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Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption

Lessons learned and views on potential areas for improvement of the Implementation Review Mechanism

Note by the Secretariat

Summary

The present document contains an analysis of the views of States parties to the United Nations Convention against Corruption pertaining to the performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, as well as preliminary views and ideas for the next phase of the Mechanism. The analysis draws on the responses received from 46 States parties to a questionnaire enclosed with a note verbale of 1 February 2023 with regard to the overall effectiveness of the Mechanism; the scope, thematic sequence and schedule of the country reviews; the means of gathering and exchanging information; the outcomes of country review processes; follow-up procedures and requirements; synergies with other review mechanisms; and the timeline for the launch of the next review phase. The final section of this document includes suggestions made by States parties that the Implementation Review Group may wish to consider in its deliberations on the next phase of the Mechanism.

* [CAC/COSP/IRG/2023/1](#).



I. Introduction

1. In paragraph 14 of resolution 8/2, the Conference of the States Parties to the United Nations Convention against Corruption 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 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 resolution 3/1 for the evaluation of the terms of reference at the conclusion of each review cycle.

2. An initial collection of the views of States parties on the performance of the Implementation Review Mechanism was carried out in August 2021 and an analysis of the views received from 26 States parties was presented to the Conference at its ninth session, held in Sharm el-Sheikh, Egypt, from 13 to 17 December 2021 ([CAC/COSP/2021/4](#)).

3. Since then, the Implementation Review Group has continued to collect and analyse relevant information, including the views of States parties, pertaining to the performance of the Implementation Review Mechanism. At the Group's first resumed thirteenth session, held in Vienna on 8 and 9 September 2022, a conference room paper on the performance of the Mechanism and the measures required for the completion of its first phase, containing also initial considerations regarding the next phase, was presented.¹ During that session, 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 of the Mechanism. Several speakers stressed that lessons learned in the current review phase should be an important consideration when discussing the next phase.

4. At its second resumed thirteenth session, held in Vienna from 7 to 11 November 2022, the Implementation Review Group considered a note by the secretariat on the performance of the Mechanism and the measures required for the completion of the first phase of the Mechanism, as well as initial considerations regarding the next phase ([CAC/COSP/IRG/2022/9](#)), which contained an updated analysis of the Mechanism's performance and reflected the outcome of the Group's deliberations at its first resumed thirteenth session.

5. Building on these earlier efforts, the present note provides a more comprehensive and detailed analysis of the views of States parties on the next phase of the Implementation Review Mechanism, with a focus on the different procedural steps of the review process. In particular, it offers both quantitative and qualitative analysis and an overview of concrete ideas and suggestions for the next phase. For this analysis, the secretariat invited all States parties to the Convention to submit their views, if any, on the performance of the Mechanism, in particular on the conduct of country reviews, the outcomes of country review processes and follow-up procedures. To facilitate the gathering of information, a questionnaire was circulated inviting Governments to share their views; the questionnaire was also made available online.²

6. The analysis contained in the present note is based on the responses received from 46 States parties and provides a summary of the views received in relation to: (a) the overall effectiveness of the Mechanism; (b) the scope, thematic sequence and

¹ CAC/COSP/IRG/2022/CRP.2.

² To achieve wider circulation, the secretariat shared a generic version of the relevant note verbale and the questionnaire with the designated focal points and governmental experts who were active in country reviews at the time of drafting.

schedule of the country reviews; (c) the means of gathering and exchanging information; (d) the outcomes of country review processes; and (e) other information on the performance of the Mechanism.³ Section III of this document contains a number of suggestions made by States parties that the Implementation Review Group may wish to consider in its deliberations on the next phase of the Mechanism.

II. Analysis of the views shared by States parties to the Convention

7. The following sections contain both a quantitative and qualitative analysis of the feedback received from States parties responses to the questionnaire. Not only are the individual views and ideas shared by States parties presented: the data collected are also shown in the form of charts to allow for the identification of trends. These trends can help to inform the design of the next phase of the Mechanism by highlighting aspects that States parties considered effective and areas where States parties considered there was room for improvement in the next phase.

A. Effectiveness, strengths and weaknesses of the Implementation Review Mechanism

8. To assess States parties' overall views on how much adaptation, if any, they considered the Mechanism to require in moving to the next phase, States parties were asked to evaluate the overall effectiveness of the Mechanism as it currently functions on a scale ranging from "very effective with little need for change" to "ineffective with a need for significant change". States parties were given the opportunity to provide their views on the effectiveness of the Mechanism and to share information on the strengths and weaknesses they had identified in the Mechanism.

9. Although the vast majority of States parties assessed the Implementation Review Mechanism as being very or rather effective, a number of areas for potential improvement were identified, as outlined below.

10. In their responses, States parties underscored the crucial role that the Mechanism has played in generating momentum for the implementation of the Convention and supporting States parties in their efforts to comply with international standards on good governance. They also noted the importance of the findings from the country reviews in terms of informing work on anti-corruption strategies and legislative amendments, including supporting national institutions in advancing such amendments, and also in terms of promoting improvements to domestic institutional frameworks. In that regard, one State party indicated that the Mechanism produced well-assessed, tailored recommendations to States parties for improving their anti-corruption frameworks. In addition to noting the constructive nature of the observations, one State party expressed its appreciation for the possibility of highlighting successful cases, good practices, challenges and technical assistance needs. Several States parties highlighted the usefulness of the Mechanism as a space for reflection and self-assessment, which further supported the implementation of the recommendations, and underscored that the Mechanism had helped to improve

³ As at 22 March 2023, submissions had been received from the following 46 States parties to the Convention: Armenia, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, China, Colombia, Czechia, Ecuador, Egypt, El Salvador, Finland, France, Greece, Guinea, Hungary, Italy, Jordan, Kazakhstan, Kyrgyzstan, Malawi, Malaysia, Mexico, Mongolia, Morocco, Myanmar, Niger, Oman, Paraguay, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Singapore, Slovenia, South Africa, Thailand, Tunisia, Türkiye, United Kingdom of Great Britain and Northern Ireland and United States of America, as well as the European Union. All States parties but one filled in the questionnaire to share their views. As some States parties did not answer all the questions, all statistics presented in this note are based on the number of responses received for each specific question. Percentages displayed in charts are rounded to the nearest whole number.

coordination at the national level. In addition to the external peer review, the Mechanism thereby facilitated the domestic review of institutional and legislative frameworks and their implementation, as well as facilitating inter-agency cooperation in addressing corruption. Some States parties indicated that the Mechanism provided particularly valuable insights into the implementation of the Convention globally by facilitating a broad analysis of global challenges and opportunities, and one State party described the Mechanism as the primary mechanism of reference and the most reliable basis for carrying out a comparison with the outcomes of other review mechanisms. One State party underscored how the outcomes of the Mechanism provided important information for a variety of stakeholders, including policymakers working on anti-corruption legal and regulatory reform, providers of technical assistance and donors, as well as researchers, academics and others from civil society. The outcomes also provided an important advocacy tool for civil society actors looking to urge States parties to improve their anti-corruption policies and practices.

11. Among the main strengths of the Implementation Review Mechanism, many States parties referred to its independence and uniform application, together with its universal, technical, constructive, impartial, non-intrusive and non-adversarial nature, which generated confidence among all those involved. States parties also particularly appreciated the comprehensiveness and consistency of the country reviews. One State party noted the importance of taking into account the level of development of a State party under review, as well as the diversity of judicial, legal, political, economic and social systems. In that regard, the State party noted that the Mechanism was the greatest common denominator in promoting the implementation of anti-corruption measures across all States parties.

12. In addition, States parties highlighted the value of the country reviews for the exchange of information on existing measures and potential gaps, as well as on good practices and challenges at the international level and even for facilitating useful international cooperation among practitioners. States parties particularly appreciated the opportunity for direct dialogue during the country visits and the exchange of good practices as part of the Mechanism. Furthermore, States parties welcomed the fact that parties participated in the Mechanism both as reviewing States and as States parties under review and considered that the mutual, peer-to-peer learning and the sharing of experience are highly beneficial. The provision of technical assistance and the strengthening of international cooperation were underscored as strengths of the Mechanism, and one State party indicated that the bilateral support provided under the Mechanism had improved relations and cooperation among States parties, which had often continued even without any intervention by the United Nations Office on Drugs and Crime (UNODC). Many States parties considered the support from the secretariat throughout a country review to be one of the Mechanism's strengths.

