



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

Distr.: General  
10 December 2012

Original: English

## Report of the Implementation Review Group on its resumed third session, held in Vienna from 14 to 16 November 2012

### I. Introduction

1. At the first part of its third session, held in Vienna from 18 to 22 June 2012, the Implementation Review Group decided to hold a resumed third session of three days' duration before the end of the year to continue its deliberations.

### II. Organization of the resumed session

#### A. Opening of the resumed session

2. The Implementation Review Group held its resumed third session in Vienna from 14 to 16 November 2012.

3. The 1st to 3rd meetings and the 5th meeting of the resumed session were chaired by Rachmat Budiman (Indonesia), who made an introductory statement, and the 4th meeting was chaired by Simona Marin (Romania).

4. The Secretary welcomed four new States parties to the United Nations Convention against Corruption: Nauru, Comoros, Swaziland and Côte d'Ivoire. Thus, there were currently 164 States parties to the Convention.

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

5. The Chair invited the secretariat to provide clarification on the agenda and organization of work contained in document CAC/COSP/IRG/2012/1/Add.1. The Secretary explained that there were additional annotations to the provisional agenda for the resumed session, but that those additional annotations did not contain a reiteration of item 5, on other matters, and item 6, on the provisional agenda for the fourth session of the Group, as contained in document CAC/COSP/IRG/2012/1. With regard to the organization of work, those items would be discussed after agenda item 4, on financial and budgetary matters, and before the adoption of the



report. He also proposed that the Group consider the possibility of reopening item 2 in case a repetition of the drawing of lots was required on the last day of the session. With regard to agenda item 4, two States requested further information on the financial and budgetary planning for the biennium 2014-2015.

### **C. Attendance**

6. The following States parties to the Convention were represented at the meeting of the Implementation Review Group: Afghanistan, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Guatemala, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mexico, Montenegro, Morocco, Mozambique, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

7. The European Union, a regional economic integration organization that is a party to the Convention, was represented at the meeting.

8. In accordance with rule 1 of resolution 4/5, entitled "Participation of signatories, non-signatories, entities and intergovernmental organizations in the work of the Implementation Review Group", adopted by the Conference of the States Parties to the United Nations Convention against Corruption at its fourth session, the Conference decided that States signatories should be entitled to participate in the Implementation Review Group.

9. The following States signatories to the Convention were represented by observers: Czech Republic, Germany, Japan and Syrian Arab Republic.

10. In accordance with rule 3 of resolution 4/5, the Conference decided that non-signatory States would be invited to attend the deliberations of the Implementation Review Group provided that such a State had notified the Group, through the secretariat, of its intention or decision to ratify, accept, approve or accede to the Convention in accordance with its article 67, paragraphs 3 and 4.

11. The following observer State was represented: Oman.

12. Palestine, an entity maintaining a permanent observer mission to the United Nations, was represented.

13. Also in accordance with rule 2 of resolution 4/5, the Conference decided that intergovernmental organizations, Secretariat units, United Nations bodies, funds and programmes, institutes of the United Nations crime prevention and criminal justice programme network, specialized agencies and other organizations of the United Nations system could be invited to participate in the sessions of the Implementation Review Group.

14. The following intergovernmental organizations were represented by observers: Council of Europe, International Anti-Corruption Academy and Organization for Security and Cooperation in Europe.

15. The Sovereign Military Order of Malta, an entity maintaining a permanent observer office at Headquarters, was represented.

### **III. Review of implementation of the United Nations Convention against Corruption**

#### **A. Drawing of lots**

16. The Chair recalled that pursuant to paragraphs 14 and 19 of the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, lots were to be drawn to determine which States parties would participate in the reviews. The number of States under review in each regional group was also to be proportionate to the size of the respective group. States under review could defer their participation until the following year of the cycle with reasonable justification. The State party under review could request a maximum of two times that the drawing of lots be repeated. In accordance with paragraph 20, a State party under review could defer serving as a reviewer in the same year. In accordance with paragraph 19, one of the two reviewing States parties was to be from the same geographical region as the State party under review.

17. The secretariat provided an update on the country pairings that were the outcome of the drawing of lots at the first part of the Group's third session, in June 2012. At that part of the session, three States parties under review (Cambodia, Egypt and Yemen) had deferred their participation to the following year of the review cycle. Subsequent to the meeting, Guinea-Bissau and Mali notified the secretariat of their deferral to the following year. Two States under review remained unresponsive to requests for a decision to nominate a focal point and proceed with their review in the current year or to defer. At the time of the meeting, 154 States parties had submitted their list of governmental experts. The four new States parties had not yet submitted their lists and five States were unresponsive. The secretariat had received communications from Cyprus, Ghana, Mauritania, Slovenia, Tunisia and the United Republic of Tanzania to the effect that they wished to have a redraw on the basis of unresponsiveness of one of their reviewing States parties.

