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English only

Implementation Review Group**Resumed third session**

Vienna, 14-16 November 2012

Update by the Secretariat**Progress report on the implementation of the mandates of the Implementation Review Group, including technical assistance activities in support of the review process and needs identified as an outcome of the reviews****I. Organization and conduct of country reviews in the first three years of the first review cycle****A. Drawing of lots****Selection of States parties under review**

At the third session of the Group, three States parties under review deferred their participation to the following year of the review cycle. Subsequent to the meeting, Guinea-Bissau and Mali notified the Secretariat of their deferral to the following year. Two States under review remain unresponsive to requests for a decision to nominate a focal point and proceed with its review in the current year or to defer.

Four further States have become parties to the Convention since June 2012 in respective order: Nauru, Swaziland, Comoros and Ivory Coast.

Selection of reviewing States parties

At time of writing, 154 States had submitted their list of governmental experts, with three final confirmations pending. Of those States that had not yet provided lists, there were the four new States parties, and five other States parties were unresponsive.

With the deferrals of the two further States above, four reviewing States parties will be added back to those who have never performed a review.



All States parties under review and reviewing States parties were notified of the beginning of the country reviews as of 20 July 2012, within one month after the drawing of lots in accordance with the guidelines. However, there were several cases of unresponsive States both under review and reviewing. For the latter, several had not provided lists of governmental experts and out of those who had previously provided such a list, the designation of experts for the specific country review and contact details had not been provided. The States under review whose reviewing States have been unresponsive have been communicating with the secretariat in order to determine whether they would request a redraw.

B. Schedule and conduct of country reviews

Desk review, dialogue and outcome (update on years 1 and 2)

Eight complete desk reviews from year 2 were pending, mainly due to delays in submission of the responses to the self-assessment themselves but also difficulties in translation.

Of the 27 States under review in year 1, 24 held country visits and two held joint meetings in Vienna. Of the 41 States under review in year 2, 25 country visits and one joint meeting in Vienna had been held to date. A further 14 country visits or joint meetings had been discussed, with several already agreed to and in various stages of planning.

19 executive summaries are available to the Group in all languages for the reviews of year 1, and nine of the reviews of year 2. Several more were available as conference room papers in the languages of the review.

Appointment of focal points for States under review in year 3

As outlined above, of the 40 States parties drawn to undergo review at the first session of the Group, five States parties have deferred their reviews to the following year and two are as yet unresponsive. There are therefore a minimum of 33 States parties under review in year 3. 15 had appointed their focal points in accordance with paragraph 17 of the terms of reference and paragraph 13 of the guidelines at the time of the third session and several more the foreseen time frame of three weeks following the beginning of the country review. The remainder did so between three weeks and the present meeting. All appointed focal points had been offered training and 29 had availed themselves of the opportunity. In a few cases, the focal point had a coordinating and not substantive or technical role and had designated another person to undergo training.

Organization of the initial teleconference and self-assessments in year 3

Delays were experienced in most reviews for the organization of the initial teleconference in accordance with paragraph 16 of the guidelines. Four were held within one month of the beginning of the country review and 13 within one and three months. Several introductions are to take place on the margins of the resumed third session.

Out of the 33 reviews where the initial procedural steps had been initiated in year 3, one State under review (from the African Group) had submitted complete responses

to the comprehensive self-assessment checklist within two months of the beginning of the review in accordance with paragraph 15 of the guidelines. A further four responses have been submitted to date, including one from the African Group, two from the Asian Group and one from GRULAC. Several States requested technical assistance to complete their responses.

Role of the secretariat

Several training workshops were held, in four official languages, for focal points and governmental experts participating in the third year of the current review cycle.

From those country reviews in year 3 where the initial teleconference and determination of language requirements has taken place, six were to take place in one language and six in two languages, with language requirements pending in several more reviews. Pursuant to the increasing volume of translation requirements at all stages of the review process, a procurement bid was issued and the results are expected shortly.

The secretariat continued to refine the layout of the new country profile page for States parties to the Convention.

In order to facilitate the drafting of the country review report, the secretariat undertook with the Information Technology Service of UNODC to develop software enabling the transfer of the responses contained in the comprehensive self-assessment checklist to the blueprint for country review reports. This feature was being tested with responses received in year 3. The reviewing experts were to receive the responses to the self-assessment in the blueprint form under subparagraph (a) under each article of the Convention, and the experts could therefore provide their desk review as free text or insert it into the relevant subparagraphs (b) under the articles of the Convention.

II. Technical assistance activities in support of the review process and needs identified as an outcome of the reviews

In its resolution 3/1, the Conference decided that the Implementation Review Group should be in charge of following up and continuing the work undertaken previously by the Open-ended Intergovernmental Working Group on Technical Assistance. Pursuant to paragraph 44 of the terms of reference, the Implementation Review Group is to consider technical assistance requirements in order to ensure effective implementation of the Convention.

