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to the United Nations
Convention against Corruption**

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**Review of the implementation of the United Nations
Convention against Corruption**

**Performance of the Mechanism for the Review of
Implementation of the United Nations Convention against
Corruption and the measures required for the completion of
the first phase of the Mechanism, as well as considerations
regarding the next phase**

Note by the Secretariat

Summary

The present document provides an updated analysis of the performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption as at 18 September 2023. It contains recommendations on measures required for the completion of the first phase, lessons learned from the performance of the Mechanism in its first phase and considerations regarding the future of the Mechanism.

* CAC/COSP/2023/1.



I. Introduction

1. In its resolution 8/2, the Conference of the States Parties to the United Nations Convention against Corruption acknowledged that continuing the process of evaluation of the performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption before the completion of the second review cycle on the basis of the experiences gained in the first review cycle could significantly contribute to useful outcomes and that that process should be started without prejudice to any subsequent continuation of such work following the completion of the second review cycle.

2. In the same resolution, the Conference encouraged States parties, with the help of the secretariat, to voluntarily share their views in the Implementation Review Group, without prejudice to the existing mandates of the Group and the terms of reference of the Mechanism, on the possible ways forward following the end of the first review phase, and requested that the Group submit its report to the Conference at its tenth session. Also in the same resolution, the Conference requested the Implementation Review Group to continue to collect, with the support of the secretariat, relevant information, including the views of States parties, pertaining to the performance of the Implementation Review Mechanism, with a view to continuing, at the appropriate time, the Group's assessment of the performance of the Mechanism, as provided for in paragraph 48 of the terms of reference of the Mechanism and Conference decision 5/1, and in that regard to continue to report to the Conference on progress made, bearing in mind the request in paragraph 5 of Conference resolution 3/1 for the evaluation of the terms of reference at the conclusion of each review cycle.

3. Moreover, in 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 in June 2021, Member States and parties to the Convention welcomed the achievements of the Implementation Review Mechanism in furthering parties' efforts to fully implement their obligations under the Convention and urged parties to the Convention to complete their reviews under the Mechanism in a timely manner so as to conclude the first and second review cycles within their agreed period of performance. Member States also welcomed the efforts by the Conference to assess the performance of the Mechanism and adapt, where appropriate, procedures and requirements for the follow-up.

4. The present document provides an overview of the performance of the Mechanism and sets out recommendations on measures required to complete the country reviews under the second cycle, including an extension of the second cycle, and considerations regarding the future of the Mechanism. It also presents the views shared by States parties on the possible ways forward following the end of the first phase and provides an overview of the deliberations of the Implementation Review Group on the matter, in accordance with resolution 8/2, and proposes steps that the Conference may wish to consider in concluding the current and launching the next phase of the Mechanism.

5. The analysis builds on the notes by the Secretariat on the performance of the Implementation Review Mechanism, in particular its second review cycle and the measures required for its completion ([CAC/COSP/2019/12](#)); on views of States parties on the performance of the Mechanism ([CAC/COSP/2021/4](#)); on lessons learned and views on potential areas for improvement of the Mechanism ([CAC/COSP/IRG/2023/3](#)); on lessons learned from other review mechanisms on their operation and transition to a next phase: experiences collected in transitions by other peer review mechanisms (part I) ([CAC/COSP/IRG/2023/8](#)); and on lessons learned from other review mechanisms on their operation and transition to a next phase: elements of peer review mechanisms subject to transitions, observations and trends (part II) ([CAC/COSP/IRG/2023/8/Add.1](#)).

II. Performance of the Mechanism for the Review of Implementation of the Convention

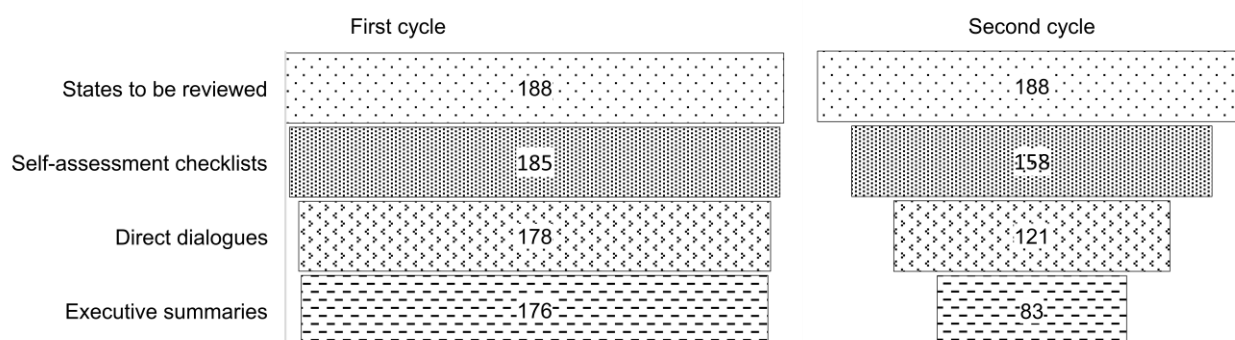
6. The first cycle is now nearly complete, with 176 out of 188 executive summaries adopted. The second cycle, however, faced substantial delays in all stages of the reviews, with 83 out of 188 executive summaries for the second cycle having been completed when the present document was prepared. In its decision 8/1, the Conference, taking note of the delays incurred during the second cycle of the Mechanism, decided to extend the duration of the second cycle until June 2024 to allow for the completion of country reviews and called upon States parties to accelerate the completion of the second cycle. Shortly after the Conference decided to extend the second cycle, the coronavirus disease (COVID-19) pandemic began, resulting in additional delays with respect to the completion of country reviews. In light of those delays, an updated analysis of the performance of the Mechanism is presented, with special emphasis on measures necessary for the completion of the second cycle.

A. Statistical overview of the first and second review cycles

7. The data provided in figure I show the overall progress achieved as at 18 September 2023 in the country reviews under the first and second cycles of the Implementation Review Mechanism.

