



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

Distr.: General
29 March 2021

Original: English

Implementation Review Group

Twelfth session

Vienna, 14–18 June 2021

Item 2 of the provisional agenda*

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

Progress on the implementation of Conference resolution 7/4 on enhancing synergies between relevant multilateral organizations responsible for review mechanisms in the field of anti-corruption

Report of the Secretariat

I. Background

1. In its resolution 6/1, adopted at its sixth session, the Conference of the States Parties to the United Nations Convention against Corruption called upon the secretariat to continue to explore and enhance synergies, in coordination and cooperation with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption.
2. At its seventh session, the Conference adopted its resolution 7/4 on enhancing synergies between relevant multilateral organizations responsible for review mechanisms in the field of anti-corruption. In that resolution, the Conference requested the secretariat, inter alia, to continue its dialogue with States parties and with the secretariats of other relevant multilateral mechanisms and to report on the work undertaken in this regard to the Implementation Review Group of the United Nations Convention against Corruption.
3. In its resolution 8/2, the Conference at its eighth session reiterated its request for the secretariat to continue to strengthen synergies with the secretariats of other relevant multilateral organizations in the field of anti-corruption, within their respective mandates, to avoid duplication of effort and enhance the performance of the various review mechanisms, and requested the secretariat to report to the Implementation Review Group on progress made in this regard.
4. The present report contains an overview of the activities carried out in furtherance of those mandates, in particular resolution 7/4. It builds on the report by the secretariat submitted at the second resumed tenth session of the Implementation

* CAC/COSP/IRG/2021/1.



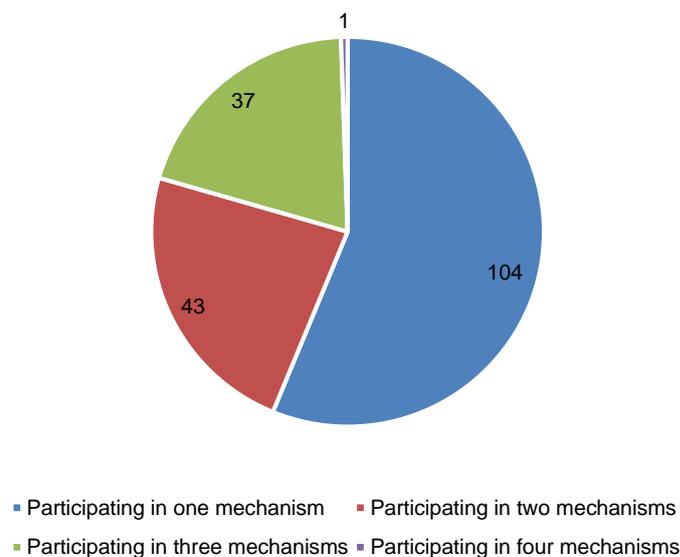
Review Group (CAC/COSP/IRG/2019/11), as well as on oral updates provided to the Implementation Review Group.

II. Overview of the participation of States parties in other relevant multilateral mechanisms

5. Almost 50 per cent of States parties to the United Nations Convention against Corruption, in addition to their participation in the Implementation Review Mechanism, take part in at least one additional peer review mechanism in the field of anti-corruption, namely the Working Group on Bribery in International Business Transactions of the Organisation for Economic Co-operation and Development (OECD), the Group of States against Corruption (GRECO) of the Council of Europe and the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption of the Organization of American States (OAS) (see figure 1).

Figure I

Number of States participating in one, two, three or four multilateral mechanisms in the field of anti-corruption



6. Moreover, several States parties to the Convention against Corruption are also participating in the monitoring mechanism of the African Union Convention on Preventing and Combating Corruption and the OECD Istanbul Anti-Corruption Action Plan.

7. In addition, the Conference of the States Parties to the Arab Anti-Corruption Convention, at its third session, held in Rabat in January 2020, decided to establish a mechanism to assess implementation of the Convention, as foreseen under its article 33, paragraph 7. The establishment of that mechanism will raise even further the numbers of States that participate in multiple multilateral mechanisms.

8. Thus, there is an increasing interest in exploring further synergies in the work of the various mechanisms in order to avoid duplication and make the most efficient use of the resources States expend on these efforts.

III. Overview of the work undertaken in furtherance of Conference resolution 7/4

A. Continuing dialogue between the secretariats

9. In paragraph 1 of its resolution 7/4, the Conference requested that the Secretariat continue its dialogue with States parties and with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption.

10. Regular dialogue continues to take place between the secretariats, especially in the form of attendance of their respective meetings and frequent informal consultations to discuss schedules and common issues and challenges, as well as to avoid duplication of the work conducted by the various mechanisms.