13. One State party regarded publication of the executive summaries of country review reports as a strong point of the Implementation Review Mechanism, while other States parties expressed the opinion that the flexibility of deciding on the voluntary aspects of the Mechanism, such as whether to host a country visit or publish the country review reports, ensured that the review process and exchanges between the State party under review and the reviewing States parties were constructive and mutually beneficial. One State party found that the Mechanism's consensual nature helped to make the country review report, including the recommendations, more acceptable, while the random selection of reviewers could be a challenge and a strength.

14. Many States parties found that the main weakness of the Mechanism was the lack of a clearly defined follow-up procedure, as contemplated in paragraph 40 of the terms of reference, which refers to a subsequent review phase. Several States parties also found detrimental the non-enforceable nature of the recommendations and the lack of tools to engage unresponsive countries in their reviews. One State party indicated that there was room for improvement with regard to ensuring that recommendations were implemented and with regard to the provision of technical assistance to developing countries. Another State party expressed the view that States parties under review

seemed to take the Mechanism less seriously than they did other review mechanisms they participated in, such as those established by the Organisation for Economic Co-operation and Development and the Financial Action Task Force.

15. States parties indicated that the effort required to complete the self-assessment checklist and the challenges in adhering to the indicative timelines were other weak points of the Implementation Review Mechanism, as were the delays incurred in country reviews. The resources, time and coordination required could pose challenges, in particular for developing countries. In that regard, one State party cited the lack of an established time frame for the review process and the absence of a detailed methodology that would provide legal certainty to the evaluation. Several States parties highlighted that governmental experts required more training, in particular in view of the difficulty in acquiring information about the State party under review. In this regard, one State party highlighted the need to ensure that the same governmental experts carried out a review from start to finish to ensure the consistency and quality of the review. One State party suggested that the drawing of lots could be made more efficient and that only reviewing States from similar legal systems and from the same geographical area should be selected.

16. Some States parties noted that in some cases, the review process took a long time, which meant that by the time the report was published, the results no longer reflected the reality in the State under review, and the recommendations might be outdated; thus, an accelerated review process would be desirable.

17. One State party expressed the view that the results of country reviews, especially the good practices identified, were not sufficiently disseminated and that the understanding that parties had of the reviews varied. Another State party stressed the need for reviewing experts to be adequately qualified. One State party expressed the view that the resource-intensive nature of the process and the lack of coordination with other review mechanisms were weaknesses.

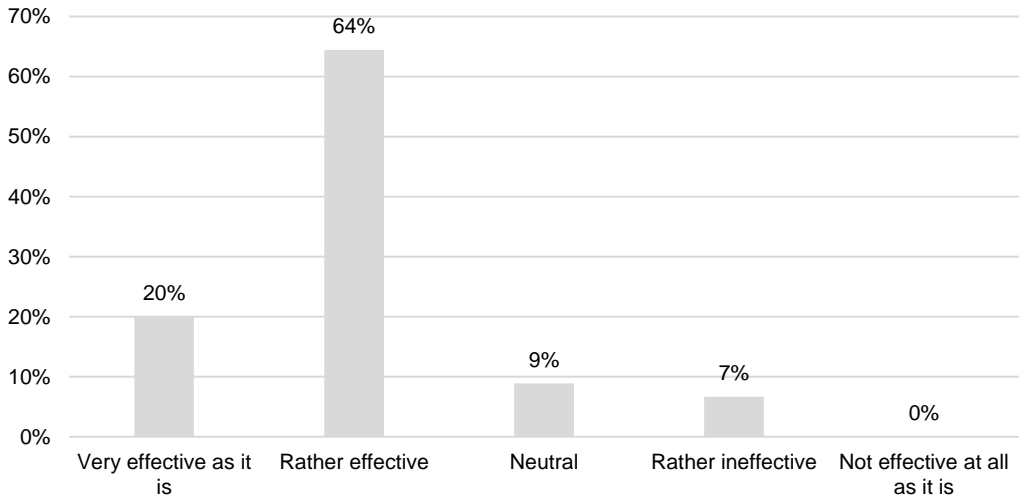
18. Some States parties commented that the Mechanism lacked transparency, given that there was only an obligation to publish the executive summary. One State party considered the double requirement of producing both an executive summary and a country review report as burdensome and likely to reduce the attention paid to the country review report.

19. One State party perceived the engagement with the reviewing experts during direct dialogue to be limited and regarded these limitations as the main weakness of the Mechanism. The consensual nature of the Mechanism was seen as a very important factor by some, while others felt that consensual nature diminished the effectiveness of the Mechanism. The Mechanism's work in all six official languages of the United Nations was regarded as a challenge by one State party. A further challenge was the Mechanism's dependence on financial contributions.

20. To gauge States parties' overall views as to how much adaptation, if any, they considered the Mechanism to require in moving to the next phase, States parties were asked to evaluate its effectiveness as a whole in the current review phase, on a scale ranging from "very effective with little need for change" to "ineffective with a need for significant change".

21. Figure I shows the views collected in response to that question. All in all, 84 per cent of the respondents found the Implementation Review Mechanism to be either very effective as it is (20 per cent of respondents) or rather effective (64 per cent) in its present form. Nine per cent of respondents had a neutral opinion of the Mechanism, while 7 per cent (three respondents) found it to be rather ineffective. No respondent found the Mechanism to be not efficient at all in its present form.

Figure I
Perceived overall effectiveness of the Mechanism (percentage of respondents)



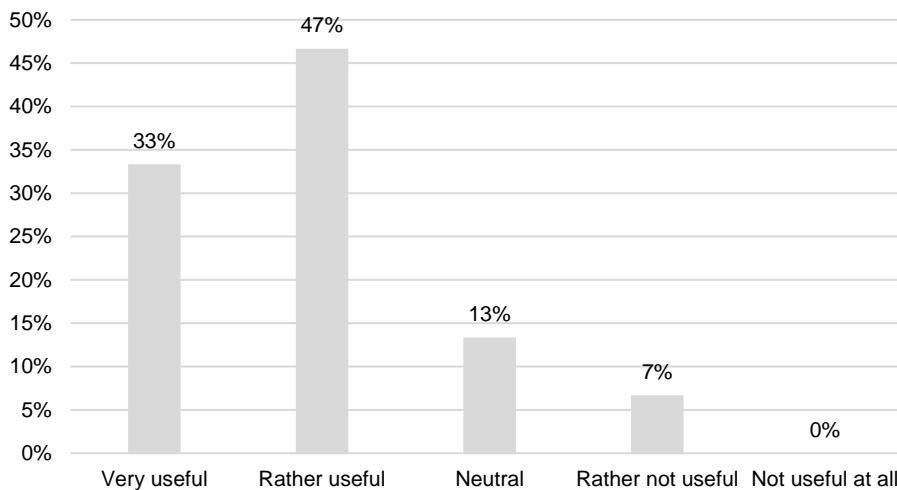
B. Scope, thematic sequence and schedule of country reviews

22. The next set of questions related to the structure, scope, themes and timelines of country reviews under the Mechanism. States parties shared their views on the division of a review phase into two cycles, with the review of the implementation of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention carried out during the first cycle, and the review of the implementation of chapters II (Preventive measures) and V (Asset recovery) during the second cycle.

1. Scope and thematic sequence of country reviews

23. With regard to the usefulness of the current structure, as shown in figure II, 33 per cent of respondents considered the Mechanism’s current structure to be very useful, 47 per cent found it to be rather useful, 13 per cent had a neutral opinion and 7 per cent found it to be rather not useful. No respondents saw the current structure as not useful at all.

