



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

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## Experts convened to enhance international cooperation under the United Nations Convention against Corruption

Vienna, 17-18 November 2016

### Provisional agenda and annotations

#### Provisional agenda

1. Opening of the meeting.
2. Adoption of the agenda and organization of work.
3. Taking stock of country reviews on the implementation of chapter IV of the United Nations Convention against Corruption: findings, lessons learned, good practices and technical assistance needs.
4. Use of the United Nations Convention against Corruption as a legal basis and other good practices in international cooperation.
5. Civil and administrative proceedings relating to corruption.
6. Tools and services of the United Nations Office on Drugs and Crime to promote international cooperation: an update.
7. Adoption of the report, including conclusions and recommendations.

#### Annotations

##### 1. Opening of the meeting

The fifth open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption will be opened on Thursday, 17 November 2016, at 3 p.m.

##### 2. Adoption of the agenda and organization of work

The provisional agenda for the meeting was prepared in accordance with Conference resolution 6/4 and in line with the recommendations issued by the third and fourth open-ended intergovernmental expert meetings.



The proposed organization of work (see annex) was prepared on the basis of past practice and in accordance with resolution 6/4 and the report of the fourth open-ended intergovernmental expert meeting (CAC/COSP/EG.1/2015/3), to enable the meeting of experts to consider the agenda items within the allotted time and according to the conference services available.

The resources available will permit the holding of two plenary meetings, one on 17 November and one on 18 November 2016, with interpretation in the six official languages of the United Nations.

**3. Taking stock of country reviews on the implementation of chapter IV of the United Nations Convention against Corruption: findings, lessons learned, good practices and technical assistance needs**

At the fourth open-ended intergovernmental expert meeting, the secretariat introduced the most important findings and conclusions relating to the implementation of chapter IV of the Convention arising from the completed reviews of the ongoing first review cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption. In addition, the secretariat gave an overview of challenges in the implementation of chapter IV of the Convention, and related technical assistance needs identified through the country review reports.

The completion of additional country reviews in the meantime provides an opportunity for updated briefings on the analysis of the information received in the context of the reviews of implementation of chapter IV of the Convention, conducted within the framework of the first cycle of the Review Mechanism, with a view to allowing the meeting to make recommendations to the Conference on follow-up actions required for ensuring the full implementation of chapter IV.

In that context, the secretariat will brief the meeting of experts on the findings and results of a broader range of implementation reviews pertaining to the implementation of chapter IV of the Convention.

**Documentation**

Report prepared by the Secretariat on regional implementation of chapter III (Criminalization and law enforcement) and chapter IV (International cooperation) of the United Nations Convention against Corruption (CAC/COSP/IRG/2016/5)

Thematic report prepared by the Secretariat on the implementation of chapter IV (International cooperation) of the United Nations Convention against Corruption (review of articles 43-50) (CAC/COSP/IRG/2016/8)

Report prepared by the Secretariat on the implementation of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the United Nations Convention against Corruption: thematic overview of recommendations (CAC/COSP/IRG/2014/10)

Note by the Secretariat on technical assistance provided in support of the implementation of the United Nations Convention against Corruption (CAC/COSP/IRG/2016/11)

Note by the Secretariat on good practices, experiences and relevant measures taken after the completion of the country reviews, including information related to technical assistance (CAC/COSP/IRG/2016/12)

Note by the Secretariat on analysis of technical assistance needs emerging from the country reviews (CAC/COSP/IRG/2016/13)

#### **4. Use of the United Nations Convention against Corruption as a legal basis and other good practices in international cooperation**

In its resolution 6/4, the Conference welcomed the conclusions and recommendations of the third open-ended intergovernmental expert meeting to enhance international cooperation held in Vienna on 9 and 10 October 2014. In those conclusions and recommendations, the expert meeting, *inter alia*, invited States parties to further assist each other in the investigation and prosecution of corruption cases by pursuing the effective use and implementation of the Convention as a legal basis for international cooperation.

The experts may wish to exchange experiences on good practices and challenges in this area, in particular with regard to the use of the Convention as a legal basis for international cooperation and other good practices, such as the use of case management or other avenues, for collecting statistical data on international cooperation.

#### **5. Civil and administrative proceedings relating to corruption**

In its resolution 6/4, the Conference urged Member States, where appropriate and consistent with their national legal systems, to provide each other with the widest possible assistance in investigations of and proceedings in civil and administrative matters relating to corruption offences, committed by natural or legal persons, including, if appropriate, through mutual legal assistance, for the detection of corruption offences, the identification, freezing and confiscation of assets, and the other purposes established in article 46, paragraph 3, of the United Nations Convention against Corruption.

Additionally, the Conference invited Member States to continue to provide to the Secretariat information on civil and administrative proceedings relating to corruption, when feasible and on a voluntary basis, in order to identify the scope of assistance that could be provided in relation to such proceedings, and requested the Secretariat to continue collecting and disseminating such information by, *inter alia*, reporting to the Conference and its relevant subsidiary bodies, including by providing suggestions regarding technical assistance needs and mechanisms to provide such assistance, and developing a study to identify best practices and ways to facilitate cooperation on the matter, subject to the availability of resources.

In order to facilitate the implementation of these mandates, the secretariat has prepared a draft questionnaire requesting from States parties information on the practical issues they encounter while requesting and providing assistance in investigations of and proceedings in civil and administrative matters relating to corruption offences. The secretariat will use the information obtained from States parties via the questionnaire as a basis for the possible study to identify best practices and ways to facilitate cooperation on the matter as requested in resolution 6/4.

During consideration of this agenda item, the experts may wish to exchange views with regard to the practical issues relevant to international cooperation in civil and administrative matters that they consider to be important.

#### **Documentation**

Draft questionnaire on the practical issues States parties encounter while requesting and providing assistance in investigations of and proceedings in civil and administrative matters relating to corruption offences (to be issued as CAC/COSP/EG.1/2016/CRP.1)

#### **6. Tools and services of the United Nations Office on Drugs and Crime to promote international cooperation: an update**

The third open-ended intergovernmental expert meeting recommended that the secretariat continue to provide advisory services and technical assistance to respond effectively to the needs of States parties in fully implementing chapter IV of the Convention, on the basis of challenges and deficiencies identified through the Review Mechanism and/or as a follow-up to requests of national authorities.

The secretariat will brief the expert meeting on its work with regard to the development of technical tools to promote international cooperation, including on the expansion of the functionality of the Mutual Legal Assistance Request Writer Tool, as well as the continual update of the online directory of competent national authorities under the Convention.

The secretariat will also organize a practical training clinic to present the new features of the Mutual Legal Assistance Request Writer Tool to interested experts.

#### **7. Adoption of the report, including conclusions and recommendations**

The expert meeting is to adopt a report on its fifth meeting, the draft of which will be prepared by the secretariat.

The experts are expected to adopt conclusions and recommendations for inclusion in the report on their meeting.

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**Annex****Proposed organization of work**

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<i>Date and time</i>	<i>Agenda item</i>	<i>Title or description</i>
<b>Thursday, 17 November 2016</b>		
3-6 p.m.	1	Opening of the meeting
	2	Adoption of the agenda and organization of work
	3	Taking stock of country reviews on the implementation of chapter IV of the United Nations Convention against Corruption
	4	Use of the United Nations Convention against Corruption as a legal basis and other good practices in international cooperation
<b>Friday, 18 November 2016</b>		
10 a.m.-1 p.m.	5	Civil and administrative proceedings relating to corruption
	6	Tools and services of the United Nations Office on Drugs and Crime to promote international cooperation
	7	Adoption of the report, including conclusions and recommendations

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