Figure I

Overall progress achieved under the first and second review cycles



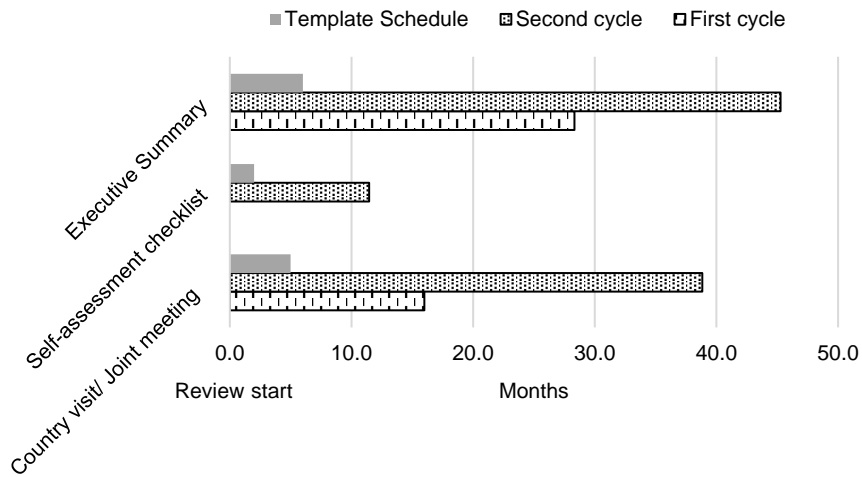
B. Analysis of the time frames associated with the critical stages of the review process, with a focus on the second review cycle

8. The delays in the completion of the country reviews and the resulting backlog were analysed to determine whether the second review cycle could be completed by June 2024, as foreseen in Conference decision 8/1. To that end, the indicative timelines in the guidelines for governmental experts and the secretariat¹ were compared with the actual timeline of reviews in both cycles.

9. Figure II illustrates the overall comparison of progress in first- and second-cycle reviews from the start of the country reviews; the individual stages analysed are discussed below.

¹ Shown in the “Model schedule for country reviews based on the terms of reference of the Review Mechanism and the guidelines for governmental experts and the secretariat”. Available at www.unodc.org/documents/treaties/UNCAC/Review-Mechanism/IRG_model_country_review_schedule.pdf.

Figure II
Median duration of country reviews: target timeline versus reality

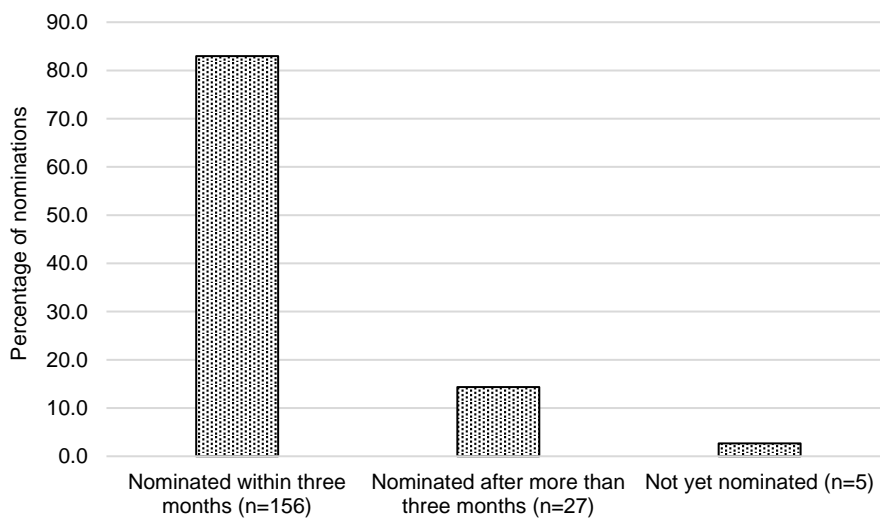


1. Analysis of individual review steps

(a) Delayed nominations of focal points

10. Although it is noted in the terms of reference that the reviews should ideally be designed to take no longer than six months, the process is taking significantly longer. Already the initial step of nominating focal points, due to take place within three weeks after the start of a review, has seen some delays. Currently, 183 of the 188 focal points for the second cycle have been nominated. Over 80 per cent of nominations were submitted within three months of the start of the review. Despite this overall positive picture, the nominations were delayed beyond three months in over 10 per cent of reviews, and five nominations are still outstanding (see figure III).

Figure III
Second review cycle: time from the start of the review to the nomination of focal points



(b) Delayed nominations of governmental experts

11. The nominations of governmental experts have been delayed even more frequently. While the guidelines for governmental experts and the secretariat foresee that the first teleconference or videoconference should be held within one month of the start of the review, a number of country reviews have been held up because States parties have not yet nominated their governmental experts. In several cases,

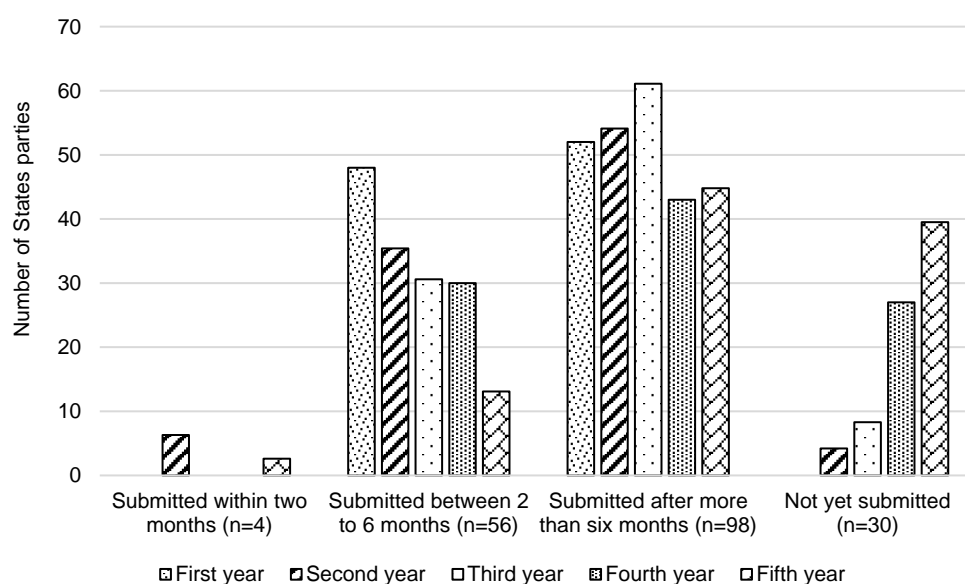
nominations of experts were delayed for over one year or even up to several years, meaning the reviews could not progress, despite repeated reminders and delay letters sent by the secretariat. Late designations of governmental experts or changes in reviewing experts in the course of the reviews have an impact on all subsequent stages of the review.

(c) Delayed submission of responses to the self-assessment checklist

12. The submission of the response to the self-assessment checklist is a prerequisite for progressing with the review process. The model timeline foresees the submission of the response within two months of the start of the review. More than half (98) of the States parties under review had delays of over four months in submitting their responses, while 30 States parties have not yet submitted their responses. As a result, 16 per cent of the country reviews cannot move forward. This means that, not counting the reviews of the new States parties to the Convention, these reviews have been delayed by approximately 3–5 years (see figure IV).

