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English only

Implementation Review Group

Resumed sixth session

St. Petersburg, Russian Federation, 3-4 November 2015

Item 2 of the provisional agenda*

Review of implementation of the United Nations Convention against Corruption

Progress report on the implementation of the mandates of the Implementation Review Group

Note by the Secretariat

Summary

The present document contains updated information¹ on the conduct of country reviews in the first review cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and on activities of the Implementation Review Group in the context of its function of overseeing the review process and submitting policy recommendations to the Conference of the States Parties to the Convention for its consideration and approval.

* CAC/COSP/IRG/2015/Add.1.

¹ The information contained in the present document provides an update to section I, subsections A and B, of document CAC/COSP/2014/4.



I. Organization and conduct of country reviews in the first to fourth years of the first review cycle

A. Drawing of lots

1. In accordance with paragraph 14 of the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, the selection of States parties participating in the review process in a given year of a review cycle is carried out by the drawing of lots at the beginning of each review cycle. Furthermore, paragraph 19 of the terms of reference provides that “the selection of the reviewing States parties shall be carried out by the drawing of lots at the beginning of each year of the cycle, with the understanding that States parties shall not undertake mutual reviews”.

2. In its resolution 4/1, the Conference endorsed the practice followed by the Implementation Review Group with regard to the procedural issues arising from the drawing of lots. At its fourth session, the Group requested the secretariat to prepare a compilation of procedural requirements and practice regarding the drawing of lots, for the Conference at its fifth session (that compilation is contained in document CAC/COSP/2013/16).

3. Sixty-two country reviews began on 1 July 2013, following the drawing of lots held at the first part of the fourth session of the Implementation Review Group. Further drawings of lots were held to select the reviewing States parties for the States parties under review in the fourth year of the current review cycle that became party to the Convention since the fifth session of the Conference. These drawings of lots took place at the resumed fourth session of the Group, held during the fifth session of the Conference, the fifth, resumed fifth and sixth session of the Group.

4. Eleven additional States are thus under review in year 4, two of which will begin their reviews at the resumed sixth session of the Group.²

B. Schedule and conduct of country reviews

5. In its resolution 4/1, the Conference endorsed the guidelines for governmental experts and the secretariat in the conduct of country reviews, which had been finalized by the Implementation Review Group. The guidelines set out indicative timelines for country reviews in order to ensure the consistency and efficiency of the review process. The purpose of the present subsection is to provide updated information on the schedule of country reviews conducted in the first to fourth years.

6. There were 27 country reviews in the first year, 41 in the second year and 35 in the third year. Out of the 73 States under review in the fourth year, two States have been informed in advance that their reviews will begin following the drawing of lots at the resumed sixth session of the Group.

² These States are the Gambia and Tuvalu. Other States may become party to the Convention by the time of the resumed sixth session.

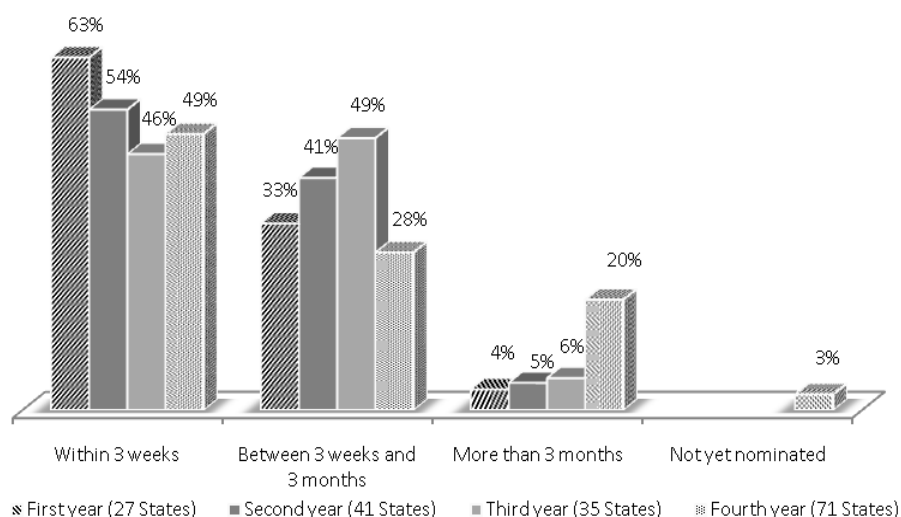
Initial steps of country reviews

Appointment of a focal point to coordinate the participation of a State party under review

