, once such States had received at least two letters to remind them of their respective obligations.

16. The representative of the secretariat also provided information about an online training course on the Implementation Review Mechanism that had been held for focal points and governmental experts on 2 and 3 September 2021. He highlighted that, in view of the unprecedentedly high interest in the training, and to accommodate participants from all time zones, additional training sessions had been offered throughout that week, from 30 August to 3 September, including in Spanish, to facilitate participation by the large number of participants from the Latin American region. In addition, participants were invited to avail themselves of the self-paced online pre-training on the Mechanism to assist in their preparation for the course.

17. One speaker emphasized the intergovernmental, inclusive, transparent, non-adversarial and non-intrusive character of the Implementation Review Mechanism. He noted that his Government welcomed the efforts of the secretariat to seek the views of States parties on the performance of the Mechanism in accordance with Conference resolution 8/2, entitled “Celebrating the tenth anniversary of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption”, while noting that the report to be prepared on the basis of the views collected should not lead to a revision of the principles of the functioning of the Mechanism, nor to its politicization.

18. Many speakers reiterated their commitment to the Implementation Review Mechanism and to fulfilling the obligations emanating from the Convention, and reaffirmed the importance of the Convention as a core international anti-corruption instrument. In that regard, one speaker noted that the Mechanism had transformed the Convention and turned it into a living document, spurring legislative reforms, facilitating international cooperation and creating a global community of anti-corruption practitioners.

19. One speaker emphasized the positive role of the Convention and reaffirmed his Government’s support for the Implementation Review Mechanism, which embodied the common wishes of States parties in promoting international cooperation, with due regard for the principles of national sovereignty and equality among States, for the levels of development of States parties, as well as for the diversity of judicial, legal, political, economic and social systems and differences in legal traditions. He also noted that country review reports should be kept confidential.

20. One speaker also called for increased coordination among the different monitoring and review bodies, including those that focus on money-laundering, to ensure that recommendations were correlated and agreed upon among different bodies and that duplication of efforts was avoided.

21. Several speakers shared information on progress made in their reviews, as well as measures taken after the completion of their first and second cycle reviews to implement the recommendations received, citing legislative reform, the establishment of new oversight bodies and the adoption of new, comprehensive anti-corruption strategies as some of the most recent achievements. With regard to the efforts made by his Government in the implementation of the Convention, one speaker referred to the recent adoption of a new Constitution that allowed his country to set up a comprehensive institutional network for the fight against corruption based on the principles of ethics, good governance and the rule of law. Another speaker highlighted her country’s willingness to share information and good practices and informed the Implementation Review Group of lessons learned and experience shared with regard to various topics in relation to the Convention, including victims of corruption, asset management and the prevention of offences that have an impact on the environment.

22. Another speaker noted the assistance his country had received from the joint United Nations Office on Drugs and Crime (UNODC)/World Bank Stolen Asset Recovery (StAR) Initiative, which had provided support in the establishment of an

inter-institutional group of focal points for asset recovery, bringing together 11 institutions to facilitate coordination and cooperation in that area, as well as in the preparations for the non-conviction-based forfeiture legislation adopted by his country in May 2021.

23. In addition to sharing information on the progress of the review of her country in the second review cycle, one speaker reiterated the importance of implementing in practice the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, adopted by the General Assembly at its special session against corruption, held at Headquarters from 2 to 4 June 2021, and in that regard provided examples of her Government’s commitment to the global fight against corruption. In addition, the speaker, in recalling that her Government had offered to host the tenth session of the Conference, to be held in 2023, recognized the central role of the Conference in the shared efforts of the international community to prevent and combat corruption, as reaffirmed in the political declaration. Furthermore, she noted that her Government’s commitment to hosting the tenth session of the Conference, for which it would welcome the support of States parties, was a reaffirmation of its resolve to strengthen collaboration with partners around the world in order to advance collective anti-corruption priorities and strengthen the anti-corruption architecture. Moreover, the speaker informed the Implementation Review Group that her country had, for the very first time, elevated combating corruption to the level of a national security priority.

24. Some speakers noted the impact that the ongoing COVID-19 pandemic was having on the country reviews. In that regard, one speaker underscored the usefulness and completeness of the discussions and comments made during the online country visit in the framework of the review process. Another speaker noted that, although country visits conducted in an online format were not a fully-fledged alternative to such visits conducted in person, they did facilitate the advancement of reviews. He also underscored the importance of providing focal points and governmental experts with training on the Implementation Review Mechanism in order to enable them to carry out their functions effectively and efficiently, and he welcomed the online training provided by the secretariat to assist focal points and governmental experts. Furthermore, he reiterated his country’s commitment to facilitating such training, including by continuing the practice of hosting it and through the allocation of extrabudgetary resources for that purpose.

25. In relation to the delays that had arisen, one speaker expressed his concern about the indicative timelines established in the Implementation Review Mechanism, noting that the review of chapters II (Preventive measures) and V (Asset recovery) of the Convention in particular required extensive input from multiple institutions, which made it difficult to collect such information within the indicative timelines.