Figure IV

Second review cycle: time from the start of the review to the submission of responses to the self-assessment checklist



(d) Delays in organizing country visits or joint meetings, particularly during the COVID-19 pandemic

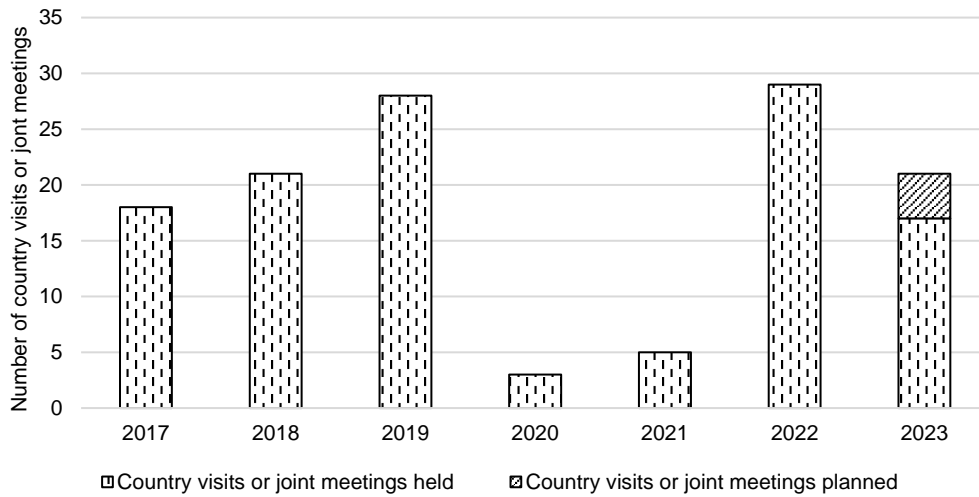
13. The model timeline foresees two months of direct dialogue. While the number of country visits and joint meetings increased steadily in the first three years of the second cycle, the COVID-19 pandemic led to significant delays in organizing country visits. While some virtual or hybrid country visits took place, the overall assessment of this experience is that online forms of direct dialogue have limits in strengthening cooperation and information exchange, peer learning, capacity-building and constructive collaboration – an observation shared by the secretariats of other review mechanisms.

14. In many cases, virtual visits were not feasible owing to the time differences between the three States involved. Other challenges were persistent connectivity and technical issues, as well as regulations that prevented government agencies involved in the reviews from getting together in person. As a result, many States parties decided to postpone country visits until domestic regulations permitted meetings and travel was again possible.

15. With many States facing travel restrictions in 2020, 2021 and even in 2022, some country visits could not take place in person. The number of country visits or

joint meetings held thus decreased drastically in 2020 and 2021, creating a backlog of visits that had to be scheduled from 2022 onwards. The delays in scheduling country visits, in turn, affected the overall number of executive summaries and country review reports that could be completed (see paras. 16–19 below). Even though a record number of country visits were conducted in 2022, earlier delays have made it impossible to complete all outstanding reviews by June 2024 (see figures V–VII).

Figure V
Second review cycle: number of country visits or joint meetings held per year*

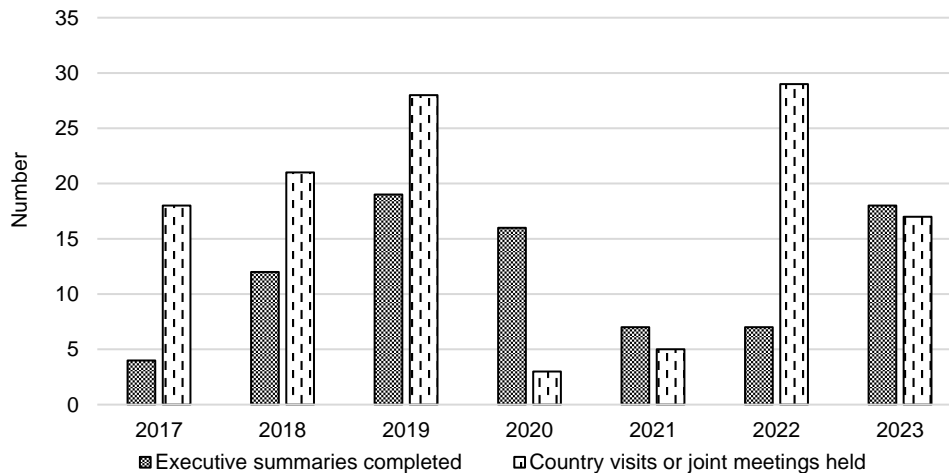


* For 63 reviews, no country visit/joint meeting has been planned or held yet.

(e) Delays in approving executive summaries

16. For the purposes of the present analysis, the completion of the executive summary is considered the end of the country review, as the country review reports are usually completed at a later stage. While the number of executive summaries approved during the COVID-19 pandemic decreased compared with the figures for the years prior to the pandemic, during 2020 and 2021, the number of executive summaries completed was greater than the number of country visits held, and thus it was possible to finalize some pending reviews (see figure VI).

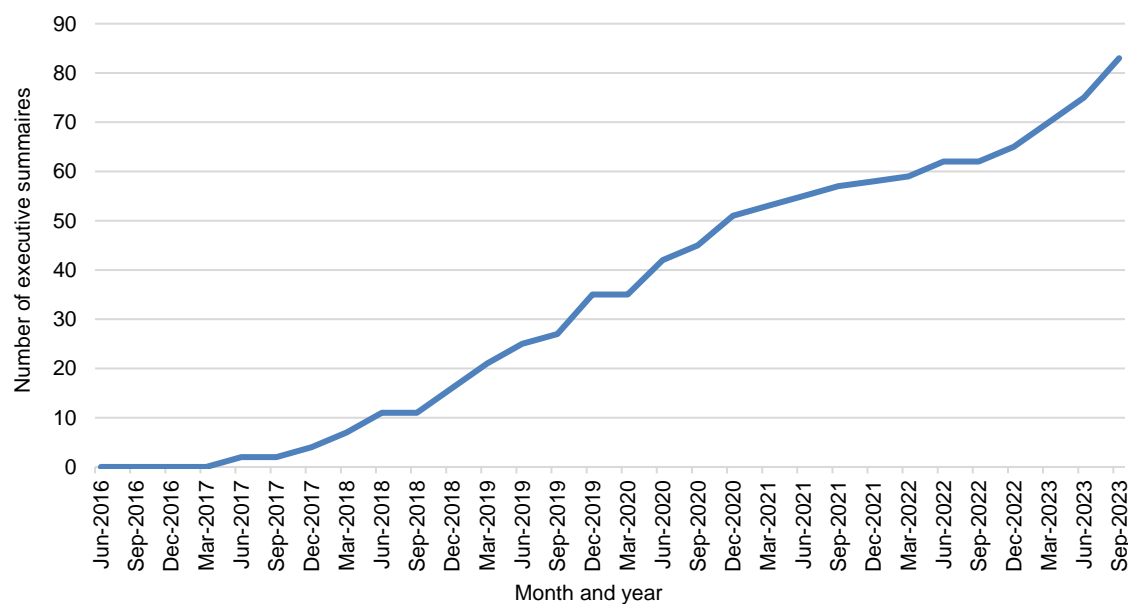
Figure VI
Second review cycle: number of executive summaries completed and country visits/joint meetings held per year



17. Figure VII shows the overall increase in the number of executive summaries completed during the second review cycle, despite the decline in the number of country visits held and executive summaries completed during the pandemic.