18. In order to comply with the requirement that by the end of a given cycle all States parties must have performed a minimum of one and a maximum of three reviews, the Group drew lots from among those States that had not yet performed a review. Following past practice, the redraws were provisional, with another two weeks given for the unresponsive States to comply with their

obligations. If those States continued to be unresponsive, the provisional reviewing State was to take over. Nauru was drawn as the provisional regional reviewer for Cyprus; Swaziland was drawn as the provisional other reviewer for Ghana; the Marshall Islands was drawn as the provisional other reviewer for Mauritania; Djibouti was drawn as the provisional other reviewer for Slovenia; Togo was drawn as the provisional other reviewer for Tunisia; and Sierra Leone was drawn as the provisional regional reviewer for the United Republic of Tanzania.

## **B. Review process**

19. The Secretariat provided an update to document CAC/COSP/IRG/2012/4, entitled “Progress report on the implementation of the mandates of the Implementation Review Group”, and to conference room paper CAC/COSP/IRG/2012/CRP.9. Eight complete desk reviews from the second year of the cycle were pending, owing mainly to delays in the submission of the responses to the self-assessment checklist, but also to delays in the translation of documents. Of the 27 States under review in the first year, 24 had received country visits and two had held joint meetings in Vienna. Of the 41 States under review in the second year, 25 had received country visits and 1 had held a joint meeting in Vienna to date. Nineteen executive summaries were available to the Group in all languages for the reviews of the first year and nine for the reviews of the second year. Several more were available as conference room papers in the languages of the review. For the third year, five States parties had deferred their reviews to the following year and two were unresponsive at the time of the meeting. For the remaining 33 States under review in the third year, all had nominated their focal points and 29 of those had availed themselves of training opportunities offered by the secretariat. In most reviews, delays were experienced in the organization of the initial telephone or videoconference to be held in accordance with paragraph 16 of the guidelines. Out of the 33 reviews for which the initial procedural steps had been initiated in the third year, five States under review (from the Group of African States, the Group of Asian and Pacific States and the Group of Latin American and Caribbean States) had submitted complete responses to the comprehensive self-assessment checklist.

20. The secretariat had continued to assist States parties in the review process, including through training workshops held in several official languages for focal points and governmental experts participating in the third year of the current review cycle. In order to facilitate the drafting of the country review reports, the secretariat undertook, with the Information Technology Service of the United Nations Office on Drugs and Crime (UNODC), to develop software enabling the transfer of the responses contained in the comprehensive self-assessment checklist to the blueprint for country review reports. The secretariat also continued to refine the layout of the new country profile pages for States parties to the Convention.

21. Speakers reported on their countries’ experiences with the review process, noting the positive and constructive spirit they had encountered both as States parties under review and reviewing States parties. The review exercise had enabled States to enhance internal coordination and the involvement of stakeholders. It was noted that States found it useful to serve as reviewers and gain experience in the review process prior to being a State party under review. Speakers expressed concern on the issue of unresponsive States, as such unresponsiveness would lead to

a failure by those States to comply with obligations under the terms of reference. It was suggested that past successful practices be explored, such as letters from the President of the Conference to the permanent representatives of the States concerned and bilateral efforts undertaken by other States.

22. Speakers noted the delays encountered in the review process in most cases, which were due in part to the reviews being conducted in multiple languages and the need for translation. While highlighting the need to observe the timelines in order to be able to conclude the first review cycle by 2015, speakers also emphasized the need for flexibility with respect to the timelines in order to allow sufficient time to ensure a comprehensive and useful review, bearing in mind that the ultimate goal of the Mechanism was to assist countries in effectively implementing the Convention. It was mentioned that the Implementation Review Group and the Mechanism would need to create an opportunity for States undergoing reform processes to be able to provide updates on new legislation and measures as the review proceeded.

23. Early preparation of responses to the comprehensive self-assessment checklist was encouraged, and the secretariat had contacted States whose reviews were upcoming in order to provide assistance where appropriate. In an effort to streamline the review process, the number of questions contained in the omnibus software had been reduced by half from the first year. Some speakers noted that delays had occurred in the completion of responses owing to conflicting priorities and personnel and institutional issues. Speakers noted that the responses needed to have a sufficient level of detail and quality in order to produce material for discussion and dialogue. Several speakers highlighted that the self-assessment process had taken longer owing to extensive consultations at the national level and the inclusion of stakeholders in the drafting process. Some speakers reported on good practices such as the establishment of steering committees and validation workshops in order to facilitate the provision of comprehensive and high-quality responses. Some technical difficulties with the installation of the omnibus software in secure networks continued to be reported.