At its second session, the Implementation Review Group took into account that, pursuant to paragraph 11 of the terms of reference, one of the goals of the Review Mechanism was to help States parties to identify and substantiate specific needs for technical assistance and to promote and facilitate the provision of technical assistance. The Group adopted recommendations in furtherance of that mandate.

The Conference took note of those recommendations at its fourth session, in its resolution 4/1. In paragraph 13 of the resolution, the Conference recognized the continuing and valuable role of technical assistance within the Review Mechanism, as well as the importance of country-led and country-based, integrated and coordinated programming and delivery of technical assistance as an effective means

of addressing technical assistance needs of States parties. In paragraph 21 of the resolution, the Conference requested the secretariat to continue to develop a three-tiered approach — global, regional and national — to the delivery of technical assistance in the light of the priority areas identified as a result of the review process for Chapters III and IV of the Convention.

The note by the Secretariat (CAC/COSP/IRG/2012/3) contains information on activities carried out by UNODC to support the process and the implementation of the Convention.

Technical assistance in support of the review process

This update provides an overview of technical assistance that was provided to States parties participating in the work of the Mechanism, in accordance with paragraphs 16, 32 and 49 of the terms of reference. Steps taken during the review process and upon its completion will be highlighted. A brief overview of technical assistance needs identified during the review process other than those outlined in the thematic implementation reports are also included.

All States parties were offered periodic training courses on the review process for participating focal points of States under review and governmental experts of reviewing States parties. To date, almost all States parties that have been involved one or both capacities in reviews have had participants in such training courses. The periodic training courses are funded through voluntary contributions.

As regards the functioning of the Mechanism and the review process, the Secretariat has provided preparatory assistance to States under review upon request and subject to availability of resources. This usually took the form of assistance in drafting and completing the responses to the comprehensive self-assessment checklist. Translation of relevant materials was also requested. In several cases, States requested assistance during the review process in order to enhance coordination at the national level and draft responses to the checklist. Where feasible, national workshops were held to assist requesting States under review, in cooperation with other partners such as UNDP, or focal points were provided with tailor-made assistance in Vienna to complete responses. Assistance was provided in this way to three States in year 1; nine States in year 2; and, two States in year 3 with two more foreseen. Several States under review in year 4 have already requested assistance in advance of their reviews, including for gap analyses.

Needs identified as an outcome of the review process

During the review process, States under review that had identified technical assistance needs in their responses to the comprehensive self-assessment checklist discussed these needs with the reviewing experts and the Secretariat. In most cases where States under review had requested direct dialogue in the form of a country visit, meetings with the donor community and partners such as UNDP were organized in order to brief donor agencies on the review process and discuss possible follow-up and response to technical assistance needs identified.

In order to trigger the follow-up process, once a country review is concluded and technical assistance needs have been identified, the secretariat sends a letter indicating readiness to take forward the outcome of the review process through, inter alia, assisting the State Party under review in developing a prioritized action

plan and to discuss how to meet the needs identified. Follow-up was also taken on by the UNODC Field Offices network and by the Corruption and Economic Crime Branch's field-based advisors. For instance, technical assistance needs emerging from the review were included in country and regional programming and efforts were made to encourage including them in wider United Nations and bilateral programming, including through early incorporation in UNDAF processes. The availability of seed funds allowing UNODC to offer follow-up advisory services to work with requesting countries on developing prioritized action plans based on the needs identified in the reviews is crucial in this regard.

In addition to the needs are reflected in the thematic implementation reports, which essentially track those identified in the comprehensive self-assessment checklist responses, other types of needs emerged in more focus and detail from the reviews. Capacity-building and training was highlighted in most of the reviews, for specific purposes such as financial investigations, law enforcement and prosecution, and international cooperation. Witness protection and whistle-blower protection were often highlighted as areas requiring further assistance. In a more general sense, States requested assistance to translate the Convention and relevant anti-corruption materials into languages other than the six official languages of the United Nations. Some States also requested assistance in establishing or enhancing data and statistics collection mechanisms or units, criminal records archives and information and case management systems.

To illustrate the identification of technical assistance needs in a specific case, one country under review in the African Group sought to broaden and deepen the identification of technical assistance needs for the implementation of the Convention in order to formulate an action plan and to integrate the needs in ongoing development assistance frameworks such as the UNDAF process. After having held a country visit during which UNODC met with donors and other partners, the country in question invited the secretariat and the relevant regional advisor back for a workshop led by the focal point and his team to work further on the needs identified during the review process and to draft an action plan for implementation. Another similar approach has been taken in the cases where countries have worked with UNODC to develop and implement an integrated national programme, including needs emerging from the review process.

The Implementation Review Group may wish to consider the way forward in ensuring a way for addressing technical assistance needs that have been identified through the review process and how to develop a sustainable and comprehensive response to those needs. One forum for more in-depth considerations on this issue could be the previously envisaged convening of a "Montevideo II" workshop in order to take forward the issue of technical assistance as had been done in the first workshop prior to the establishment of the Mechanism.