

*Ministry of Justice
of the Slovak Republic*

*International and European
Law Department*

Bratislava, 11th July 2008
No.: 17993/2008-8203

Corruption and Economic Crime Section
Division for Treaty Affairs - UNODC

Re.: Review of the Implementation of the UN Convention against Corruption

The Ministry of Justice of the Slovak Republic would like to make following comments to the review of implementation in respect of the UN Convention against Corruption:

In order to prevent the repetition of the review mechanisms set up to monitor the implementation of anti-corruption instruments adopted in other fora (OECD Working Group Against Bribery in International Business Transactions, GRECO) it is important to focus the review of implementation on the exchange of information about the concrete finalised cases from the point of view of methodology of the taking of evidence as both in the preparatory stage as well as in the proceedings before a court. In addition to the workshops and conferences of the state parties we would appreciate creating a platform enabling and supporting the sharing the best practices electronically. With this aim the competent bodies should approach the concrete prosecutors and judges with the concrete definition of terms of reference including the recommended structure of information.

The review mechanism should focus on the effective exchange of information on the number of sentenced offenders of corruption offences. This could help to establish the list of trans-national corporations and their statutory bodies and representatives of the state and public bodies involved in the corruption cases as well as the review of property which was subject to the disposal under the article 31 of the Convention.

The information gathering should be accurate and limit the administrative burden on states as much as possible. The self-assessment should be the basis for a first stage analysis on the state of play of the implementation in the respective contracting state.

The review and monitoring mechanism should be based on the simple system of collecting of data, preferably using the permanent missions of the member states and national members in the anti-corruption network.

In any case the future review mechanism should make use of information gained on the anti-corruption legislation and practice in the contracting states by the GRECO and OECD WG on Bribery with the aim to avoid the unnecessary duplication of work.

The Ministry of Justice of the Slovak Republic would like to assure the Secretary General of the United Nations of its highest considerations.

Yours sincerely,

Peter Báňas
Director General