



Swiss Statement on *Performance of the Mechanism* (Agenda Item 3) – Resumed 7th Session of the Implementation Review Group, 14 - 16 November 2016, Vienna

Delivered by Ambassador Stefan Flückiger, Head of the Swiss Delegation

Thank you Mister President,

Let me congratulate you on your chairmanship of this meeting.

Mister President, allow me a few words on the outcome of the first review cycle, I would like to make three points:

Firstly, let me express my delegation's gratitude to the secretariat for preparing a compilation on States Parties' good practices, experiences, and measures taken after the completion of their first cycle country review reports (document *CAC/COSP/IRG/2016/12*). As we just heard from the secretariat, the review mechanism is generating a great deal of valuable material. We, you, every single State Party, can only benefit from observations and recommendations from the review process as we translate them into action. We note with satisfaction that many countries, in fact, have already undertaken steps towards closing their implementation gaps or intend to do so in the near future. So overall the system works. It works slowly, but it works.

Secondly, let me share the latest legislative developments in Switzerland. On 1 July 2016, an amendment to the Swiss criminal law on corruption entered into force. The most significant changes concern the offence of *private bribery*. In other than minor cases, active

and passive bribery of private persons will henceforth be prosecuted *ex officio*. Furthermore, corruption offences in the private sector are now punishable regardless of whether they lead to distortion of economic competition or not. In terms of *bribery of national public officials*, the new law criminalizes all instances of granting, soliciting or accepting undue advantages *in favor of third parties* (as opposed to criminalizing only cases to the benefit of *the public official*). These amendments implement recommendations received in the first cycle review of UNCAC and in some aspects even reach beyond.

Thirdly, and in conclusion, we look forward to hearing from more States Parties on their experiences and measures taken after the completion of their country review reports. Again, that's what UNCAC and its review mechanism is all about: Learning from each other and exchanging good practices. We also look forward to elaborating, as a Group, a set of non-binding recommendations and conclusions regarding the implementation of Chapters III and IV of the Convention, as agreed in resolution 6/1 in St. Petersburg. This will require a collective and focused effort from all States Parties, and it should be high on the IRG agenda next year. Now that we have available the source of empirical evidence through the review mechanism, it is time to take stock and draw general conclusions.

Thank you, Mister President.