24. The secretariat had also assisted requesting States in completing their responses, in partnership with other organizations, such as the United Nations Development Programme (UNDP), where appropriate. Training on the review methodology was also offered to focal points and governmental experts, and the secretariat was constantly seeking ways to improve the content and delivery of training exercises. The role of other regional and sectoral bodies and mechanisms, such as the Organization for Economic Cooperation and Development, the Group of States against Corruption and the African Union, was raised, and the secretariat noted the ongoing cooperation with such bodies, including through the participation of UNODC as an observer in meetings of those bodies. Close cooperation with UNDP had been undertaken through a memorandum of understanding covering anti-corruption issues.

25. The importance of open channels of communication between the State party under review and the reviewing States parties was highlighted, as well as the secretariat's role in facilitating contacts, supporting the dialogue process and supporting the country reviews, including with regard to linguistic issues. States parties were urged to swiftly nominate their national focal points and contact persons among the reviewing experts after the official start of the review, to allow for fluid communication from the beginning. Several countries shared their

experience regarding the means of dialogue in their country reviews, agreeing that country visits were an invaluable means of direct dialogue. Several speakers shared experiences in the organization of the country visits their countries had received, including the involvement of parliamentarians, the private sector, civil society and academia.

26. Several speakers reported that the country report had been beneficial for their domestic reform efforts and shared details on legislative, institutional and capacity-building activities that were undertaken following the recommendations of the review report. It was noted that a significant amount of information on the implementation of the Convention was available to the Group and the wider public in the executive summaries of country reports published on the website of UNODC. It was also confirmed that the executive summary template adopted by the Group at the first part of its third session, held in June 2012, was a useful tool for the development of comparable and consistent executive summaries, as well as for allowing the reflection of substantive differences in countries' implementation of the Convention. States parties were encouraged to publish their country reports. Some speakers called for greater transparency in the review process, including through the publication of self-assessment reports and country reports. In this context, one speaker mentioned the recently adopted Group of Twenty Anti-Corruption Action Plan for 2013 and 2014, which called for States to make full use of the different features of the Review Mechanism and to increase transparency in the reviews.

27. Some speakers considered that a discussion should be initiated on the procedures and requirements for the follow-up to the conclusions and observations emerging from the review process. Other speakers held a different view on the matter. It was noted that the Group could have a discussion on policy recommendations to the Conference at its fourth session.

### **C. Thematic implementation reports**

28. The secretariat summarized the main elements of the thematic implementation reports (CAC/COSP/IRG/2012/7 and Add.1 and CAC/COSP/IRG/2012/8), which contained information on the implementation of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention by States parties under review in the first and second years of the first cycle of the Review Mechanism. The reports were based on information included in the review reports on 24 States parties that had been completed, or were close to completion, as at 22 August 2012. The reports contained implementation examples, information on successes, good practices, challenges and observations, and a thematic overview of the most salient technical assistance needs, where possible with a regional breakdown.

29. Speakers appreciated the quality of the thematic reports and their increasing usefulness to the Group's analytical work, in particular concerning the coverage of substantive issues and the analysis of technical assistance needs. Speakers emphasized the usefulness of the examples on implementation and good practices as a means to enhance the implementation of the Convention. The thematic reports provided valuable information on good practices and challenges in implementation

and could also assist the Group in identifying specific areas that deserved more attention.

30. Some speakers made suggestions on how to further improve the quality of the reports, recognizing that the content would evolve as more data were accumulated. Speakers noted that future reports could more clearly differentiate between mandatory and non-mandatory provisions, and that a concise summary of key challenges or implementation gaps could be useful. This approach should, however, be in line with the principles of the Mechanism and the mandate given to the secretariat in compiling thematic reports. Some speakers welcomed the inclusion of additional details, statistics on implementation and court cases. It was noted that such data, although valuable, were often not available or not included in the country review reports. States could consider referring to the executive summaries, which were available to the Group and the Conference, for further details. It was explained that the implementation examples in the thematic reports identified certain practices that appeared to be innovative and highlighted good practices and nuances in implementation, bearing in mind the need for balanced geographic distribution. It was recognized that a number of additional examples had been included in the reports at the request of the Group and that limitations on the size of official United Nations documents also needed to be taken into account.

