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English only

Implementation Review Group**Thirteenth session**

Vienna, 13–17 June 2022

Briefing for non-governmental organizations in accordance with resolution 4/6 of the Conference of the States Parties to the United Nations Convention against Corruption entitled “Non-governmental organizations and the Mechanism for the Review of Implementation of the United Nations Convention against Corruption”**Summary**

1. At its fourth session, the Conference of the States Parties to the United Nations Convention against Corruption adopted resolution 4/6 entitled “Non-governmental organizations and the Mechanism for the Review of Implementation of the United Nations Convention against Corruption”. In that resolution, the Conference decided that briefings for non-governmental organizations would be convened on the margins of the sessions of the Implementation Review Group (hereinafter: “the Group”) on the outcomes of the review process, including technical assistance needs identified. The Conference also decided that those briefings would be conducted by the secretariat in cooperation with a member of the bureau and would be based on the reports of the Group, thematic implementation reports and regional supplementary addenda. The Conference requested States parties and signatories to use the briefings and to draw on the discussions and proposals of its fourth session to continue constructive dialogue on the contribution of non-governmental organizations to the Mechanism for the Review of Implementation of the Convention (hereinafter: “the Mechanism”).

2. Moreover, in the same resolution, the Conference encouraged non-governmental organizations to report to it and/or the Group, as appropriate, individually or collectively, on their activities and contributions to the implementation of the recommendations and conclusions of the Group approved by the Conference, including those related to meeting technical assistance needs and advancing capacity to effectively implement the Convention. The briefings would serve to further promote constructive dialogue with non-governmental organizations dealing with anti-corruption issues.

3. The first briefing for non-governmental organizations, held in accordance with Conference resolution 4/6, took place in the margins of the third session of the Group on 20 June 2012, and subsequent briefings were held annually on 30 May 2013, 5 June 2014, 4 June 2015, 23 June 2016, 22 June 2017, 5 September 2018,



3 September 2019, 1 September 2020, and 7 September 2021 in the margins of the fourth to the twelfth sessions of the Group.

4. The eleventh briefing for non-governmental organizations was held in the margins of the thirteenth session of the Group on 15 June 2022, and was chaired by H.E. Aftab Ahmad Khokher (Pakistan), Vice-President of the Conference of the States Parties to the United Nations Convention against Corruption at its ninth session. The Chair delivered introductory remarks, welcoming the decision taken by the Conference to involve non-governmental organizations in the work of the Mechanism.

5. At the start of the briefing, the secretariat recalled Conference resolution 4/6 and reiterated the terms of the briefing for non-governmental organizations. In order to allow for a more interactive discussion, the participants were invited to ask questions after each of the three presentations by the secretariat, which covered (i) the performance of the Mechanism (CAC/COSP/IRG/2022/2), (ii) the thematic report by the secretariat on the implementation of chapter II (Preventive measures) of the Convention (CAC/COSP/IRG/2022/3) and a report on the implementation at the regional level of chapter II (CAC/COSP/IRG/2022/4), as well as (iii) an update on technical assistance needs emerging from the country reviews and on technical assistance provided by UNODC in support of the implementation of the Convention.

6. In the ensuing discussion, some speakers inquired whether discussions on the second phase of the Mechanism had already started. In this regard, one speaker emphasized the importance of ensuring that the Mechanism would be more transparent, inclusive, and effective in the future. Another speaker asked whether commitments included 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 held from 2 to 4 June 2021, would be taken into account in the development of the next phase of the Mechanism.

7. In response, a representative of the secretariat noted that country reviews under the Mechanism continued to be significantly delayed and that the situation was compounded by the Covid-19 pandemic. The representative noted that the secretariat would conduct further analyses in this regard in preparation for future sessions of the Group. The representative further noted that the first resumed thirteenth session of the Group, which was scheduled to take place in September 2022, was expected to discuss primarily the performance of the Mechanism. On the question whether commitments emanating from the special session of the General Assembly would be taken into account, the representative noted that the topic was included in the agendas of all subsidiary bodies of the Conference, and that an intersessional meeting of the Conference dedicated to the follow-up to the political declaration would be held in September 2022. He also noted that the commitments emanating from the special session of the General Assembly would not be specifically addressed in the thematic reports, because those reports were based on clearly defined mandates and focused on the outcomes of country reviews. He noted that other reports prepared for the subsidiary bodies or the Conference could include such information should States parties provide relevant information on a voluntary basis.

8. Speakers emphasized that it was important to ensure synergies between the Mechanism established under the Convention and the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.

9. One speaker observed that the presentation on the performance of the Mechanism showed that a high percentage of country visits under the Mechanism took place with the participation of other stakeholders and asked whether disaggregated data was available on the type of stakeholders. Another speaker indicated that the thematic report seemed to suggest that conditions for civil society were improving, which appeared to be at odds with reports from civil society and other organizations.

10. A speaker inquired what actions could be taken with respect to States parties that did not implement their commitments under the Mechanism, or that did not submit documents or organize country visits in the framework of the review process. The representative of the secretariat explained that, while certain elements of the review process were mandatory, others were optional and that, although States parties were expected to engage in some means of direct dialogue as part of the review, the organization of country visits was not mandatory and sometimes, for example in cases of compelling security situations, not advisable. He also noted that a large majority of States hosted country visits, which greatly benefited the reviews. Several speakers commented on the issue of technical assistance delivery. One speaker noted that the full country report for the second cycle review of her country had been published, and that her organization had prepared a shadow report. She encouraged other non-governmental organizations to follow this example, as it had proven to be a useful way of cooperating with the Government concerned and had provided insights on the importance of the Convention and its further implementation.

11. One speaker asked how the Global Operational Network of Anti-Corruption Law Enforcement Authorities (Globe Network) ensured that its member authorities fulfilled their fundamental human rights obligations. The representative of the secretariat explained that an important element of international cooperation was to put in place guarantees and safeguards in the areas of human rights and the rule of law and that UNODC had an obligation to incorporate human rights considerations in its work. In the context of the Globe Network, this was for example done by including the topic in trainings for member authorities.

12. Several speakers emphasized the importance of civil society participation in meetings of the Conference and its subsidiary bodies, and expressed concern regarding the objections to the participation of some non-governmental organizations in the ninth session of the Conference. Some speakers also suggested that States parties should consider nominating representatives of non-governmental organizations as panellists in meetings of the subsidiary bodies of the Conference. The representative of the host country for the tenth session of the Conference reiterated that the important role of civil society would be a key theme at the tenth session of the Conference.

13. Some speakers encouraged States parties to sign the Transparency Pledge, which embodied a voluntary commitment to meet minimum standards of transparency and civil society participation in the context of the Mechanism. One speaker highlighted the creation of the UNCAC Review Tracker and the launch of campaigns on access to information in connection with the Mechanism at the national level.

14. In concluding, the Chair welcomed all statements made by participants and noted with appreciation that the briefing provided another important opportunity to strengthen collaboration and dialogue between civil society and the States parties to the Convention.
