



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

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Agenda item 7

**Implementation of article 63, paragraph 4 (c), of the
Convention, including discussion on cooperation with
relevant international and regional organizations and
mechanisms and non-governmental organizations**

Draft report

Rapporteur: Kamal Arifi (Morocco)

Addendum

VIII. Implementation of article 63, paragraph 4 (c), of the Convention, including discussion on cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations

1. At its 8th meeting, on 5 November 2015, the Conference of the States Parties considered agenda item 7, entitled “Implementation of article 63, paragraph 4 (c), of the Convention, including discussion on cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations”.
2. The discussion was chaired by Sadiq Marafi (Kuwait), Vice-President of the Conference. In his introductory remarks, he recalled the terms of article 63, paragraph 4 (c), of the Convention and noted that the General Assembly, in its resolution 69/199, had invited the Conference to give due consideration to the implementation of that provision of the Convention. He also recalled conference room paper CAC/COSP/2015/CRP.3.
3. Many speakers referred to the important role of non-governmental organizations in combating corruption at the national level, in line with article 13 of the Convention, in particular in the areas of prevention, awareness-raising, reporting of corruption and education and in the provision of technical assistance. Several speakers recalled that the broad majority of States parties had actively involved civil



society in their country reviews and had reported that such active participation had made a positive contribution.

4. Several speakers expressed appreciation for conference room paper CAC/COSP/2015/CRP.3, which provided historical background on the issue of civil society engagement in the implementation of the Convention and sought to identify common ground and different options.

5. Several speakers referred to Conference resolution 4/6, entitled “Non-governmental organizations and the Mechanism for the Review of Implementation of the United Nations Convention against Corruption”, in particular with regard to the briefings to non-governmental organizations on the outcomes of the review process, convened on the margins of the sessions of the Implementation Review Group. Many speakers highlighted that such briefings had promoted constructive dialogue and had contributed to building confidence in the role of non-governmental organizations in the review process. Some speakers noted with concern instances in which the terms of resolution 4/6 had not been fully adhered to. Several speakers highlighted that briefings to non-governmental organizations should have broader geographical and substantive representation, and invited the Secretariat and States parties to cooperate to facilitate such representation.

6. Several speakers expressed support for the participation of non-governmental organizations as observers in the work of subsidiary bodies of the Conference. Some of them emphasized that the intergovernmental nature of those bodies was not contradictory with the participation of non-governmental organizations as observers. Some speakers highlighted the added value, expertise and resources provided by civil society to the work of those bodies. Some speakers noted that similar bodies and mechanisms serviced by the Secretariat, as well as relevant intergovernmental organizations, had achieved a balanced approach to the participation of civil society, which had yielded positive results and could serve as valuable reference.

7. Several other speakers expressed the view that existing mechanisms created pursuant to resolution 4/6 provided sufficient means for States parties to engage with non-governmental organizations. Speakers also highlighted the intergovernmental nature of the subsidiary bodies of the Conference. With regard to the Implementation Review Group, reference was made to the guiding principles and characteristics of the Implementation Review Mechanism, contained in section II of the terms of reference of the Mechanism, and the intergovernmental nature of the Group, as stated in paragraph 42 of the terms of reference. It was also highlighted that the Group discussed sensitive and confidential information, and that the Conference had reached a consensus on the participation of relevant stakeholders in the Implementation Review Mechanism that was reflected in paragraphs 28 and 30 of the terms of reference.

8. A number of speakers made proposals for a way forward, including a step-by-step approach that would allow for a gradual increase in participation. Some speakers suggested that briefings could be organized on the margins of all subsidiary bodies, that briefings could be held at regular intervals during the meetings, that subsidiary bodies could decide to hold open sessions during the discussions on certain topics and that subsidiary bodies could also decide to invite civil society experts to contribute to panel discussions.

9. Some speakers encouraged transparency in all stages of country reviews and expressed appreciation for the “UNCAC review transparency pledge”¹ proposed by the UNCAC Coalition. Some States expressed their commitment to that pledge and its principles.

10. Some speakers proposed inclusion of the topic as a standing item in future agendas of the Conference. Others were of the opinion that that was not necessary.

11. A representative of the Organization for Security and Cooperation in Europe (OSCE) emphasized the work of OSCE and its collaboration with UNODC, in particular in the provision of legislative assistance for the implementation of the Convention. He expressed the continued support of his Organization to the Implementation Review Mechanism during its second cycle, including in capacity-building activities in the areas of corruption prevention, public procurement and asset recovery.

12. The representative of Transparency International highlighted the expertise and professionalism of members of non-governmental organizations at the national and multilateral levels, and called for further improvement of existing practices. The representative of the National Anti-Corruption Centre of the Russian Federation called upon the non-governmental organizations community to apply strict standards of representation and independence among its members. The representative of the UNCAC Coalition emphasized the need to build trust between civil society and Governments and the role of civil society in the successful implementation of the Convention and encouraged States to commit to its proposed transparency pledge. The representative of the Global Organization of Parliamentarians against Corruption underscored the unique position of parliamentarians in ensuring compliance with and implementation of the Convention, and expressed appreciation for States that included parliamentarians in their delegations and in their country review process.

¹ Contained in document CAC/COSP/2015/NGO.1.