Figure II
Perceived usefulness of the current structure of the Implementation Review Mechanism during the current review phase (percentage of respondents)

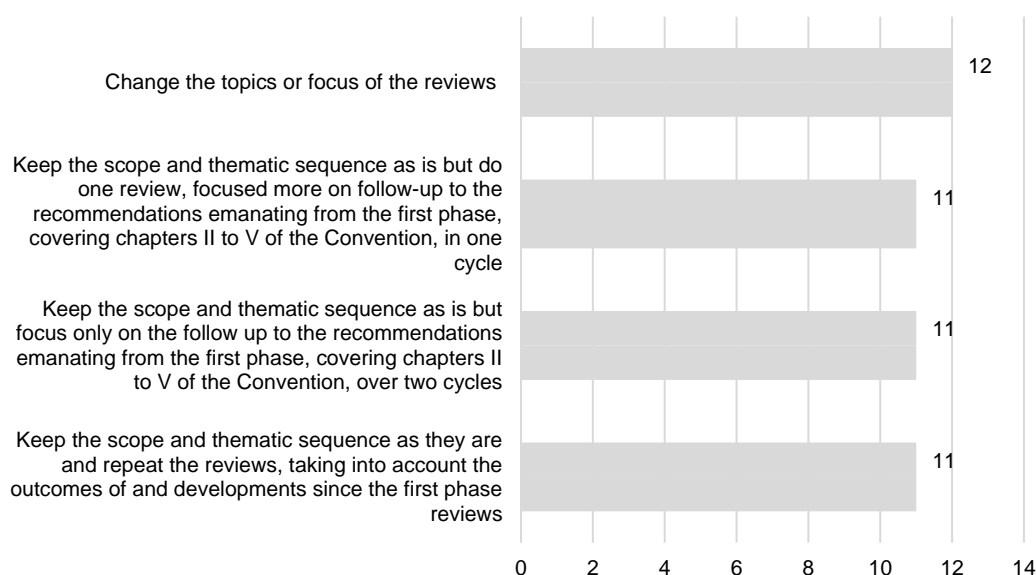


24. While most States parties found the approach of reviewing chapters III and IV during the first review cycle and chapters II and V during the second cycle to be helpful, a common challenge was identified in relation to chapter II, the implementation of which, as many States parties pointed out, required more time to review owing to the breadth and complexity of the areas covered by that chapter. Some States parties also noted that the current structure had led to a very long time elapsing between the country reviews under the first and second review cycles for some States parties.

25. More than 80 per cent of responding States parties considered the current structure to be very useful or rather useful. Nevertheless, several suggestions for the next review phase were made, as can be seen in figure III. (For this question, responding States parties could select more than one response from among the listed suggestions.) No clear trends could be identified. The suggestion to keep the scope and thematic sequence as they are and focus only on the follow-up to the recommendations emanating from the first review phase, covering chapters II to V of the Convention over two review cycles, was chosen by 11 respondents. An equal number, 11 respondents, selected the suggestion to keep the same scope and sequence in the next phase but conduct only one review – which would focus more on follow-up to the recommendations emanating from the first phase – and thus cover chapters II to V of the Convention in one cycle; and 11 respondents chose the suggestion to keep the scope and thematic sequence as they are and repeating the reviews, taking into account the outcomes of and developments since the reviews in the first phase. The option of changing the topics or focus of the reviews received 12 favourable responses. As seen in figure IV, States parties selected multiple suggestions.

Figure III

Suggestions for scope and thematic sequence of country reviews: part 1 (number of respondents selecting each suggestion)



26. Through responses to more granular questions regarding the scope and thematic sequence of review cycles, States parties indicated their preferences regarding aspects such as having a stronger focus on follow-up or on the effectiveness of implementation, setting a thematic focus for all or individual States parties under review, and reviewing chapter VI (Technical assistance and information exchange) as well. In this regard, States parties suggested a wide variety of approaches, ranging from having the next review phase focus on changes made since the first phase or having tailored follow-up to the first phase, to concentrating on the effectiveness of implementation, on the effectiveness of asset recovery and on statistics. States parties suggested, variously, that the next phase be conducted through sector-specific thematic reviews, that technical assistance should be included in the review, that different chapters of the Convention be combined for review in each phase (with a

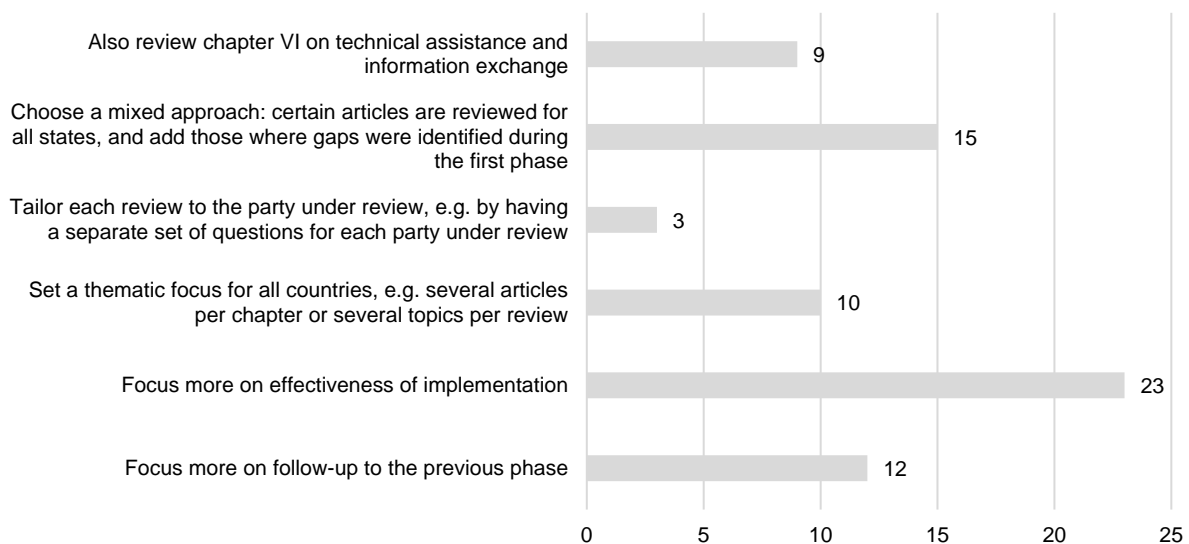
separate review of chapter II of the Convention) or that each phase should concentrate on only one chapter. One State party noted the lack of thematic coherence between chapters II and V in the second cycle. Given the length and technical nature of chapter II and that the review of that chapter was considered time-consuming and resource-intensive, one State party suggested that preventive measures be covered in a stand-alone review or even be split into several reviews. With regard to the proposed thematic approach, one State party suggested that the secretariat develop guidance on which provisions of the Convention the reviewing experts should consider as part of the review.

27. One State party proposed that the next phase focus on follow-up to the recommendations made in the first phase, with a view to assessing progress made in addressing the previously identified gaps. In addition, reviews should focus on major developments with regard to anti-corruption policies and practices, as well as their effectiveness, in order to see how well a legal framework was implemented in practice. Another State party suggested that the next phase should not be limited to follow-up to the recommendations, given that in the case of some States parties more than 10 years might have elapsed since the observations in the country review reports had been made, but that a more tailor-made approach be used instead, with a view to avoiding repetition of the past cycles. Other States parties noted that changes in the implementation of the Convention beyond aspects covered in the observations may have occurred and that limiting the next phase to mere follow-up would therefore not provide a full picture of how the Convention was being implemented. As a possible solution, one State party suggested that States parties could provide information on changes that had occurred since the first phase and in that regard provide all relevant laws. Another State party cautioned that the structure of the review should be the same for all States parties to enable the collection of good practices and the provision of technical assistance and expressed the view that mutual learning would be difficult if the structure were not the same for all States parties.

28. Over 70 responses were submitted, containing different suggestions, with multiple responses from each State party being allowed. Notably, the only two options that deviated significantly in terms of the number of responses were the proposal to focus more on the effectiveness of implementation, which was selected by more than twice the average number of respondents as for the other options, and the proposal to tailor each review specifically to the State party under review, which only three States parties supported (see figure IV below).