Figure VII

Second review cycle: number of executive summaries completed



2. Reasons for and consequences of delays in the completion of country reviews

18. Various reasons for delays in the completion of country reviews have been identified, with the significant delays in the submission by States parties of their responses to the self-assessment checklist and the finalization of executive summaries and country review reports emerging as the most critical stages. Other reasons are: (a) delays in the nomination of focal points and governmental experts (see paras. 10 and 11 above); (b) the number of languages used for some reviews, as additional time is required for translation and the processing of the working documentation; (c) difficulties in scheduling country visits; and (d) the time required to reach consensus on or receive approval for the executive summaries and country review reports among all the parties involved. Moreover, many States parties indicated that the complexity of chapter II of the Convention and the wide stakeholder consultations required for the two chapters under review in the second cycle were at the root of most delays.

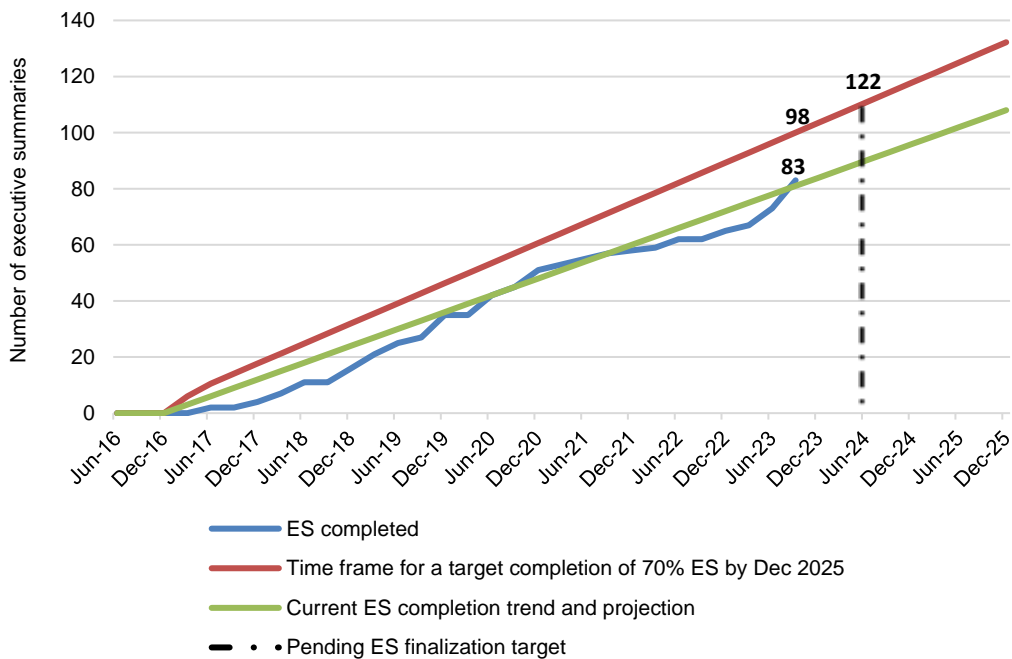
19. In addition to the different review stages in which delays are encountered, the workload of governmental experts and the secretariat has expanded as a result of the following: (a) the increase in the number of States parties since the launch of the first review cycle, when the Convention had only 144 States parties; and (b) the backlog of reviews from prior years. The delays and frequent unresponsiveness of States parties have increased the workload of the secretariat in terms of follow-up and made scheduling and planning difficult. The delays have also affected governmental experts, as many States parties under review in the third to fifth years of the second cycle are also required to serve as reviewing States parties in other delayed reviews or ongoing reviews in the same review year. Furthermore, delays in some cases also have resource implications for the participating States because of deviations from projected financial commitments from one budget year to another. The need to carry out both the delayed reviews and the subsequent years' reviews at the same time has had a negative impact on the capacity of reviewing States and the secretariat. To advance efforts to complete the second cycle in a timely manner, the secretariat has been sending more frequent reminders to States parties that are failing to adhere to the timelines.

3. Findings and projections

20. The analysis has shown that delays accumulate throughout the review process and throughout the review years, and that the impact of the pandemic has exacerbated the slowdown in the pace of reviews. Once travel and meeting restrictions were lifted, every effort was made to conduct a higher-than-average number of country visits; however, the total number of country visits that can be organized remains limited by the capacity of the secretariat to support all pending reviews. At the time of writing, for the second cycle, 105 executive summaries remain to be completed and 63 direct dialogues are outstanding.

21. The figures presented in the report to the Conference in 2019 outlined possibilities for an extension of the second cycle, in which a completion rate of 44 per cent (81 States parties out of 184 at that time) by June 2024 was projected with the pace of reviews at that time (CAC/COSP/2019/12, para. 17 (b)). If reviews continue at the average pace thus far, fewer than half of the reviews in the second cycle (90 reviews, or 48 per cent) will have been completed by the foreseen end date of the cycle, in June 2024. However, following the surge in the number of country visits in 2022 and 2023, there are currently 39 country reviews for which country visits have taken place and for which executive summaries are pending finalization. As shown in figure VIII, the adoption of 15 of these executive summaries, which are currently pending with States parties, would bring the total number of completed executive summaries to 98, a number that is in line with the projected time frame for completion of the second cycle. The finalization of all 39 pending executive summaries by June 2024 would result in a total of 122 completed executive summaries, which would mean that the overall target of completing 70 per cent of the executive summaries by December 2025, if the current review cycle is extended until that date, would even be slightly exceeded. The cooperation of States parties is required to achieve that target, in particular in cases where more than one year has elapsed since the country visit and the information needed to complete the executive summary has not been provided, or where the approval of the executive summary is pending with the State party under review.