1. Exchange of lessons learned

11. In 2020, the secretariats focused their regular informal consultations on ways to address the obstacles posed to the peer review mechanisms by the coronavirus disease (COVID-19) pandemic, in particular the inability of experts and secretariat staff to travel for country visits or working group meetings, and the technological solutions employed to temporarily replace physical meetings, including their benefits and disadvantages. The secretariats exchanged experiences and good practices regarding, inter alia, the use and choice of digital platforms that could ensure the appropriate security levels and simultaneous translation for host country visits and for virtual meetings, as well as the challenges encountered and lessons learned during the conduct of virtual country visits, including ways to ensure that virtual discussions were substantive and generated the information needed for the review and ways to ensure active dialogue and debriefing with the reviewing experts.

12. Good practices identified for conducting successful virtual country visits included a careful adjustment of the schedule to allow for the needs of each individual review and to accommodate the different time zones and languages of the States involved. Measures adopted included changing the schedule of the agenda so that activities took place over a longer time frame, with several shorter sessions per day, and making use of more detailed written exchanges prior to the virtual country visit with a view to focusing the limited time of the virtual meeting on targeted follow-up to key issues that were identified at the desk review stage. Other measures that were found to be helpful were the establishment of a parallel channel of communication between the reviewing experts and the secretariat, in particular for purposes of coordination and debriefing, and the request to all participating stakeholders to use individual connections rather than physically assemble in one meeting room, as it was found that individual connections often had better sound quality. The provision of training in the relevant software for all participating stakeholders further ensured that virtual meetings ran smoothly. While the secretariats agreed that the valuable elements of personal contact and informal discussions during country visits were missing in virtual meetings, three of the four secretariats had gone forward with virtual visits to avoid further delays in their respective review cycles. States parties that had successfully concluded a review in a purely virtual format under the OECD Working Group on Bribery subsequently shared the lessons learned with the Implementation Review Group at its second resumed eleventh session, noting that while virtual visits could not replace the meaningful professional contacts and in-depth conversations that normally occurred during a country visit, the overall objectives of the review could be met despite the virtual format and the review was not negatively affected.

13. The secretariat further continued its exchange with the other three secretariats on enhancing the performance of the peer review mechanisms. In particular, the secretariat consulted the other secretariats on ways to ensure that the timelines of reviews are adhered to and on their experience in moving from initial review phases to follow-up stages. As the three other peer review mechanisms have been in existence

longer than the Implementation Review Mechanism and have all conducted several rounds of both initial and follow-up reviews, the secretariat benefited from the lessons learned that were shared by the other secretariats. That information can be useful to inform States parties' discussions on the follow-up phase of the Implementation Review Mechanism.

14. In addition to several informal consultations regarding these topics, the secretariats of GRECO and the OECD Working Group on Bribery presented their experience to the Implementation Review Group at its second resumed tenth session. Key points shared with regard to avoiding delays in individual reviews and review cycles included having strictly defined timelines for reviews and regular reminders to States, as well as detailed guidance for all participants and each review phase. With respect to the transition from an initial review to a follow-up phase, the representative of the secretariat to the OECD Working Group on Bribery highlighted that a periodic renewal of political commitment to the peer review process took place prior to the launch of each new phase and was considered necessary and helpful in ensuring the continued effectiveness of the peer reviews.

2. Attendance of meetings

15. In 2020 and 2021, the United Nations Office on Drugs and Crime (UNODC) continued its practice of attending the meetings of the other review mechanisms, a practice which was facilitated by the introduction of the virtual meeting format in response to the COVID-19 pandemic. In addition to the benefit of cost-neutral participation as no travel was involved, the virtual sessions made it possible for more secretariat staff to participate as observers in the respective sessions of the other review mechanisms. Accordingly, representatives of the secretariat attended the plenary meetings of GRECO held in October 2020 and March 2021 and informed GRECO of the status of the preparations for the special session of the General Assembly against corruption in 2021. Similarly, representatives of the secretariat attended the meetings of the OECD Working Group on Bribery in October and December 2020 and March 2021 and briefed the Working Group on relevant developments, including on the status of the country reviews of OECD Member States, as well as on knowledge products and other substantive work conducted. The secretariat also attended the Working Group on Bribery's annual consultation on fighting foreign bribery in December 2020. In 2020, representatives of OAS, OECD and GRECO attended sessions of the Implementation Review Group, and representatives of OECD and GRECO attended the intersessional meetings of the Conference of the States Parties to the Convention against Corruption on preparations for the special session of the General Assembly to be held in 2021.

16. Participation in training activities offered by partner secretariats was put on hold in 2020, but should be expanded in the future, subject to time restraints and the availability of resources.

3. Synergies in substantive matters

17. The secretariats also continue to join forces on substantive matters to combine experience and knowledge and avoid duplication of efforts.