31. The Group invited a discussion on particular substantive provisions of the Convention that were addressed in the reports, including in areas where the requirements of the Convention, both mandatory and non-mandatory, were deemed not to have been adequately fulfilled. These included illicit enrichment, misappropriation of public funds, bribery of foreign public officials and officials of public international organizations, bribery in the private sector, the liability of legal persons and their principals, and privileges and immunities. Several delegates spoke on the topic of illicit enrichment and noted the inadequacies of existing legislation as challenges in implementation, particularly constitutional impediments to a reversal of the burden of proof. Systems of asset and income declarations were often deemed insufficient as an alternative to the creation of a provision on illicit enrichment, specifically where key officials, such as parliamentarians and the judiciary, were not covered by such declarations and no effective follow-up mechanism was in place. Some speakers shared their experiences and highlighted key aspects, such as a distinction between the evidentiary and the legal burden of proof to be established in illicit enrichment cases. A summary of good practices on illicit enrichment was welcomed, and the secretariat alerted the Group to the recent publication of the joint World Bank/UNODC Stolen Asset Recovery Initiative entitled *On the Take: Criminalizing Illicit Enrichment to Fight Corruption*, which could inform the Group's discussion on the matter. Reference was also made to other technical assistance tools more generally related to international cooperation, such as the guide on requesting mutual legal assistance in criminal matters from the Group of 20 countries, which was available on the website of the UNODC Tools and Resources for Anti-Corruption Knowledge (TRACK) portal ([www.track.unodc.org](http://www.track.unodc.org)).

32. A number of speakers shared their countries' experiences in implementing the Convention and highlighted nuances and challenges in implementation, as well as innovative steps that had been taken. Several speakers described legal and institutional developments and national reforms, such as efforts to harmonize legislation. Examples included the adoption of new laws and agreements, the

creation of specialized bodies, and the broadening of investigative powers of law enforcement officers. Several speakers also described how implementation challenges were being addressed at the national level in response to the outcomes of the reviews. One speaker described the broad national dialogue that was to take place to address the gaps identified during the review process and to establish an action plan for the next five years. Those developments were welcomed as a means for the Group to consider follow-up actions to be taken in response to the review findings and to further the substantive exchange of experiences, which was considered overall to be positive.

33. With regard to extradition, mutual legal assistance and law enforcement cooperation, various speakers welcomed a discussion on challenges outlined in the thematic report or based on the experience of their own countries. The absence of bilateral treaties was deemed a challenge for mutual legal assistance, and the importance of using the Convention as a legal basis was stressed. The establishment of informal channels of communication between requesting and requested States was highlighted as key for international cooperation, including direct contacts between central authorities, law enforcement agencies and financial intelligence units. One speaker was of the view that such informal contacts needed to conform to national legislation. The dialogue between reviewing experts and focal points in the framework of the Review Mechanism was considered to facilitate such informal contacts. Speakers highlighted that the Convention provided the relevant legal framework for mutual legal assistance and that certain tools had been developed to assist in the drafting of mutual legal assistance requests. Several speakers noted the outcome of the first open-ended intergovernmental expert meetings to enhance international cooperation (Vienna, 22-23 October 2012) and the ongoing debate on how to overcome barriers in the framework of international cooperation.

#### **IV. Technical assistance**

34. The Chair recalled the note prepared by the Secretariat entitled “Technical assistance in support of the implementation of the United Nations Convention against Corruption: note by the Secretariat” (CAC/COSP/IRG/2012/3). The thematic reports referred to under agenda item 2 also identified technical assistance needs that had emerged from the reviews, and conference room paper CAC/COSP/IRG/2012/CRP.9 contained some information on technical assistance activities carried out in support of the review process.

35. The secretariat recalled resolution 3/1, in which the Conference of the States Parties had tasked the Group with continuing the work previously undertaken by the Open-ended Intergovernmental Working Group on Technical Assistance and highlighted that the Review Mechanism was a tool to help States parties to identify and substantiate specific technical assistance needs and priorities and to promote and facilitate the provision of technical assistance.

36. The secretariat further noted that types of technical assistance requests mirrored those included in the self-assessment checklist. Emerging priority areas from the reviews include articles 20, 23, 30, 32 and 37 in chapter III and articles 44 and 46 in chapter IV. In some cases, further needs were identified that went beyond the content of the self-assessment checklist. It was highlighted that UNODC worked

in partnership with a number of United Nations agencies, departments and institutions, such as UNDP, Department of Peacekeeping Operations and the World Bank, and other international organizations.

37. Several speakers emphasized the importance of technical assistance in implementing the Convention and gave examples of successful technical assistance provided by bilateral donors, multilateral organizations and UNODC. Some speakers proposed that States parties should allocate appropriate funds for the provision of technical assistance to least developed countries in the years to come. It was also stressed that the implementation of the Convention required long-term commitment from States parties and donors.

38. Reference was made to the importance of integrating the three levels of technical assistance (national, regional and global). Speakers highlighted that a thorough analysis of technical assistance needs should be carried out in the framework of the country reviews. The planning and delivery of technical assistance should address a broad range of institutions and include sector-specific approaches. It was noted that the Implementation Review Group was an appropriate forum to address technical assistance at the global level.