Figure IV

Suggestions for scope and thematic sequence of country reviews: part 2 (number of respondents)



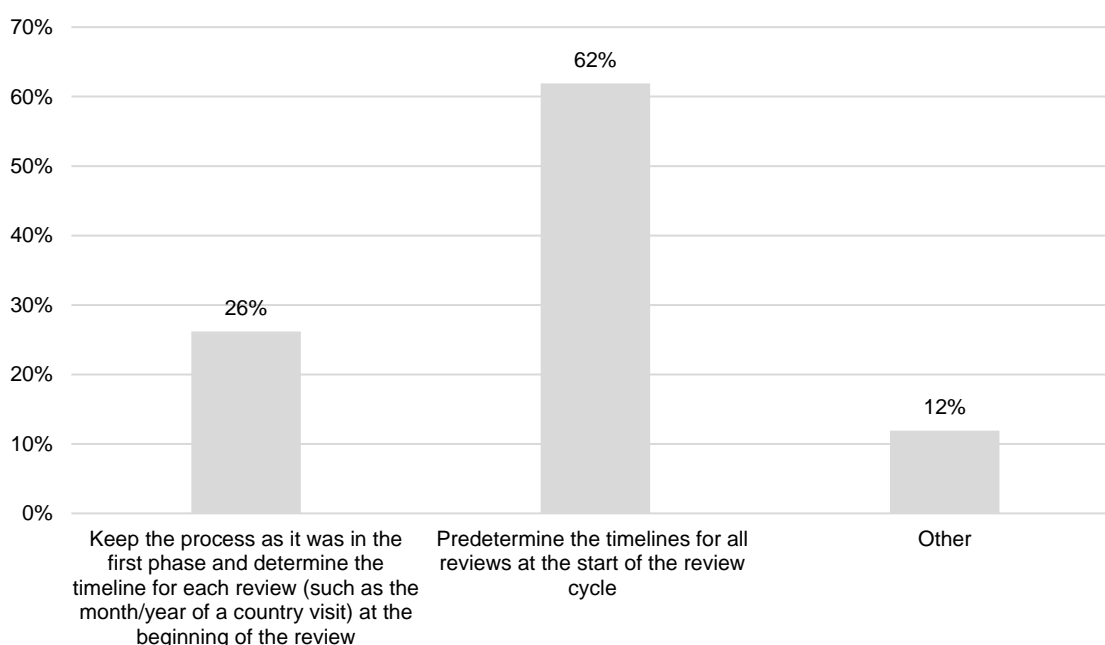
2. Schedule for country reviews

29. With regard to the schedule for country reviews, the indicative timeline of six months to finalize a review was widely regarded as being very ambitious, and many States parties considered that a one-year indicative timeline would be more reasonable (one State party suggested 8 to 10 months, while another suggested one year). Others emphasized how the consultations between the State party under review, the reviewing States parties and the secretariat were important for discussing the practicalities of each review. In that regard, some States parties indicated that the reviews should be designed to take no longer than six months. One State party, using a differentiated approach, noted that timelines were adequate with the exception of the time allocated for completing the self-assessment checklists, which required inter-agency cooperation, the processing of considerable amounts of data and the production of up-to-date statistics. The same State party also called upon States parties to improve adherence to schedules rather than creating more rigid timelines. Another State party noted that, in the interests of ensuring that country reviews were thorough, complete and effective, a review might in certain circumstances take longer than six months. In addition, some States parties suggested that, since delays were often due to the unresponsiveness of the States parties involved in the review, the secretariat should reiterate the need for timeliness on the part of all concerned.

30. As shown in figure V below, 62 per cent of the respondents were in favour of predetermining the timelines for all reviews at the start of the review cycle, while 26 per cent preferred to keep the process as it is and determine the timeline for each review at the beginning of the review, while 12 per cent of the respondents had other preferences such as establishing longer predetermined time frames for each review.

Figure V

Preferences regarding the scheduling of country reviews (percentage of respondents)



31. Regarding measures to be taken to address delays in country reviews, suggestions included reducing the scope of the review phases to make them more focused and specialized; streamlining the self-assessment checklist to make it less burdensome to complete; extending the time frames for the reviews; pre-establishing all dates related to a review and communicating them well in advance and seeking the support of permanent missions in engaging with States parties that are incurring delays; and setting deadlines for the negotiations on executive summaries. One State party suggested creating a public calendar of country reviews and direct dialogues

and posting expected timelines and status updates on reviews, on the country profile pages of the UNODC website.

32. States parties also suggested having more rigorous follow-up to ensure adherence to timelines and providing further support to States requiring translation and technical assistance, although they recognized that the capacities of the secretariat were limited and that additional staffing to support the reviews and mitigate delays could be difficult to secure. In this regard, one State party suggested increasing the technical staff assigned to the Mechanism in order to maintain the support offered by UNODC. One State party suggested, as a further measure to reduce delays, that reviews be officially suspended in the event of unjustified repeated delays, with such suspensions to be communicated to the Implementation Review Group. Other States parties suggested mentioning States significantly behind in their reviews in the sessions of the Implementation Review Group and in that regard noted that a letter from the Executive Director of UNODC or meetings organized by the secretariat with representatives of the State party under review and the reviewing States parties might be helpful in addressing delays and increasing efficiency.

C. Means of gathering and exchanging information

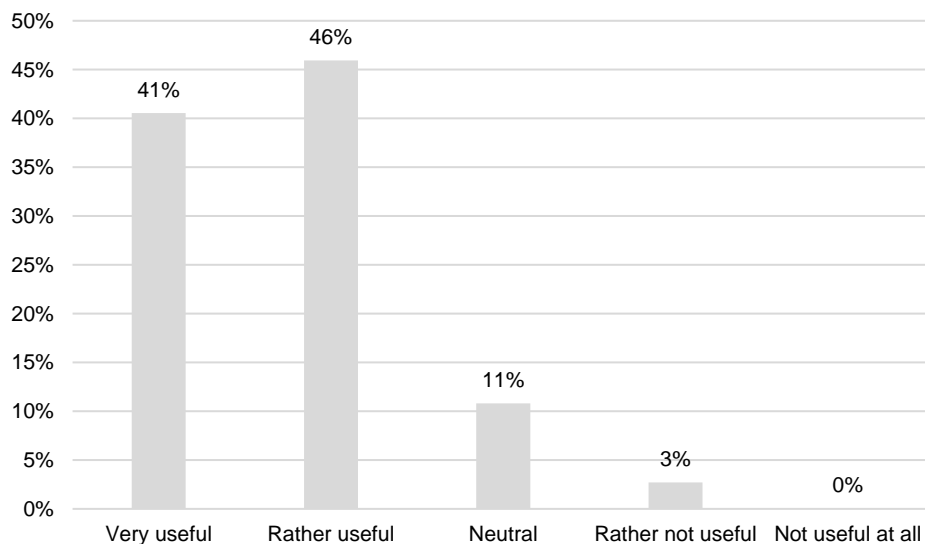
33. The next set of questions provided an opportunity for States parties to share their views on the modalities for gathering and exchanging information during the country reviews, in particular on: (a) the comprehensive self-assessment checklist, potential ways to improve its usefulness in the next phase, and the information technology solution used; and (b) the options of country visits and joint meetings. Attracting a positive response rate of over 90 per cent, direct dialogue through a country visit or joint meeting was regarded as the most useful aspect of the review. Nevertheless, States parties shared proposals for improving all methods of gathering and exchanging information.

1. Self-assessment checklist

34. As figure VI shows, 41 per cent of respondents considered the self-assessment checklist to be very useful, while 46 per cent found it to be rather useful and 11 per cent had a neutral opinion. Three per cent (one respondent) found the self-assessment checklist to be not useful at all.

Figure VI

Perceived usefulness of the self-assessment checklist (percentage of respondents)



35. In their responses, States parties indicated that the self-assessment checklist had been useful for both the States parties under review and the reviewing States parties. States parties under review deemed that the self-assessment checklist had been helpful in self-assessing the progress made towards implementation of the Convention and had supported the identification of any gaps, and for reviewing States parties it had served to provide the reviewing experts with the necessary information and background knowledge to proceed with the reviews, in particular with the country visit.