Figure VIII
Projection of the cumulative number of executive summaries finalized



III. Considerations for the next review phase

22. In line with Conference resolution 3/1 and the terms of reference of the Mechanism, more than one review phase is envisaged. Mindful of the guiding principles of the Mechanism and its overall aim of assisting States in the effective implementation of the Convention, the Implementation Review Group has started to discuss the future of the Mechanism. These discussions are timely if the Conference wishes to launch the next phase at its eleventh session, in 2025, after completion of the current cycle.²

23. The present section lays out the existing mandates regarding the next review phase and identifies the steps needed to conclude the current and launch the next phase. In accordance with resolution 8/2, the present section also provides an overview of the views shared voluntarily by States parties on the possible ways forward following the end of the current review phase and the deliberations of the Implementation Review Group on the matter. On the basis of lessons learned in the current phase, it also includes steps that the Conference may wish to consider.

A. Mandates and steps required for the second phase of the Mechanism

24. References to the next phase or the future of the Mechanism beyond the current review phase are contained in Conference resolutions 3/1 and 8/2.³

25. In its resolution 3/1, the Conference decided that each review phase was to be composed of two review cycles of five years each. According to paragraph 47 of the terms of reference of the Mechanism:

47. The Conference shall establish the phases and cycles of the review process, as well as the scope, thematic sequence and details of the review. The review phase shall be finalized upon reviewing the status of implementation of all articles of the Convention in all States parties. Each review phase shall be divided into review cycles. The Conference shall determine the duration of each review cycle and decide on the number of States parties that shall participate in each year of the review cycle, taking into account the number of States parties to be reviewed and the scope of the cycle.

26. The next phase of the Mechanism is referred to in paragraphs 40 and 41 of the terms of reference:

40. In the following review phase, each State party shall submit information in its responses to the comprehensive self-assessment checklist on progress achieved in connection with the observations contained in its previous country review reports. As appropriate, States parties shall also provide information on whether technical assistance needs requested by them in relation to their country review reports have been provided.

41. The Conference, through the Implementation Review Group, shall assess and adapt, where appropriate, the procedures and requirements for the

² The Conference could decide to allow the next phase to be launched once a set completion rate is reached. In this respect, the Conference could be guided by the procedures and rules for the functioning of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, according to which advancement to the next review phase is conditional upon the completion of 70 per cent of the reviews foreseen at the beginning of the previous phase (resolution 9/1, annex, para. 10, of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto).

³ The mandates relevant to the next phase of the Mechanism and the assessment of its performance and terms of reference are cited in annex I.

follow-up to the conclusions and observations emerging from the review process.

27. The parameters provided in Conference resolution 3/1 and in paragraphs 40 and 41 of the terms of reference of the Mechanism are as follows:

(a) A following phase is foreseen;

(b) The launch date remains to be determined;

(c) The Conference can establish the scope, thematic sequence and details of the review and determine the duration of each review cycle within a phase;

(d) The information in the self-assessment checklist of the following review phase shall include information on progress achieved in connection with the observations contained in the country reports from the previous phase and, as appropriate, information provided by States parties on whether technical assistance needs requested in relation to their country review reports have been addressed.

28. In paragraphs 3–9 of its terms of reference, the guiding principles and characteristics of the Mechanism are laid out. As noted in paragraph 9:

9. The review of implementation of the Convention is an ongoing and gradual process. Consequently, the Mechanism shall endeavour to adopt a progressive and comprehensive approach.

29. The terms of reference and resolutions of the Conference spell out the steps needed to prepare for the next review phase, as discussed below.

1. Assessment of the performance of the Mechanism

30. In its resolution 8/2, the Conference requested the Implementation Review Group to continue to collect, with the support of the secretariat, relevant information, including the views of States parties, pertaining to the performance of the Implementation Review Mechanism, with a view to continuing, at the appropriate time, its assessment of the performance of the Mechanism, as provided for in paragraph 48 of its terms of reference and Conference decision 5/1, and in that regard to continue to report to the Conference on progress made, bearing in mind the request in paragraph 5 of Conference resolution 3/1 for the evaluation of the terms of reference at the conclusion of each review cycle.

31. Accordingly, since the fifth session of the Implementation Review Group, held in Vienna from 2 to 6 June 2014, the agenda for the sessions of the Group has included an item on the performance of the Mechanism and its terms of reference.

2. Evaluation of the terms of reference and challenges encountered during the country reviews

32. According to paragraph 48 of the terms of reference of the Implementation Review Mechanism, “following the completion of each review cycle, the Conference shall assess the performance of the Mechanism and its terms of reference”. In its resolution 3/1, the Conference requested the Implementation Review Group to conduct an evaluation of the terms of reference, as well as the challenges encountered during the country reviews, at the conclusion of each review cycle and to report to the Conference on the outcome of those evaluations.

33. While the current review cycle has not yet been concluded, States parties have gained extensive experience with regard to the performance of the Mechanism and its terms of reference as a result of their participation as States parties under review and as reviewers in the first and second cycles.

3. Report on views by States parties on the possible way forward

34. In paragraph 13 of its resolution 8/2, the Conference encouraged States parties, with the help of the secretariat, to voluntarily share their views in the Implementation

Review Group, without prejudice to the existing mandates of the Group and the terms of reference of the Implementation Review Mechanism, on the possible ways forward following the end of the first review phase, and requested that the Group submit its report to the Conference at its tenth session.

35. As outlined in section B below, an initial analysis presenting the views of States parties was made available to the Conference at its ninth session, in 2021, and an updated report was presented to the Implementation Review Group in 2023. The present report summarizes the views shared by States parties in 2021 and 2023, as well as the deliberations of the Implementation Review Group on the matter.

4. Assessment and adaption of the procedures and requirements for the follow-up

36. In line with paragraph 41 of the terms of reference of the Implementation Review Mechanism, “the Conference, through the Implementation Review Group, shall assess and adapt, where appropriate, the procedures and requirements for the follow-up to the conclusions and observations emerging from the review process”. According to paragraph 48 of the terms of reference, “the Conference shall endorse any future amendments to the terms of reference of the Mechanism. Following the completion of each review cycle, the Conference shall assess the performance of the Mechanism and its terms of reference”.

37. As part of its deliberations on the next phase, the Implementation Review Group has started to discuss procedures and requirements for the follow-up to the conclusions and observations emerging from the review process (see sect. B below).

B. Views shared voluntarily by States parties on possible ways forward following the end of the current review phase and outcome of deliberations of the Implementation Review Group⁴

38. The Implementation Review Group began deliberations on the next review phase at its first resumed thirteenth session, held in September 2022, and has continued those deliberations at all subsequent resumed sessions and sessions to date.