18. Among other activities, GRECO and OECD provided substantive input to and carried out a peer review of the UNODC publication of 2020 entitled *The Time is Now: Addressing the Gender Dimensions of Corruption*. At the second resumed tenth session of the Implementation Review Group, held in November 2020, during the panel discussion on effective action against bribery, a representative of OECD presented the main outcomes of a recent OECD survey on corporate compliance programmes, which included the finding that in States where enforcement efforts against bribery offences were strong and known to the wider public, companies were increasingly motivated to implement compliance programmes with a view to avoiding prosecution and protecting the reputation of the company. Together with other international organizations and networks, OECD also provided valuable substantive

input in the preparatory process for the Global Operational Network of Anti-Corruption Law Enforcement Authorities and shared lessons learned from its experience in servicing the Global Network of Law Enforcement Practitioners against Corruption with a view to creating synergies between the Global Operational Network and other relevant operational and liaison networks. UNODC and OECD, as well as the World Bank and the secretariat of the Financial Action Task Force, continued their close cooperation in supporting the Group of 20 Anti-Corruption Working Group, and in 2020, inter alia, joined forces in preparing a scoping paper on international cooperation dealing with economic crime, offenders and the recovery of stolen assets, as well as a proposed framework for future action by Group of 20 countries to better address those phenomena.

19. Moreover, GRECO, the Working Group on Bribery and OECD sent written submissions to feed into the process of drafting the political declaration to be adopted at the special session of the General Assembly against corruption to be held in June 2021. In addition, the four secretariats are preparing to submit a joint statement on the occasion of the special session to renew the commitment to close cooperation between the four mechanisms.

20. In order to avoid the duplication of efforts and make best use of the available resources of the secretariats, further areas for coordination in the development and dissemination of anti-corruption tools and knowledge products continue to be explored. Donor agencies can also play an important role in encouraging organizations to work on joint knowledge products.

4. Coordination of organizational aspects

21. The partner secretariats continue to work towards achieving synergies and strengthening coordination with respect to organizational aspects, including the following:

(a) Publishing and sharing information about meeting schedules as early as possible to prevent overlap;

(b) Ensuring coordination in the scheduling of meetings and on-site visits wherever possible, including by exploring the possibility of joint country visits;

(c) Sharing information about monitoring reports and guidance;

(d) Making use of and referring to the findings of other monitoring bodies, where appropriate and relevant;

(e) Ensuring as much as possible that the recommendations of the various monitoring bodies reinforce one another.

22. When establishing the timelines of individual reviews and scheduling country visits under the Implementation Review Mechanism, the secretariat takes into account the schedules of the other mechanisms and, subject to agreement of the reviewing experts, facilitates the greatest possible flexibility to avoid overlap of visits for countries under simultaneous review by several mechanisms.

23. In order to make the best use of the information collected for the different peer review processes at the national level, the secretariats encourage the assignment of the same governmental experts to the extent possible. Alternatively, there should be coordination among national experts serving different review mechanisms with a view to enabling them to build on the information provided by their colleagues in the context of other reviews and assist in the cross-fertilization of knowledge.

B. Avoidance of duplication of efforts

24. In line with resolution 7/4, the secretariats work closely together to avoid the duplication of efforts as much as possible in the context of their respective mandates and terms of reference. The Conference and the Implementation Review Group have

highlighted that confidentiality, potential cost implications and additional layers of bureaucracy act as limits to creating more synergies between the mechanisms. Thus, while there is a certain amount of overlap of substance in the areas under review by the various mechanisms, the possibilities for the secretariats to avoid duplication are limited. As the mechanisms, the topics under review and the questionnaires are chosen and designed by the member States of the respective mechanisms, the secretariats are bound by the decisions of the member States.

25. At the same time, States parties to the different mechanisms have several opportunities to streamline domestic processes to ensure that information generated for one review mechanism is available to be used for another mechanism where possible and that national experts are coordinating their input. The self-assessment checklist is designed in a way so as to draw the user's attention to possible overlap with the information generated or sought by other peer review mechanisms. At the same time, the fact that reviews carried out under other mechanisms might date from several years, differences in the topics subject to review, and the specific questions and depth of the review can all be factors that limit the usefulness of information generated for other peer review processes.

26. As suggested by the Implementation Review Group at its second resumed tenth session, when designing the next phase of the Implementation Review Mechanism, especially when designing questionnaires for upcoming reviews, those States parties involved in other mechanisms are encouraged to continue to share their experience and work towards creating synergies and avoiding overlap where appropriate and possible. In that regard, States parties could take into consideration the topics and questionnaires of the other mechanisms during the discussions on the follow-up phase of the Implementation Review Mechanism.

IV. Outlook

27. UNODC will continue to strengthen cooperation with the partner secretariats. States parties that are members of other review mechanisms are invited, in line with Conference resolution 7/4, to encourage efficient and effective cooperation and coordination within their respective organizations and with the governing bodies of those organizations, keeping in mind that making full use of the benefits of synergies that exist among the review mechanisms lies to a large degree with those States parties that participate in more than one review mechanism.
