

Panel on lessons learnt

- honour to participate in this panel and a pleasure to do so together with Mr Landwehr and Ms Fiducane
- acted as focal point for the review of Liechtenstein in the second UNCAC review cycle, but have also assumed such function in assessments undertaken by the Council of Europe Group of States against Corruption
- it is against this background that I will make a few remarks on our experiences , as set out in the annotated agenda. I wish to center those remarks around the first point in the Guiding Principles of the review mechanism.

In accordance with that point of the Guiding Principles the review mechanism should be:

transparent, efficient, non-intrusive, inclusive and impartial

Transparency:

One of the great advantages of this review consists in the fact that it is based on a legally binding international instrument. The provisions of the instrument have been agreed to by national parliaments in the ratification process. From a democratic point of view, this aspect is very important. The process leading to the acceptance of the standards at the national level has therefore been transparent. This is, in our experience, not always the case in similar reviews. This aspect of transparency is also important for the follow-up measures which, very often, also have to pass the test of parliamentary approval.

As to the transparency of the review process, we welcomed the fact that the origin of questions put forward to us in written on the basis of our self-assessment checklist was indicated in each case. This helped us prepare for the technical discussions during the country visit. We can understand that at the stage of finalization of the Executive Summary the reactions to our comments on the draft Executive Summary were not specified in such a way any more. Here it is important for the State under review to be sure that the reactions are the result of the common assessment of the two reviewing States.

Efficiency

I take this opportunity to thank the two representatives of the Secretariat for their great efficiency. The efficiency of the review has also been heightened by the fact that it could be conducted in one language only. Since the national language of Liechtenstein is not an official UN language, it was, however, a challenge to have the relevant legislation available in that UN language. The fact that Liechtenstein has already been reviewed under various international mechanisms with a similar focus was certainly helpful. Quite a few texts produced in the framework of those reviews could be used as a basis for the exchanges in the UNCAC review.

Non-intrusiveness

Here again, our UNCAC review experience was certainly much better than the one we sometimes had to make in other review mechanisms. We appreciated very much the technical nature of the discussions which took into account the historical, economic and societal particularities of our country. The discussions were far from being politized. They were centered on the promotion of international cooperation to fight and prevent corruption, which has been identified as one of the main goals of the mechanism.

Inclusiveness

One of the challenges of the preparation of the second review country visit was to ensure participation of experts from all relevant fields. This is particularly true for chapter two since the provisions of that chapter address a much broader range of areas than other chapters of the Convention. We focussed our efforts in this regard on the inclusion of experts from the private sector since we consider the involvement of the private sector as vital for an effective implementation of the two chapters under review. At the same time, the private sector is well organized with professional associations that are ready and able to provide the necessary experts for such review dialogues.

Impartiality

While the UNCAC review mechanism is not a judicial process, it is, of course, very important for its credibility to avoid any appearance of being biased. Our experience has also been positive in this respect. Taking into account the diversity of countries in the assessment of the real situation on the ground does not mean applying diverging standards. In order to be able to grasp such reality, it seems indispensable to us to organise a country visit as part of the review process, as difficult as this may be for logistical and other reasons. I wish to also thank in this context Australia and Namibia to have sent their experts all the way to Liechtenstein. We have greatly benefitted from the personal and in-dept exchanges with those experts who have a different national background not only in terms of the economic situation but also with regard to the size of their countries.

In conclusion, I wish to confirm that engaging in the UNCAC review mechanism is also within reach of a country of the size of Liechtenstein (which is one of the smallest UNCAC States parties). This assessment may be used as an encouragement to some of those States (and there are quite a few of a similar size) that have not yet joined the Convention as it falls within the remit of a further Guiding Principle of the review mechanism, i.e. that the mechanism should promote universal adherence to the Convention.