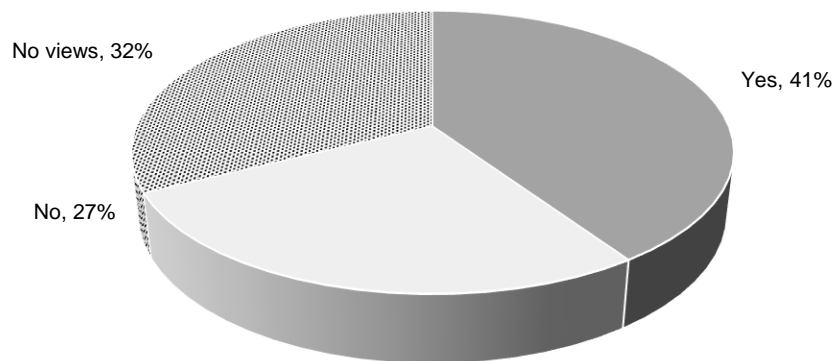
36. Some States parties expressed their view that the self-assessment checklist made the review process faster and underscored how the checklist and the examples it contained had assisted in guiding and standardizing the review process and in ensuring that pertinent information was provided for specific articles of the Convention. One State party expressed the view that the preparation of responses to the self-assessment checklist was a useful opportunity for States parties to engage with relevant stakeholders, including civil society organizations and other non-governmental organizations.

37. However, several States parties indicated that because the self-assessment checklist was long and comprehensive, it was not very practical to work with and that it could be further streamlined to avoid delays. In terms of specific suggestions, several States parties proposed that the self-assessment checklist be shortened and simplified, that follow-up activities be carried out according to chapters and that more time be provided for completing the self-assessment process. In contrast, some States parties suggested that the self-assessment checklist should be more comprehensive, that it should take federal systems of government better into account and that it should be more specific in indicating which type of information was relevant to the evaluation of implementation of a specific article. Two States parties suggested that the length of responses and supporting documentation could be limited, for example, by means of a word or page limit, so as to conserve resources and ensure the timely completion of country reviews, while another State party suggested that the self-assessment checklist would need to become more tailor-made in the future. One State party proposed modifying questions so that they were aligned with the questions of other review bodies, thus making it possible for answers to be copied and pasted. Another State party noted the importance of allowing for some flexibility in filling in the self-assessment checklist to avoid overlap between responses and to make it easier for States parties under review to provide targets and comprehensive answers citing specific examples and cases. Other States parties called for the information contained in the self-assessment checklist to be updated prior to the country visit in cases in which a significant amount of time had passed to ensure that reviewing experts had access to up-to-date information.

38. Several States parties expressed the view that responses to the self-assessment checklist should always be published on the country profile web pages.

39. As shown in figure VII, 41 per cent of respondents would like to change the information technology solution used to gather information in the next phase, whereas 27 per cent of respondents did not want to change it, and 32 per cent expressed no view on the matter.

Figure VII
Desirability of changing the information technology solution used to gather information in the next review phase (percentage of respondents)



40. Some States parties expressed the opinion that working with the comprehensive self-assessment software (“omnibus survey software”) used to gather information on the implementation of the Convention in the first phase had been time-consuming and that the system was not user-friendly. They indicated their preference for using a Word document or a similar type of document that could be completed with written text by multiple users simultaneously. Others noted the importance of data security and of ensuring that the average user would be able to operate the system.

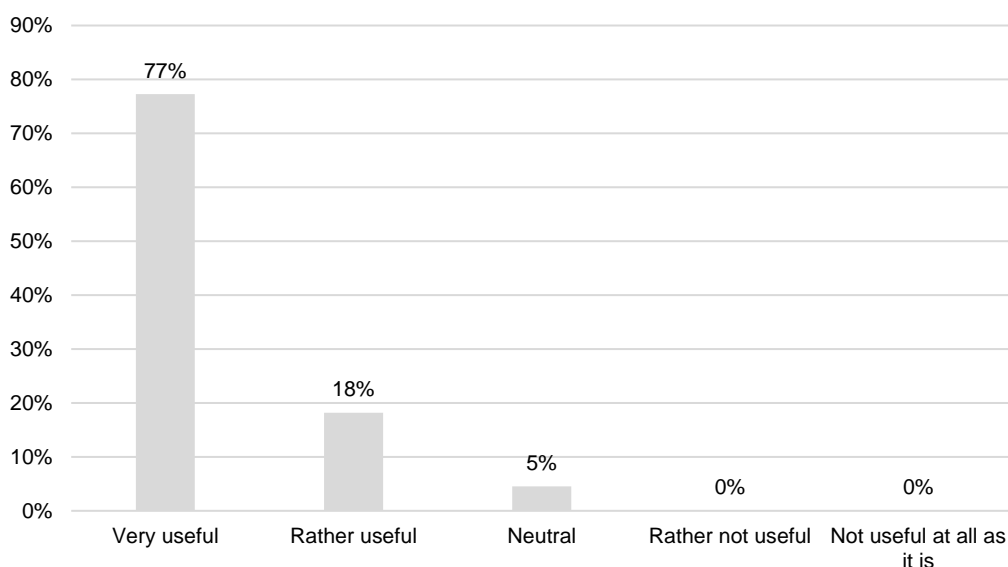
41. For the next phase, several parties suggested using an online system similar to that being used for the review of the implementation of the United Nations Convention against Transnational Organized Crime, known as “RevMod”, while others criticized that system as requiring more advanced technical skills and stated their preference for continuing to work with the existing information technology solution used for the self-assessment part of the Implementation Review Mechanism under the Convention against Corruption.

42. Several States parties called for the use of information technology tools to support and accelerate the second review phase, making it possible for users to update their inputs at any time and ensuring that any information technology solution used was user-friendly and easy to understand and operate. One State party underscored the need for any information technology solution to be accessible to reviewing experts while maintaining confidentiality.

2. Country visits and joint meetings

43. With regard to the means of direct dialogue (country visits or joint meetings), as outlined in figure VIII, 95 per cent of respondents considered such dialogue to be either very useful (77 per cent) or rather useful (18 per cent), while 5 per cent had a neutral view on measures of direct dialogue. There were no respondents that found direct dialogue to be rather not useful or not useful at all.

Figure VIII
Perceived usefulness of direct dialogue (percentage of respondents)



44. In their more detailed responses, States parties underscored that direct dialogue, especially in the form of a country visit, was a very important part of the review process in that it allowed national authorities to participate in the reviews and sensitized them to the importance of the process, facilitated the exchange of information and provided an opportunity for reviewing experts to clarify inconsistencies and contradictory information. Several States parties described the country visit as the most useful part of the Review Mechanism process, and some States parties suggested that the duration of the country visits should be extended and that even more representatives of the State party under review should be invited to participate.

45. Suggestions on how to further improve means of direct dialogue ranged from choosing more strategic topics and taking greater account of a country's legal system, political regime and governance characteristics, to practical issues such as paying greater attention to language- and translation-related issues, and increasing transparency and inclusiveness. In this regard, one State party proposed introducing the use of a public calendar of upcoming country visits and listing the members of the review team, while other suggestions included organizing virtual follow-up meetings and providing more detailed information after a country visit on issues that had not been entirely resolved during the country visit. One State party suggested that any questions raised as part of the desk reviews be shared in a separate document to allow for easier distribution among national counterparts. With regard to the participation of other stakeholders, suggestions included setting a standard agenda for interactions with non-governmental stakeholders, including an open agenda item during the country visit to consider measures taken to prevent and combat corruption more generally; providing training on the Mechanism to other stakeholders; and announcing the schedule of country visits to ensure that civil society and non-governmental stakeholders could contribute to the review process, as their engagement during country visits was considered essential by some States parties. One State party suggested making any meetings with other stakeholders the first item on the agenda during a country visit, before any exchanges with the authorities had taken place.

46. Online meetings and direct email exchanges to discuss specific aspects or queries related to the review and the possibility of participating online in virtual or hybrid country visits were also highlighted by several States parties as helpful measures that enabled more experts to participate and even allowed for additional, less formal opportunities for face-to-face and direct communication during the desk

review phase. One State party called for in-person country visits to be prioritized, as the travel restrictions related to the coronavirus disease (COVID-19) pandemic had been lifted.