39. Some speakers expressed the preference to have UNODC play a role in coordinating technical assistance for action against corruption at the global level. Other speakers referred to the added value of UNODC at the regional level in facilitating dialogue between States and technical assistance providers. Furthermore, some speakers noted the need for a regional focus on cooperation topics and encouraged cooperation with other open-ended regional mechanisms.

40. One speaker highlighted that UNODC would be in a good position to support emerging countries that were not prioritized by some donors but still faced challenges in the implementation of the Convention. The deployment of UNODC regional anti-corruption advisers was seen as a positive development for the provision of technical assistance. One speaker encouraged the use of UNODC practitioner-oriented manuals on international cooperation and asset recovery in technical assistance efforts.

41. Some speakers referred to specific technical assistance needs beyond those identified through the Review Mechanism, such as the provision of training to investigators, prosecutors and magistrates. Particular interest was expressed in relation to training on the “follow the money” approach, illicit enrichment, asset recovery and other financial issues in order to bring perpetrators to justice. Some speakers considered that priority had to be given to the development of software solutions to allow for data collection.

42. Several speakers supported the voluntary development of an action plan, or “United Nations Convention against Corruption delivery plan”, by recipient and donor countries that would address technical assistance needs identified by the review or through a more expansive approach to the entire Convention. In addition, a speaker noted that such a platform would help to coordinate bilateral assistance providers and would also assist potential new technical assistance providers in familiarizing themselves with good practices and experiences.

43. Some speakers suggested that consideration be given to re-establishing the working group on technical assistance on the basis that it would allow for the

presence of relevant practitioners and for a more focused agenda to talk about technical assistance. One speaker emphasized that the work of that working group, if re-established, ought to be linked to the Implementation Review Group. The Secretariat noted that, in the meantime, it might be possible to explore the holding of a follow-up to the Montevideo International Cooperation Workshop on Technical Assistance for the Implementation of the Convention or to integrate a panel discussion on technical assistance into the next meeting of the Group.

44. Speakers emphasized the importance of raising the awareness of civil society in order to foster a culture of anti-corruption in everyday life. One speaker explained that agreements reached with civil society were critical for allowing civil society to report and fight corruption.

45. One speaker suggested that the implementation of the Convention's chapter on technical assistance should be reviewed at the end of the first review cycle by the Conference of the States Parties.

46. Another speaker noted with appreciation the non-intrusive and non-politicized nature of the Review Mechanism.

## **V. Financial and budgetary matters**

47. For its consideration of agenda item 4, on financial and budgetary matters, the Group was provided with information on expenditures incurred so far in the first three years of the Mechanism and on resources received for the biennium 2012-2013, both from the regular budget and from voluntary contributions, making reference to conference room paper CAC/COSP/IRG/2012/CRP.10.

48. The Secretary recalled resolution 3/1 of the Conference of the States Parties, which states that the Mechanism requires a budget that ensures its efficient, continued and impartial functioning. He also recalled General Assembly resolution 64/237, in which the Assembly had requested the Secretary-General to ensure that the Mechanism was adequately funded.

49. The Secretary then provided detailed information on expenditures incurred from the regular budget for 2010-2011, as well as interim expenditures from the regular budget for 2012-2013. He noted in particular that the number of pages of official documentation per year for the Implementation Review Group (100), as approved under the regular budget, had already been exceeded for 2012-2013, and that the Secretariat was working with the United Nations Office at Vienna Conference Management Service on the question of whether the additional requirements could be absorbed within existing regular budget resources, or whether extrabudgetary contributions would have to be provided.

50. The Secretariat then provided detailed information on interim extrabudgetary expenditures for the first three years of the Mechanism, comparing current costs to estimates, and highlighting that additional expenditures were still expected to be incurred for the first, second and third years. He also indicated that, as referred to in resolution 4/1 of the Conference of the States Parties, two new posts (1 P-3 and 1 General Service) had been created to work on the analysis of the technical assistance needs identified through the Mechanism and devise strategies for a coordinated implementation of technical activities, projects and programmes. Since

the Conference of the States Parties had not recommended that the requirements for those posts be funded from the regular budget in 2012-2013, extrabudgetary resources had been used to finance them.

51. The Secretary also updated the Group on the procurement exercise launched to secure the services of translation companies for the translation of working documentation of the Review Mechanism. New contracts were being issued for several language combinations, which might entail an increase in the overall translations costs for working documentation of the Implementation Review Group. It was, however, expected that the quality would be higher and that the time needed for translation would be shortened. Actual figures would be provided at the next session of the Group. Services for the remaining combinations of languages would continue to be outsourced through UNODC field offices, as per the practice in the first three years of the Mechanism. The United Nations Office at Vienna Conference Management Service was proposing to assist in the processing of the working documentation, and its exact workload would depend on the number of documents being outsourced through the new contracts. Actual figures would be provided at the next session of the Group.