39. Pursuant to Conference resolution 8/2 and decision 5/1, in 2021 the secretariat invited States parties to submit their views on the performance of the Mechanism, in order for the Implementation Review Group, with the support of the secretariat, to collect and analyse information relevant to facilitating the assessment of its performance. The responses and views of 26 States parties were made available to the Conference at its ninth session ([CAC/COSP/2021/4](#) and [CAC/COSP/2021/CRP.3](#)).

40. At the first resumed thirteenth session of the Implementation Review Group, held in Vienna on 8 and 9 September 2022, speakers welcomed the proposal by the secretariat to prepare a report for consideration by the Group at its fourteenth session, in accordance with paragraphs 13 and 14 of Conference resolution 8/2 and based in part on a questionnaire aimed at soliciting the views of States parties on the Mechanism and the review process, as well as preliminary views and ideas for the design of the next phase. A note by the Secretariat containing an analysis of the views of the 46 States parties that had responded to a questionnaire enclosed with a note verbale sent in February 2023 was made available to the Group at its fourteenth session ([CAC/COSP/IRG/2023/3](#)).

41. Also at the first resumed thirteenth session, the Group requested the secretariat to invite speakers from the secretariats of other review mechanisms of relevant regional, sectoral and international instruments and to prepare a paper containing an analysis of lessons learned from those mechanisms in their transition to a next phase.

⁴ For further details of the deliberations, see the reports of the Implementation Review Group on its first resumed thirteenth session ([CAC/COSP/IRG/2022/6/Add.1](#)), second resumed thirteenth session ([CAC/COSP/IRG/2022/6/Add.2](#)) and fourteenth session ([CAC/COSP/IRG/2023/7](#)).

Accordingly, notes by the Secretariat containing an analysis of the lessons learned from six other review mechanisms on their operation and transition to a next phase were made available to the Group at its resumed fourteenth session (CAC/COSP/IRG/2023/8 and CAC/COSP/IRG/2023/8/Add.1). Those notes highlighted that transitions to a new phase in the mechanisms considered had frequently resulted in an upgrading of the mechanisms in terms of the following nine dimensions of change: (a) the themes covered in a new review phase; (b) the use of country visits; (c) the plenary discussion of country reports; (d) the publication of materials and transparency of the review exercise; (e) the follow-up process; (f) the inclusion of non-governmental actors; (g) addressing delays; (h) the use of information technology tools to support the review exercise; and (i) improving the capacity of participants. In addition to those notes, a panel was held on lessons learned from other review mechanisms.

42. The following paragraphs summarize the views shared by States parties in their written submissions and the current status of deliberations of the Group on the matter.

1. Effectiveness of the Mechanism

43. The vast majority of respondents to the questionnaire sent to States parties in February 2023 assessed the Mechanism as being very effective or rather effective.⁵ The positive impact of the Mechanism on accelerating the implementation of the Convention and assisting States parties in complying with international standards was highlighted, as was the crucial role of the Mechanism in informing work on legislative reform and anti-corruption strategies and in strengthening domestic coordination and international cooperation. The identification and exchange of information on good practices, challenges and technical assistance needs were also regarded as a crucial aspect of the Mechanism. During the sessions of the Implementation Review Group, speakers reiterated their Governments' strong commitment to the Mechanism.

44. The independence and uniform application of the Mechanism, together with its universal, technical, constructive, impartial, non-intrusive and non-adversarial nature, were seen as some of the main strengths of the Mechanism. States parties also appreciated the comprehensiveness and consistency of the country reviews. The role of country reviews in enhancing national capacities to respond to corruption, serving as benchmarks to assess progress achieved and identify challenges and ways to address them and contributing to greater transparency and accountability was also noted. Furthermore, technical assistance was highlighted as a key component of the Mechanism that was not covered in other review mechanisms.

45. The lack of a dedicated follow-up procedure (see paras. 56–58 below), the non-enforceable nature of the recommendations and the lack of tools to engage unresponsive countries in their reviews were seen as significant weaknesses of the Mechanism. To remedy such weaknesses, States parties highlighted areas which could benefit from improvements and shared their ideas and views in that regard. These proposals are included in the thematic subsections below.

46. During the sessions of the Implementation Review Group, some speakers called for more interaction with other stakeholders, in particular non-governmental organizations, in the reviews, while others expressed their appreciation for the intergovernmental nature of the Mechanism.

2. Extension of the second cycle

47. The decision to extend the second cycle until June 2024 was taken by the Conference at its eighth session in December 2019, shortly before the COVID-19 pandemic was declared a public health emergency of international concern, which drastically affected the projections made in 2019. Based on the current status of the

⁵ CAC/COSP/IRG/2023/3, paras 8–21.

reviews conducted and taking all information into account, it will not be possible to complete the second cycle by June 2024.

48. During the deliberations in the Implementation Review Group, speakers supported a further extension of the second cycle until December 2025, while others underscored that the extension should be the last one. It was suggested that the Conference should either consider determining a threshold (e.g. 70 per cent of reviews) above which the Conference would consider the cycle closed and allow the next phase to be launched, or it should agree not to extend the cycle again beyond 2025 (CAC/COSP/IRG/2022/6/Add.1, para. 15).

49. Even if the duration of the second cycle is extended until December 2025, significant efforts are required to more closely adhere to the model schedule for country reviews, to reverse the observed slowdown and substantially advance the second cycle by December 2025.

3. Indicative timelines for reviews and delays experienced in the second cycle

50. The indicative timeline of six months to finalize a review was widely regarded as too ambitious. In particular, the indicative timelines for responding to self-assessment checklists and finalizing reviews were considered too short, in particular for the second review cycle. Therefore, many States recommended an extension of the indicative timelines, for example, to one year.

51. Concern was expressed at the delays experienced in the second cycle (see section II above), including in relation to the findings of the reviews being partially outdated at the time of finalizing the outcome documents. Suggestions to remedy such delays included streamlining and shortening the self-assessment checklist, carefully selecting the scope and thematic focus of the next phase, ensuring adequate training for focal points and governmental experts, and extending the indicative time frame for the reviews.

52. Furthermore, during sessions of the Implementation Review Group, speakers called for enhanced efforts to comply with the indicative timelines.

4. Scope, thematic sequence and structure of the next review phase

53. More than 80 per cent of the respondents to the 2023 questionnaire considered the current structure of the Mechanism, thus the review of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention in the first cycle, and chapters II (Preventive measures) and V (Asset recovery) in the second cycle, to be very useful or rather useful. A common challenge was identified in relation to chapter II, for which the review of implementation required more time due to the breadth and complexity of areas covered. Some States parties noted that the current structure had led to a long time elapsing for some States parties between the reviews under the first and second cycle.