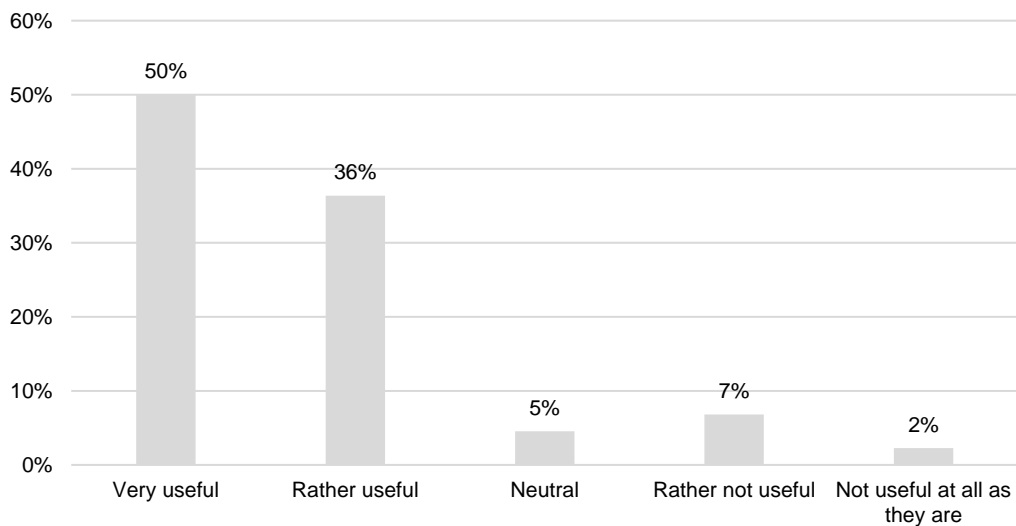
D. Outcome of the reviews: executive summary and country review report

47. States parties also shared their views on the format of the executive summary and the full country review report. In general, both were considered useful documents, but many States parties proposed either allowing for longer executive summaries or shorter country review reports and/or having only one outcome document, with a view to streamlining the review process. Views diverged on the transparency of the Mechanism, with some States parties in favour of the mandatory publication of country review reports and others opposed.

48. As seen in figure IX, half of all respondents (50 per cent) considered the executive summary and the country review report, as outcome documents of the Implementation Review Mechanism, to be very useful, 36 per cent considered them to be rather useful, 5 per cent had a neutral opinion and 7 per cent found them to be rather not useful. One respondent (2 per cent) found the outcome documents to be not useful at all in their present form.

Figure IX

Perceived usefulness of outcome documents (percentage of respondents)



49. In providing further details on the contents of the outcome documents, many States parties indicated that they found the executive summaries to be very helpful documents. One State party underscored how their standardized format allowed for mutual learning among States parties and had facilitated the provision of technical assistance.

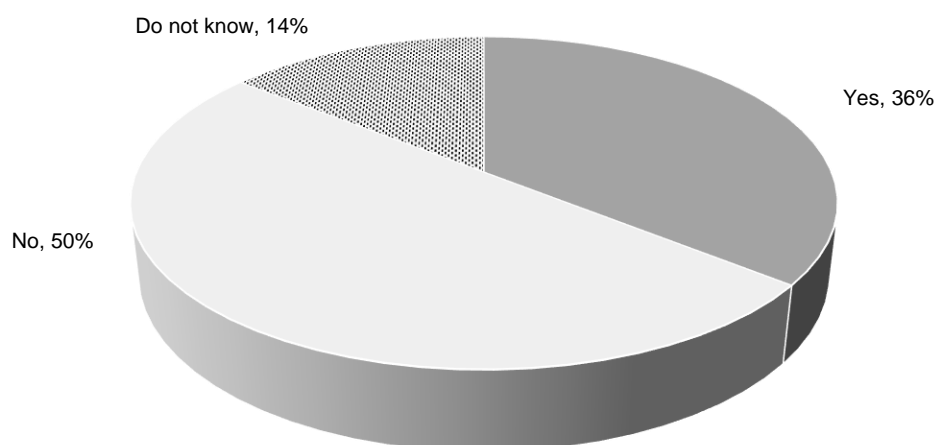
50. The country review reports were regarded by some States parties as being too long and containing too much legislative text while lacking analytical details and information on the effectiveness of implementation of the Convention. Delays in their finalization were seen as creating a danger of the reports becoming obsolete by the time of their publication. In that regard, one State party suggested that the preparation of a more detailed executive summary instead of an additional full country review report could reduce paperwork and make the Mechanism more efficient. Another State party proposed having only one outcome document, which could focus on effectiveness, implementation and progress, to replace the full country reports, which in their current format were considered too long and inaccessible, which diminished their value.

51. 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 or in terms of the opportunity that they provided to highlight successful cases, good practices, challenges and technical assistance needs.

52. As shown in figure X, half of all respondents (50 per cent) did not want to amend the format of the outcome documents for the next review phase, while 36 per cent of respondents were in favour of amending the outcome documents, and 14 per cent did not express any preference.

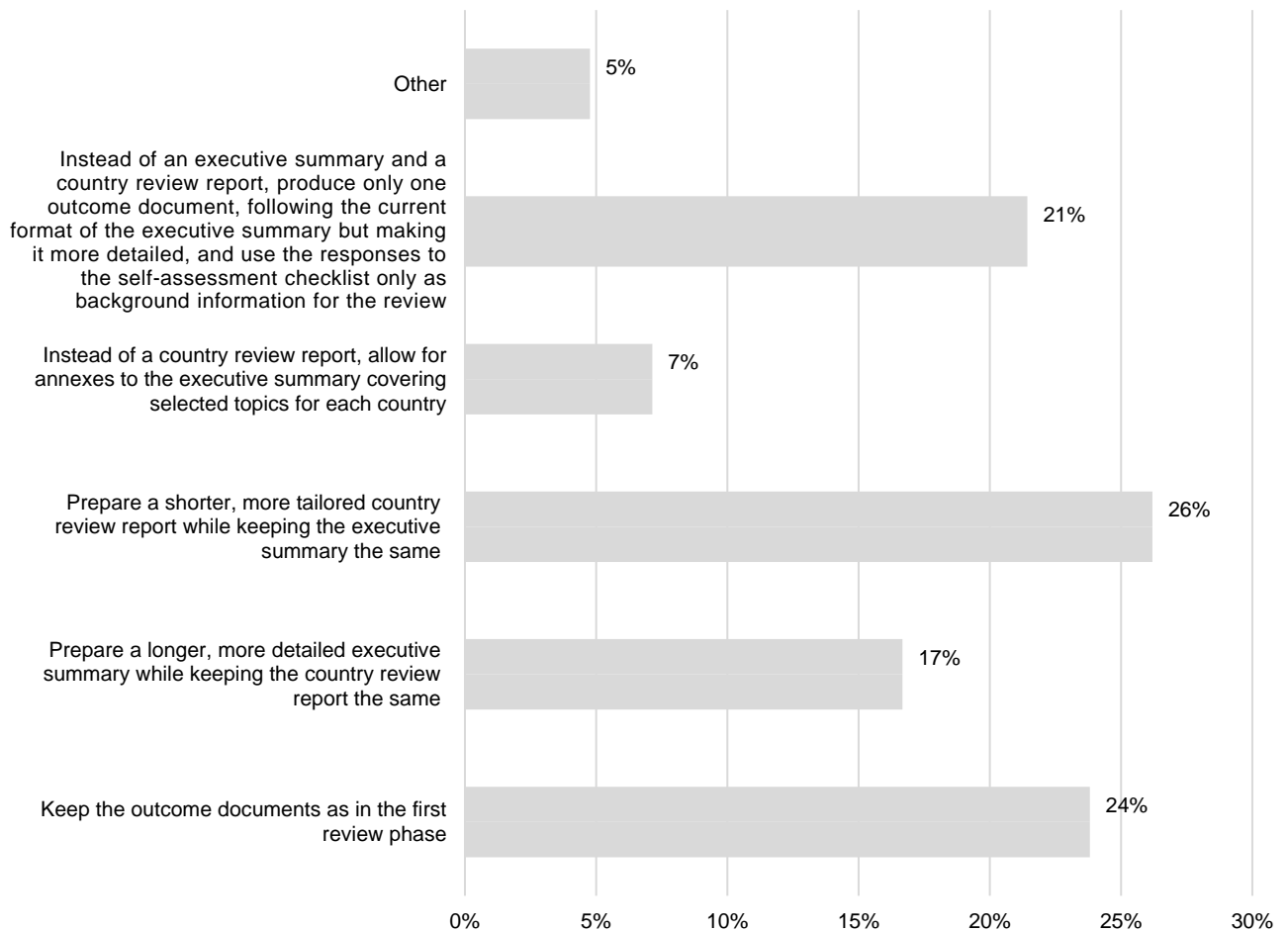
Figure X

Desirability of amending the format of the outcome documents for the next review phase (percentage of respondents)