52. The Secretary recalled that, at its fourth session, the Conference of the States Parties had not recommended that the new requirements that arose during 2012-2013 (2 new posts for technical-assistance analysis and 460 pages of additional official documentation for the sessions of the Group) be funded from the regular budget. However, it requested the Secretariat to further examine the shortfall identified to determine whether it could be addressed through cost efficiencies or voluntary contributions and to take that shortfall into account in the regular budget submission for the biennium 2014-2015.

53. The Secretary then expressed appreciation for the voluntary contributions made by States to support the Mechanism in the first three years of its functioning. He highlighted again, however, that there was no guarantee that a sufficient level of voluntary contributions would continue to be available to ensure the sustainability of the Mechanism. As the experience to date in trying to raise funds for the Mechanism had demonstrated, voluntary contributions were unpredictable, and without a certain level of funding being provided, it would not be possible to ensure successful reviews.

54. A representative from the United Nations Office at Vienna Financial Resources Management Services then presented detailed information on the current process leading to the establishment of the regular budget of the United Nations for the biennium 2014-2015, presenting two scenarios depending on whether the new requirements that arose during 2012-2013 (see para. 52 above) would indeed be included in the regular budget for 2014-2015, or would continue to be covered by voluntary contributions.

55. Speakers expressed their satisfaction regarding the work of the secretariat and the clarity of the information before them, requesting, however, that to the extent possible, budgetary information be provided ahead of the meeting in the six official languages.

56. Some speakers expressed the view that the two new posts on technical assistance analysis should continue to be covered from extrabudgetary contributions, in particular as a surplus at the end of the third year had been

identified in the conference room paper presented to the Implementation Review Group. More importantly, in their view, technical assistance was to be seen in a broader context than the Review Mechanism, and should therefore not be linked to the resources allocated to the Review Mechanism under the regular budget. Other speakers indicated that, in accordance with Implementation Review Group resolution 1/1, the budgetary requirements necessary for the full functioning of the Review Mechanism, and in particular the posts and related general operating expenses, as well as the costs of the functioning of the Group (including official documentation), were to be covered from the regular budget. One speaker insisted that the financing of the Review Mechanism should be conducted in strict compliance with its mandate.

57. The secretariat indicated that the preparation of thematic reports and regional addenda analysing technical assistance needs was fully part of the Review Mechanism, in accordance with its terms of reference. On the basis of that understanding, the need for two new posts had been brought to the attention of the Implementation Review Group and would be considered in the context of the preparation of the proposed programme budget for the biennium 2014-2015. It also indicated that the additional number of pages of translation of the Group's official documents was needed to cover the increased number of executive summaries, the thematic reports, regional addenda and other background documents. He also indicated that the surplus identified so far at the end of the third year was based on estimates, and not on actual costs, and could therefore not be considered final until all expenditures of the first three years had been covered.

58. One speaker requested clarifications on Implementation Review Group resolution 1/1, which stated that the costs of communication and translation from and into the working language or languages of the Mechanism designated for individual reviews should be covered from the regular budget. The secretariat clarified that it had not been possible to include those requirements in the regular budget as originally planned, owing to the fact that it was difficult to plan for the different language combinations in advance and that it was impossible for the United Nations Office at Vienna translation services to absorb such a large workload; in fact, outsourcing the translations of working documentation through UNODC field offices had proved more cost-effective.

59. Further discussions on budgetary matters would be held at the next session of the Implementation Review Group, in May 2013, and at the fifth session of the Conference of the States Parties to the United Nations Convention against Corruption, in November 2013.

## **VI. Other matters**

### **Briefing for non-governmental organizations**

60. Speakers made reference to the briefing for non-governmental organizations held at the margins of the third session of the Group. A number of speakers welcomed the organization and structure of the briefing and considered it a useful first step in the implementation of the Conference of the States Parties resolution 4/6.

61. The Group provided guidance to the secretariat on the organization of the next briefing, to be held at the margins of the fourth session of the Group, in May 2013. The invitations to the relevant non-governmental organizations were to contain specific language on expectations and the contributions to be made. A copy of resolution 4/6 was to be attached to the invitation, in order to fully ensure compliance with its terms. When initiating the briefing, the secretariat was to remind participants to respect the terms of resolution 4/6. The briefing was to be structured in such a way as to allow participants from non-governmental organizations to make their contributions at the outset. The timing of the briefing with regard to the Group's programme of work was discussed, including with a view to submitting a summary of the briefing to the Group, as foreseen in resolution 4/6, and taking into account the useful practice of holding trilateral meetings on individual country reviews. It was noted that the recommendations of the Group constituted the basis for the briefings.