54. It was noted that the design of the next phase needed to build on the lessons learned in the first phase and the experiences of other related mechanisms while safeguarding the principle of non-intrusiveness and the non-punitive nature of the Mechanism. Several options regarding the scope, thematic sequence and structure of the next review phase were identified, with the most support being expressed for having a greater focus on effectiveness of measures taken and practical implementation.

55. Other suggestions included the following:

- Using a combined approach, following up on the implementation of recommendations and choosing a thematic focus
- Maintaining the current structure in accordance with resolution 3/1 of the Conference

- Focusing only on the implementation of the recommendations and findings emanating from the first phase
- Covering all provisions of the Convention under review
- Covering one chapter of the Convention per review cycle
- Including a chapter that had not previously been reviewed in the review
- Tailoring the reviews to the State party under review
- Reconsidering how the different chapters were combined for each review cycle
- Concentrating on the effectiveness of asset recovery and on statistics
- Considering organizational aspects, such as the format and time frame for collecting information, after defining the topics for the next phase.

5. Follow-up

56. The main weakness of the Mechanism identified in the responses to the 2023 questionnaire and during the deliberations in the Implementation Review Group was the lack of a dedicated follow-up procedure, as contemplated in paragraph 40 of the terms of reference, which refers to a subsequent review phase.

57. Suggestions were made with respect to establishing such a follow-up procedure for the next phase. These included:

- Establishing a formal follow-up process
- Organizing panel discussions in the Implementation Review Group and the Conference on action taken to support other States parties
- Presentations in the Group on the outcomes of country reviews and measures taken as follow-up
- Preparing compliance reports
- Allowing States parties under review to work with the secretariat and their reviewing States parties to follow up on recommendations
- Organizing a round of voluntary follow-up activities in relation to specific recommendations so as to facilitate the provision of technical assistance.

58. One State party cautioned against any rigid reporting mechanism and suggested that the next phase should instead focus on implementation since mandatory reporting on follow-up could interfere with the guiding principles and non-intrusive nature of the Mechanism.

6. Information-gathering through the self-assessment checklist

59. Most respondents to the 2023 questionnaire considered the self-assessment checklist used to gather information to be very useful (41 per cent) or rather useful (46 per cent). States parties indicated that it had been helpful in self-assessing the progress made and providing the reviewing experts with the necessary information and background knowledge.

60. However, several States parties indicated that the self-assessment checklist was not very practical to work with due to its length and comprehensiveness and suggested that it be further simplified and streamlined. In contrast, others suggested that it should be more comprehensive and take federal systems of government better into account.

61. In relation to the information technology tool used, 41 per cent of respondents to the 2023 questionnaire would like to change the tool in the next phase, whereas 27 per cent did not want to change it.

62. Suggestions for the next phase included using a Word document or similar document that could be completed by multiple users simultaneously, had sufficient

data security and was user-friendly and easy to operate. Some States parties also suggested using an online system similar to that being used for the review of implementation of the United Nations Convention against Transnational Organized Crime, while others criticized that system as requiring more advanced technical skills and stated their preference for continuing to work with the existing tool.

7. Means of direct dialogue

63. The means of direct dialogue (country visits or joint meetings) were regarded as particularly useful, with 95 per cent of respondents to the 2023 questionnaire considering them to be very useful or rather useful. Several States described country visits as the most useful part of the Mechanism as they facilitated the exchange of information, provided an opportunity to clarify issues and allowed for the participation of national authorities in the process.

64. During the sessions of the Implementation Review Group, speakers underscored the importance of dialogue during the country visits for better assessing the implementation of the Convention, facilitating the exchange of good practices and information, enhancing inclusivity and domestic coordination and increasing awareness and visibility. Some speakers underscored that hybrid country visits should continue to be explored as a way to increase inclusivity, while others expressed their preference for in-person country visits to allow for enhanced dialogue.

65. Speakers agreed that the direct dialogue should be maintained in the next phase. Some States parties suggested that the duration of country visits should be extended and that even more representatives of the State party under review should be invited to participate.

8. Outcome documents

66. Both the executive summary and the country review report were considered useful documents, as half of all respondents to the 2023 questionnaire considered them to be very useful and 36 per cent considered them to be rather useful. The same percentages of respondents wanted to maintain the outcome documents for the next phase (50 per cent) or modify them (36 per cent).

67. The executive summaries in particular were found to be very helpful, while the country review reports were regarded by some States parties as too long and containing too much legislative text. Proposals for modification of the outcome documents for the next phase included:

- Creating only one outcome document focusing on effectiveness, implementation and progress.
- Creating a more detailed executive summary instead of a full country review report.

68. Other States parties found both documents to be very useful, for example, with a view to coordinating activities to implement recommendations at the national level, and in terms of the opportunity that they provided to highlight successful cases, good practices, challenges and technical assistance needs.

69. During the sessions of the Implementation Review Group, it was suggested that the final outcome documents be simplified and include the date up to which information had been included in the analysis. Some speakers suggested that executive summaries be presented during the sessions of the Group to increase visibility and the sharing of good practices; one speaker disagreed with that suggestion.

70. With regard to the publication of outcome documents, views ranged from a preference for maintaining the current system, in which the executive summary is published and States parties under review are encouraged to exercise their sovereign right to publish country review reports or parts thereof, to calling for all review documents to be made available online.

9. Role of the secretariat

71. Most States parties responding to the 2023 questionnaire expressed appreciation for the support provided by the secretariat in the context of the Mechanism, and many States parties considered that support to be one of the Mechanism's strengths. Nevertheless, delays on the part of the secretariat had also been experienced, which could be attributed to the limited number of staff covering country reviews.

72. During the sessions of the Implementation Review Group, several speakers highlighted the role of the secretariat in facilitating and strengthening consistency among reviews and called for that role to be continued in the next phase.

73. The importance of training for focal points and governmental experts, including online training, and the provision of technical assistance were emphasized, and it was recommended that training sessions be continued or offered more frequently.

10. Synergies with other review mechanisms

74. Most respondents to the 2023 questionnaire considered the information produced by other mechanisms to be very useful (51 per cent) or rather useful (31 per cent) for the Implementation Review Mechanism. The secretariats of the different mechanisms were encouraged to continue exchanging good practices and streamlining and simplifying processes and reporting requirements. At the same time, it was noted that the membership differed vastly from mechanism to mechanism, and therefore lessons learned could not necessarily be directly applied to the Implementation Review Mechanism. It was also noted that the resources of the UNODC secretariat were limited in comparison to those of other comparable mechanisms.