53. In their more detailed responses, shown in figure XI, 24 per cent of respondents indicated that they would like to keep the outcome documents as they are; 26 per cent were in favour of preparing a shorter, more tailored country review report while keeping the executive summary the same; 21 per cent would prefer to have only one outcome document (instead of both an executive summary and a country review report), which would follow the format of the current executive summary but be more detailed, and to use the responses to the self-assessment checklist only as background information for the review; 17 per cent of respondents would prefer to prepare a longer, more detailed executive summary while keeping the country review report the same; and 7 per cent would prefer to allow for annexes to the executive summary covering selected topics for each country instead of a full country review report.

Figure XI
Preferences regarding changes to the format of the outcome documents for the next review phase (percentage of respondents)



54. Several States parties expressed the view that the country review report should be shorter and more tailored. On the other hand, one State party argued that only one outcome document would need to be prepared if the reviews were shorter. The same State party suggested that States parties under review should be entitled to provide factual corrections of information in the outcome document but not to object to recommendations unless those would be impossible to implement or fell outside the scope of the Convention.

55. Some States parties proposed that, in addition to the publication of the executive summaries as done in the current system, the country review reports be made publicly available, while others suggested keeping the current system whereby the country review reports remained confidential unless the State party under review decided to publish its report. One State party expressed its view that the fact that the State party under review ultimately controlled whether or not its country review report was published strengthened confidence and trust in the non-adversarial nature of the Implementation Review Mechanism, and States parties under review were encouraged to share information for the benefit of the reviewing experts. One State party suggested that a press release outlining the observations made in the course of the country review be issued at the same time as the executive summary was published.

E. Follow-up procedures and requirements

56. States parties also shared their views on how follow-up to the country reviews should be conducted. Suggestions included establishing a formal follow-up mechanism to assess whether States parties had addressed the recommendations made to them in the country reviews; organizing panel discussions in the Implementation Review Group and the Conference of the States Parties on how States parties had taken action, in line with recommendations from the reviews, to support other States parties in overcoming challenges; and arranging for oral or written presentations in the Implementation Review Group on the outcomes of a country review or on the measures taken in follow-up to the review. Two States parties proposed that States parties be required to submit compliance reports to the Implementation Review Group showing whether and how outstanding recommendations had been put into practice, potentially until the reviewing States parties determined that the recommendations had been effectively implemented. Other suggestions included allowing States parties under review to work with the secretariat and their reviewing States parties to effectively follow up on recommendations and organizing a round of voluntary follow-up activities in relation to specific recommendations so as to facilitate the provision of technical assistance. One State party suggested that discussions should also consider how the delivery of technical assistance for developing countries could be strengthened as part of a follow-up process to avoid ineffective implementation of the Convention.

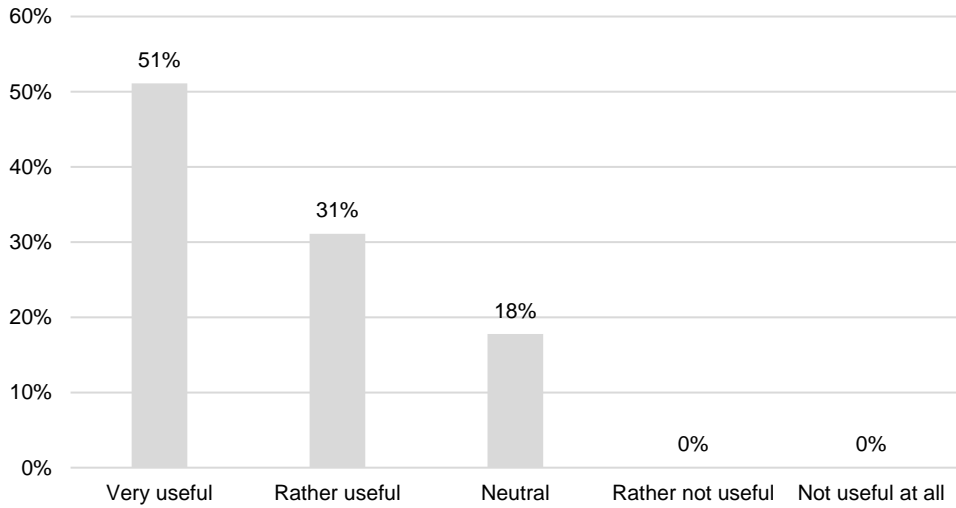
57. Another State party cautioned against any rigid reporting mechanism and suggested that the next phase should focus, instead, on implementation, since mandatory reporting on follow-up could interfere with the guiding principles and non-intrusive nature of the Implementation Review Mechanism.

58. Some States parties argued that the Implementation Review Mechanism should allow for greater feedback from and participation by civil society and other non-governmental stakeholders, while other States parties were of the opinion that no further measures were needed in that regard.

F. Synergies with other review mechanisms

59. In terms of synergies with other review mechanisms, as figure XII shows, 51 per cent of respondents considered the information produced by other mechanisms to be very useful for the Implementation Review Mechanism, 31 per cent considered it to be rather useful and 18 per cent were of a neutral opinion. There were no respondents that found such information to be rather not useful or not useful at all.

Figure XII
Perceived usefulness of information produced by other review mechanisms
 (percentage of respondents)

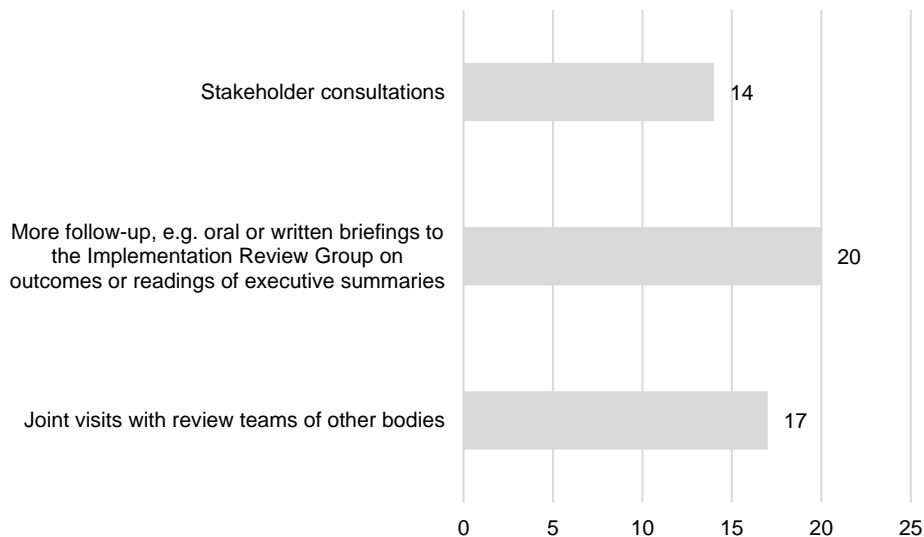


60. In their more detailed responses, many States parties indicated that they were in favour of considering reports prepared under other anti-corruption review mechanisms as part of the background documentation when reviewing implementation of the Convention against Corruption so as to enhance coherence and avoid duplication, provided that those reports were still relevant.

61. In addition, several States parties suggested that the findings of other review mechanisms could be more explicitly incorporated if so agreed by all the States parties involved. One State party further suggested that such findings could be used to demonstrate progress in implementing the Convention.