62. Some speakers recommended that measures be taken to encourage the participation of a more diverse range of organizations and to ensure that relevant organizations were invited. In order to achieve the broad participation of relevant non-governmental organizations at briefings held after the fifth session of the Conference, the Group requested the Secretariat to work with the focal points of the States parties under review and permanent missions in order to allow for a wider range of relevant non-governmental organizations to be invited to the Conference of the States Parties at its fifth session. One delegation requested that the documentation for the briefing not include "shadow reports".

## **VII. Provisional agenda for the fourth session**

63. The Chair recalled that the agenda for the fourth session of the Group had been adopted at the first part of its third session. The secretariat confirmed that a panel discussion would be organized under the item on technical assistance.

## **VIII. Adoption of the report**

64. On 16 November 2012, the Implementation Review Group adopted the report on its resumed third session.

## Annex

## Mechanism for the Review of Implementation of the United Nations Convention against Corruption: country pairings

### First year

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
<b>Group of African States</b>	Zambia	Zimbabwe	Italy
	Uganda	Ghana	Romania
	Togo	United Republic of Tanzania	Uganda
	Morocco	South Africa	Slovakia
	Sao Tome and Principe	Ethiopia	Mongolia
	Rwanda	Senegal	Lebanon
	Niger	Mauritius	Russian Federation
	Burundi	Egypt	Bolivarian Republic of Venezuela
<b>Group of Asian and Pacific States</b>	Jordan	Maldives	Nigeria
	Bangladesh	Islamic Republic of Iran	Paraguay
	Mongolia	Yemen	Kenya
	Fiji	Bangladesh	United States
	Papua New Guinea	Tajikistan	Malawi
	Indonesia	Uzbekistan	United Kingdom
<b>Group of Eastern European States</b>	Lithuania	Russian Federation	Egypt
	Croatia	Montenegro	Lao People's Democratic Republic
	Bulgaria	Albania	Sweden
	Ukraine	Slovenia	Poland
<b>Group of Latin American and Caribbean States</b>	Chile	El Salvador	Ukraine
	Brazil	Mexico	Haiti
	Dominican Republic	Nicaragua	Uruguay
	Argentina	Panama	Singapore
	Peru	Plurinational State of Bolivia	Ecuador
<b>Group of Western European and other States</b>	United States	Sweden	The former Yugoslav Republic of Macedonia
	Finland	Greece	Tunisia
	Spain	Belgium	Lithuania
	France	Denmark	Cape Verde

## Second year

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>	
<b>Group of African States</b>	Seychelles	Democratic Republic of the Congo	Sao Tome and Principe	
	Mauritius	Guinea-Bissau	Lesotho	
	Benin	Zimbabwe	Finland	
	Mozambique	Burkina Faso	Dominican Republic	
	Congo	Morocco	Serbia	
	Cape Verde	Malawi	Costa Rica	
	Central African Republic	Tunisia	Ghana	
	Sierra Leone	Benin	Thailand	
	South Africa <sup>a</sup>	Senegal	Mali	
	Zimbabwe <sup>a</sup>	Madagascar	Malawi	
	Cameroon <sup>a</sup>	Angola	The former Yugoslav Republic of Macedonia	
	<b>Group of Asian and Pacific States</b>	Brunei Darussalam	Yemen	Liechtenstein
		Iraq	Malaysia	Jordan
Lao People's Democratic Republic		Mongolia	Luxembourg	
Kazakhstan		Pakistan	Qatar	
Philippines		Bangladesh	Egypt	
Viet Nam		Lebanon	Italy	
Timor-Leste <sup>a</sup>		Fiji	Namibia	
United Arab Emirates <sup>a</sup>		Maldives	Portugal	
Islamic Republic of Iran <sup>a</sup>		Indonesia	Belarus	
Kuwait <sup>a</sup>		Sri Lanka	Ethiopia	
<b>Group of Eastern European States</b>	Slovakia	Poland	Malta	
	Serbia	Romania	Ukraine	
	Montenegro	Armenia	United Kingdom	
	Estonia	Albania	Burundi	
	Azerbaijan	Bosnia and Herzegovina	Guatemala	
	Russian Federation	Ukraine	Ecuador	
	Georgia <sup>a</sup>	Hungary	Cyprus	
<b>Group of Latin American and Caribbean States</b>	Cuba	Brazil	Guatemala	
	Uruguay	Argentina	Brazil	
	El Salvador	Plurinational State of Bolivia	Singapore	
	Nicaragua	Cuba	Nepal	
	Colombia	Honduras	Slovenia	
	Panama	Bahamas	Estonia	

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
	Dominica <sup>a</sup>	Chile	Paraguay
	Jamaica <sup>a</sup>	Trinidad and Tobago	Netherlands
<b>Group of Western European and other States</b>	Australia	United States	Turkey
	Norway	Sweden	Kuwait
	United Kingdom	Israel	Greece
	Portugal	Spain	Morocco
	Switzerland <sup>a</sup>	Finland	Algeria

<sup>a</sup> Deferred from previous year of the cycle.

