

Zagreb, 5 September 2008

**UNITED NATIONS  
OFFICE ON DRUGS AND CRIME**

**Reference: United Nations Convention against Corruption**

- **mechanism for reviewing the implementation of the United Nations Convention against Corruption**

According to the request to make the Proposal for the terms of reference of a mechanism for reviewing the implementation of the United Nations Convention against Corruption, the Republic of Croatia submits the following Proposal:

- **Background**

The basic anti-corruption documents concerning the fight against corruption are the Anti-Corruption Strategy and its pertaining Action Plan.

The focus of the Strategy and Action Plan was directed at four key areas: strengthening the legal and institutional framework for the fight against corruption, the prevention and repression of corruption, cross-agency and international cooperation, and cooperation with civil society.

The most extensive part of the Strategy concerns the prevention of corruption. Therefore, this chapter deals mostly with the following issues: the prevention of the conflict of interest in performing public functions, the financing of political parties, the right of access to information, civil service codes of

conduct, the economy, public finances, public procurement, protecting injured parties and persons who in good faith report corruption, the judiciary, health care, science, education and sports.

With a view to implementing this Strategy, the Republic of Croatia have developed an Action Plan which elaborates the objectives defined in the Anti-Corruption Strategy. The Action Plan was envisaged as a living document to be revised annually with the aim of monitoring and analysing the implementation of the Strategy.

The Action Plan contains a total of 66 pages and 195 specific measures with clear deadlines, required funds and competent institutions.

- Proposal for the terms of reference of a mechanism for reviewing the implementation of the United Nations Convention against Corruption

## **1. GUIDING PRINCIPLES**

### **A) BASIC PARAMETERS**

It is very important to have a mechanism for improving the cooperation between States Parties to achieve the objectives set forth in UNCAC and to promote and review its implementation.

### **B) RELATIONSHIP WITH COSP**

Conference will adopt reports, and take an active part in organizing site visit to the State under review and face-to-face meetings between experts and representatives of national authorities, including payment of expenses incurred in carrying out those activities.

## **2. METHODOLOGY**

### **A) PURPOSE**

The Implementation of the Convention.

### **B) THEMATIC SCOPE OF REVIEW**

The best understanding of the situation in State under review can be made by site visits and face-to-face meetings. They can be also usefull control mechanism.

#### C) SOURCE AND USE OF INFORMATION

The report should have background material about national legislation of the legal and institutional framework, the suppression of corruption, criminal prosecution and the sanctioning of corruption, international co-operation, raising awareness of the harmfulness of corruption, the prevention of conflict of interest in the exercise of public office, financing of political parties, the right of access to information, codes of conduct for civil servants, the economy, public finance, public procurement, the protection of injured parties and persons who in good faith report corruption and the judiciary.

The review mechanism should be based on collecting data, site visits and face-to-face meetings.

#### D) REPORTS

The report should be submitted by the State party. Report should be made according to the principle of self-assessment, which obliges all competent authorities of the State party to consistently and regularly oversee the implementation of the anti-corruption policy, assess the risk of corruption and to take appropriate measures.

### **3. ADMINISTRATION OF THE MECHANISM**

Experts for implementation should be named by the Secretariat, suggested by the State parties. They should be selected from the State party Government bodies, universities and civil society.

### **4. SECRETARIAT**

Secretariat needs to be adequately staffed, in order to follow up of the entire process pro-actively and efficiently.

## **5. FUNDING**

As it is said in part “Relationship with COSP”, the review mechanism should be funded from the regular budget of the United Nations or/and extrabudgetary resources (if available).

The Republic of Croatia reiterates it’s willingness to actively participate in the forthcoming activities, aimed at the creation of terms of reference on the United Nations Convention against Corruption Review Mechanism.

**MINISTER OF JUSTICE**

**Ana Lovrin**