62. As described in figure XIII, when asked more in detail about their preferences for exploring synergies with other mechanisms (multiple responses were possible), more follow-up, such as oral or written briefings to the Implementation Review Group on the outcomes or readings of executive summaries, was the most selected option, selected by 20 respondents; 17 respondents selected the option of preferring more joint visits with review teams of other bodies; and 14 respondents chose the option in favour of having stakeholder consultations.

Figure XIII
Preferences for potential synergies with other mechanisms



63. Several States parties also expressed their support for UNODC continuing to cooperate with other secretariats in exchanging good practices and streamlining and simplifying processes and reporting requirements, and one State party noted the usefulness of other secretariats joining the Implementation Review Group to provide presentations and engage in dialogue. In that regard, another State party noted the difficulties involved in streamlining reporting across different instruments and mechanisms.

64. Some States parties were in favour of conducting joint country visits with other bodies, where appropriate. One State party drew attention to the challenges that arose for countries from having to gather information for different review mechanisms. Moreover, the information gathered for one mechanism might not be compatible with the format of the questionnaires used in other review mechanisms. On a similar note, one State party proposed aligning questions across the review bodies and cross-map the recommendations issued under the different mechanisms, with a view to making use of the recommendations under the Mechanism to strengthen compliance with obligations under other instruments. That State party also suggested that several review bodies could engage in discussions prior to the identification of the topics for future phases, in order to ensure that topics were complementary and to avoid overlap.

65. Some States parties highlighted the autonomy of the review process and how obligations were not necessarily the same under different instruments, adding that reviewing experts could reach different conclusions under the respective mechanisms. In that regard, one State party indicated that cross-references to the conclusions or reports of another working group or organization should be avoided, while another State party suggested that the State party under review should be given an opportunity to share its plans to address gaps identified through other mechanisms.

66. Looking beyond anti-corruption review mechanisms, one State party suggested exploring how the Implementation Review Mechanism might interact with other review mechanisms of the United Nations, such as the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.

G. Timeline for the launch of the next review phase

67. With regard to the timeline for the launch of the next phase of the Mechanism, some States parties noted that the next phase of the Mechanism should be launched once a set completion rate, such as 70 per cent of reviews, had been reached. One State party expressed support for the establishment of a group of friends of the Implementation Review Mechanism to advance the discussions on the next phase of the Mechanism. Another 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. That State party also stressed the need to carefully plan and consistently conduct transparent negotiations within the Implementation Review Group involving all the States parties. In addition, the respondent recalled paragraph 82 of the political declaration adopted at the special session of the General Assembly against corruption, held in June 2021, in which the Conference of the States Parties was invited, after the conclusion of and evaluation of the findings from the second review cycle, to organize a special session of the Conference on all aspects of the asset recovery and return process, with a view to considering all options available under the Convention, including exploring possible areas for improvement to the international asset recovery framework. The State party expressed its opinion that a new review phase could only be launched after the conduct of that event and once the findings from it had been evaluated and any ensuing agreements implemented.

III. Summary of data presented and elements to consider for the next review phase

68. This section contains a summary of the data concerning several key aspects of the country reviews, together with suggestions made by States parties for the next review phase that the Implementation Review Group may wish to consider.

1. Structure, scope and thematic sequence

69. The structure of the first review phase, namely the review of chapters III and IV in the first cycle and the review of chapters II and V in the second, was assessed as very or rather useful by 81 per cent of responding States parties. Among the various options for a new phase, most States parties preferred to maintain the current structure but placing a stronger focus on the effectiveness of implementation and on follow-up to findings from the previous phase. At the same time, States parties also noted that changes might have occurred since previous observations were made, and that any such changes should be able to be considered by reviewers. A standardized review for all States parties was the option preferred by the vast majority of States parties, as opposed to tailoring the review to the State party under review. The idea of applying a thematic focus, potentially supplemented by a review of gaps identified during the first phase, also elicited some support among States parties.

70. Key issues mentioned by States parties in this regard included the following:

- The review of chapter II posed several challenges owing to its breadth and complexity.
- The current structure meant that long time periods might have elapsed between the country reviews conducted under the first and second cycles.

71. Given the overall trend whereby the majority of responding States parties assessed the current structure as useful while expressing concern over the length of reviews and the time periods between first- and second-cycle reviews, the Implementation Review Group may wish to consider whether the structure, scope and thematic sequence for the next review phase should be modified. Combining two chapters (in particular, the possibility of breaking down chapter II and including chapter VI), having a stronger focus on the effectiveness of implementation, and evaluating the measures taken to address findings from the previous phase were among the more frequent suggestions made for streamlining future reviews that the Group may wish to consider in its deliberations.

2. Self-assessment checklist

72. The self-assessment checklist was regarded as a very or rather useful tool by 87 per cent of responding States parties. The procedure of self-assessing implementation of the Convention was considered a helpful way of enabling the State party under review to identify gaps and allowing the reviewers to gain insights into the national anti-corruption framework to be reviewed. The length and comprehensiveness of the self-assessment checklist was criticized by some States parties as causing delays in the early stages of reviews, and they suggested that the checklist be streamlined, shortened and simplified. Other States parties, though, appreciated the self-assessment checklist's comprehensiveness.

73. Key issues raised by States parties included the following suggestions:

- The checklist, in its current format, was considered too long and not practical.
- More guidance could be provided on what information was relevant under each provision.
- Submission should be possible through a secure, user-friendly information technology solution.

74. The Implementation Review Group may therefore wish to consider whether the self-assessment checklist and the information technology solution currently used to house it should be amended for the next review phase. In particular, the format of the self-assessment checklist would depend on the scope and thematic sequence of the next phase (see above).

3. Outcome documents

75. Most States parties considered the executive summary and the country review report to be useful documents. Several States parties proposed potential amendments, such as producing only one outcome document per review: a longer executive summary or having a shorter country report.

76. Key issues raised by States parties included the following:

- The country review report was long and its finalization was often delayed.
- Outcome documents needed to be relevant, accurate and sufficiently analytical.
- The publication of country review reports could remain optional or become mandatory during a new phase.

77. As for the three main options identified in relation to the outcome documents (that is, having a longer, more detailed executive summary, or a shorter, more tailored country report, or only one outcome document), no clear preference emerged among the respondents. The Implementation Review Group may therefore wish, in line with the comments received, to consider ways of ensuring that the outcome documents achieve the greatest relevance, accuracy and analytical value and can be finalized in a timely manner.

4. Follow-up procedures and requirements

78. The creation of a process for follow-up to reviews was suggested by many States parties as one key measure to further strengthen the Implementation Review Mechanism. No clear trend in this regard is visible yet. The Implementation Review Group may wish to consider the 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. In its deliberations the Group may wish to consider the suggestions made by some States parties with regard to establishing a more structured follow-up mechanism to assess whether States parties have addressed the recommendations in the country reviews; conducting briefings on the follow-up to reviews; readings of executive summaries in the Implementation Review Group; and organizing panel discussions within the Group.

5. Additional elements that the Implementation Review Group may wish to consider

Timelines

79. While underscoring the importance of accelerating the review process, many States parties noted that the current indicative timeline of six months was too ambitious. The Implementation Review Group may wish to consider whether the indicative timelines for the country reviews should be amended. The Group may wish to discuss the suggestions raised in this regard, such as pre-determining timelines in advance, ensuring greater transparency of the review timelines or taking additional measures to mitigate delays.

Country visits

80. Country visits and joint meetings were viewed as very useful or rather useful by over 90 per cent of States parties. In its deliberations, the Group may wish to consider whether the proposed enhancements suggested by some States parties should be taken into account, such as means to enhance the transparency and inclusiveness of country visits and alleviating practical difficulties such as language barriers.

Synergies

81. With a view to ensuring the relevance and efficiency of reviews, the Group may wish to explore how synergies between the various anti-corruption peer review mechanisms can be further leveraged, in particular how the findings of other review bodies could be used for country reviews under the Implementation Review Mechanism.

Next steps

82. With a view to facilitating the discussions of the Group, the secretariat will continue to collect the views of States parties on the performance of the Mechanism and on its next review phase.