### Third year

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
<b>Group of African States</b>	Lesotho	Botswana	Gabon
	Djibouti	Libya	Peru
	Algeria	Niger	Latvia
	Ghana	Rwanda	Swaziland
	United Republic of Tanzania	Sierra Leone	Australia
	Burkina Faso	Congo	Rwanda
	Tunisia	Seychelles	Togo
	Angola	Liberia	Timor-Leste
	Mauritania <sup>a</sup>	Central African Republic	Marshall Islands
	<b>Group of Asian and Pacific States</b>	Republic of Korea	India
Cyprus		Nauru	Austria
Malaysia		Philippines	Kenya
Pakistan		Solomon Islands	Norway
Qatar		Micronesia (Federated States of)	Dominica
Afghanistan		China	Brunei Darussalam
Sri Lanka <sup>a</sup>		Papua New Guinea	China
<b>Group of Eastern European States</b>	Hungary	Republic of Moldova	Jamaica
	Slovenia	Latvia	Djibouti
	Latvia	Georgia	Ireland
	Romania	Estonia	France
	The former Yugoslav Republic of Macedonia	Croatia	Iceland
	Armenia	Lithuania	Kyrgyzstan
<b>Group of Latin American and Caribbean States</b>	Mexico	Peru	Azerbaijan
	Paraguay	Colombia	Philippines
	Plurinational State of Bolivia	Costa Rica	Zambia
	Trinidad and Tobago	Argentina	Palau
	Guyana	Cuba	Vanuatu
	Bolivarian Republic of Venezuela	Chile	United Arab Emirates
<b>Group of Western European and other States</b>	Sweden	France	Canada
	Canada	Switzerland	Iraq
	Luxembourg	Austria	Switzerland
	Italy	Liechtenstein	Kazakhstan
	Netherlands	Australia	Uruguay
	Austria	Israel	Viet Nam
	Malta <sup>a</sup>	Spain	Cambodia

<sup>a</sup> Deferred from previous year of the cycle.

## Fourth year

<i>Regional group</i>	<i>State party under review</i>
<b>Group of African States</b>	Senegal
	Liberia
	Kenya
	Nigeria
	Gabon
	Malawi
	Libya
	Madagascar
	Namibia
	Ethiopia
	Democratic Republic of the Congo <sup>b</sup>
	Botswana <sup>b</sup>
	Egypt <sup>a</sup>
	Guinea-Bissau <sup>a</sup>
	Swaziland <sup>b</sup>
	Comoros <sup>b</sup>
	Côte d'Ivoire <sup>b</sup>
Mali <sup>a</sup>	
<b>Group of Asian and Pacific States</b>	Kyrgyzstan
	Maldives
	Lebanon
	Uzbekistan
	Palau
	Turkmenistan
	Singapore
	China
	Tajikistan
	Bahrain <sup>b</sup>
	Thailand <sup>b</sup>
	India <sup>b</sup>
	Nepal <sup>b</sup>
	Vanuatu <sup>b</sup>
	Cook Islands <sup>b</sup>
	Marshall Islands <sup>b</sup>
	Solomon Islands <sup>b</sup>
Micronesia (Federated States of) <sup>b</sup>	
Nauru <sup>b</sup>	
Yemen <sup>a</sup>	
Cambodia <sup>a</sup>	
<b>Group of Eastern European States</b>	Poland
	Belarus
	Bosnia and Herzegovina
	Albania

<i>Regional group</i>	<i>State party under review</i>
	Republic of Moldova
<b>Group of Latin American and Caribbean States</b>	Ecuador
	Haiti
	Costa Rica
	Honduras
	Guatemala
	Antigua and Barbuda
	Bahamas
St. Lucia <sup>b</sup>	
<b>Group of Western European and other States</b>	Turkey
	Greece
	Belgium
	Denmark
	Israel
	Liechtenstein <sup>b</sup>
	Iceland <sup>b</sup>
	Ireland <sup>b</sup>

<sup>a</sup> Deferred from previous year of the cycle.

<sup>b</sup> Ratified or acceded to the Convention after the drawing of lots at the first session of the Implementation Review Group.