75. Many States parties indicated that they were in favour of considering reports prepared in other anti-corruption review mechanisms as part of the background documentation in the country reviews.

76. Additional suggestions for enhancing synergies included:

- More follow-up, such as briefings to the Implementation Review Group on the outcomes or readings of executive summaries
- Conducting joint country visits of different mechanisms, where feasible
- Reviewing recommendations emanating from other mechanisms in order to ensure greater consistency
- Incorporating the findings of other mechanisms more explicitly, if so agreed by all States parties involved
- Aligning the questionnaires across review bodies and cross-mapping the recommendations issued under different mechanisms.

77. Nevertheless, it was emphasized that cross-references to the conclusions or reports of other working groups or organizations should be avoided. The autonomy of the review process was highlighted, and it was noted that obligations were not necessarily the same under different instruments.

11. Timeline for the launch of the next review phase

78. Some States parties noted that the next phase should be launched once a set completion rate, such as 70 per cent of reviews, had been completed. One State party noted that, in line with paragraph 47 of the terms of reference, the review phase should be finalized only upon reviewing the status of implementation of all articles of the Convention in all States parties, and recalled paragraph 82 of the political declaration adopted at the special session of the General Assembly against corruption, in which the Conference was invited, after the conclusion of and evaluation of the findings from the second review cycle, to organize a special session on all aspects of the asset recovery and return process. The State party expressed the opinion that a new review

phase could only be launched after this event and once the findings from it had been evaluated and any ensuing agreements implemented.

IV. Recommendations and possible next steps

79. The Conference may wish to consider the following next steps.

Extension of the second cycle

80. Based on the updated projections for the completion of country reviews presented above and the deliberations of the Implementation Review Group, the Conference may wish to extend the duration of the second cycle of the Implementation Review Mechanism until December 2025, with a view to launching the next review phase in a timely manner.

Preparations for the next review phase

81. In line with the terms of reference of the Review Mechanism, the Conference is expected to establish the phases and cycles of the review phase, as well as the scope, thematic sequence and details of the review. In this respect, and based on the discussions at its Implementation Review Group, the Conference may wish to consider the following:

- (a) The modalities for conducting the preparations for the next phase;
- (b) The timeline for the launch of the next phase;
- (c) Whether the indicative timelines for the country reviews should be amended;
- (d) Whether the self-assessment checklist and the information technology solution currently used to house it should be amended;
- (e) Whether the outcome documents can be enhanced to achieve the greatest relevance, accuracy and analytical value and can be finalized in a timely manner;
- (f) Procedures and requirements for the follow-up to the conclusions and observations emerging from the review process, as contemplated in paragraphs 40 and 41 of the terms of reference;
- (g) How the synergies between the various anti-corruption peer review processes can be further enhanced.

Annex I

Relevant mandates regarding the future of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption beyond its current review phase

Resolution 3/1 of the Conference of the States Parties to the United Nations Convention against Corruption

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

...

3. *Decides* that each review phase shall be composed of two review cycles of five years each and that one fourth of the States parties will be reviewed in each of the first four years of each review cycle;

4. *Decides also* to review during the first cycle chapters III (Criminalization and law enforcement) and IV (International cooperation) and during the second cycle chapters II (Preventive measures) and V (Asset recovery);

5. *Requests* the Implementation Review Group to conduct an evaluation of the terms of reference, as well as the challenges encountered during the country reviews, at the conclusion of each review cycle and to report to the Conference of the States Parties on the outcome of those evaluations;

6. *Decides* that a comprehensive self-assessment checklist shall be used as a tool to facilitate the provision of information on implementation of the United Nations Convention against Corruption;

...

Annex

Terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption

...

9. The review of implementation of the Convention is an ongoing and gradual process. Consequently, the Mechanism shall endeavour to adopt a progressive and comprehensive approach.

...

40. In the following review phase, each State party shall submit information in its responses to the comprehensive self-assessment checklist on progress achieved in connection with the observations contained in its previous country review reports. As appropriate, States parties shall also provide information on whether technical assistance needs requested by them in relation to their country review reports have been provided.

41. The Conference, through the Implementation Review Group, shall assess and adapt, where appropriate, the procedures and requirements for the follow-up to the conclusions and observations emerging from the review process.

...

47. The Conference shall establish the phases and cycles of the review process, as well as the scope, thematic sequence and details of the review. The review phase shall be finalized upon reviewing the status of implementation of all articles of the Convention in all States parties. Each review phase shall be divided into review cycles. The Conference shall determine the duration of each review cycle and decide

on the number of States parties that shall participate in each year of the review cycle, taking into account the number of States parties to be reviewed and the scope of the cycle.

48. The Conference shall endorse any future amendments to the terms of reference of the Mechanism. Following the completion of each review cycle, the Conference shall assess the performance of the Mechanism and its terms of reference.

...

Conference decision 5/1

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

...

(a) Decides that the Implementation Review Group shall begin promptly to collect, with the support of the Secretariat, and discuss relevant information in order to facilitate the assessment of performance in accordance with paragraph 48 of the terms of reference, following the completion of the first review cycle;

(b) Also decides that the Implementation Review Group shall include in its future sessions an agenda item allowing for discussion of the information collected in accordance with paragraph (a) above;

(c) Further decides that the Implementation Review Group, in the collection of information pursuant to paragraph (a) above, shall take into account future requirements for follow-up in accordance with paragraphs 40 and 41 of the terms of reference.

Conference resolution 8/2

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

...

13. *Encourages* the States parties, with the help of the secretariat, to voluntarily share their views in the Implementation Review Group, without prejudice to the existing mandates of the Group and the terms of reference of the Implementation Review Mechanism, on the possible ways forward following the end of the first review phase, and requests that the Group submit its report to the Conference at its tenth session;

14. *Requests* the Implementation Review Group to continue to collect, with the support of the secretariat, relevant information, including the views of States parties, pertaining to the performance of the Implementation Review Mechanism, with a view to continuing, at the appropriate time, its assessment of the performance of the Mechanism, as provided for in paragraph 48 of its terms of reference and decision 5/1, and in this regard to continue to report to the Conference on progress made, bearing in mind the request in paragraph 5 of resolution 3/1 for the evaluation of the terms of reference at the conclusion of each review cycle;

...

19. *Requests* the secretariat to submit a report to the Conference at its ninth session on the implementation of the present resolution.

Conference decision 8/1

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

...

(a) Decides to extend the duration of the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption by three years, that is, until June 2024, to allow for the completion of country reviews under that cycle;

(b) Calls upon the States parties to accelerate the completion of the second cycle.