7. In accordance with paragraph 17 of the terms of reference and paragraph 13 of the guidelines, within three weeks of officially being informed, a State party under review should appoint a focal point, and should inform the secretariat accordingly, to coordinate its participation in the review. Late nominations of focal points have caused considerable delays in country reviews. In its resolution 4/1, the Conference urged States parties under review to ensure the timely nomination of their focal points in accordance with the guidelines. At the time of writing, two States under review in the fourth year had not yet nominated their focal points (see figure I, excluding the States under review in the fourth year whose reviews will start after the resumed sixth session of the Implementation Review Group), and several States parties changed their focal points during the course of the review.

Figure I

Nomination of focal points



Communication of contact details of governmental experts by reviewing States parties and organization of the initial teleconference

8. Paragraph 16 of the guidelines provides that a telephone conference or videoconference should be held within one month of the State party under review officially being informed of the beginning of the conduct of the country review. The teleconference involves the State party under review, the reviewing States parties and the secretariat staff assigned to the country review. With a view to organizing the initial teleconference, the secretariat requests reviewing States parties to designate contact persons among their governmental experts and to communicate their contact details.

9. In most reviews, delays were experienced in the organization of the initial teleconference. Such delays were due, inter alia, to the late communication of

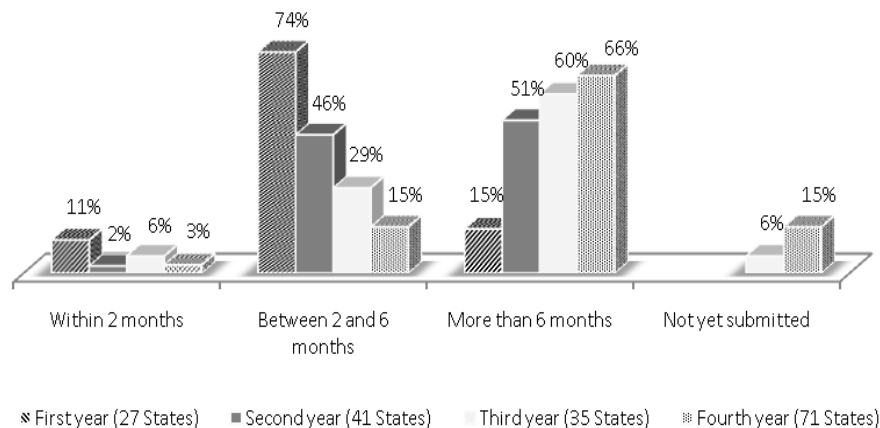
contact details of the governmental experts or changes in reviewing experts after the beginning of the review, and in some cases because of redraws. Where feasible, introductions took place on the margins of the sessions of the Group, and in some reviews where time differences between the States did not enable direct contact, the teleconferences were replaced by an exchange of e-mails.

Self-assessment

10. According to paragraph 15 of the guidelines, the State party under review, within two months of being officially informed of the beginning of the conduct of the review, is to provide the secretariat with its response to the comprehensive self-assessment checklist.

11. For the 35 reviews that were initiated in the third year of the current review cycle, two responses to the self-assessment checklist were pending at the time of writing this report, while eleven responses were pending for the reviews in the fourth year of the cycle. Active follow-up was being undertaken to ensure their submission, including by providing assistance through United Nations Office on Drugs and Crime (UNODC) field offices, its network of anti-corruption advisors and partners, including the World Bank which has, on a pilot basis and in cooperation with UNODC, assisted one country in the completion of the response to the self-assessment checklist. Several States parties had sought assistance from the secretariat in order to complete their checklist responses in accordance with paragraph 16 of the terms of reference, and UNODC provided training and workshops to assist States parties in finalizing their responses.

Figure II
Self-assessment checklist submission³

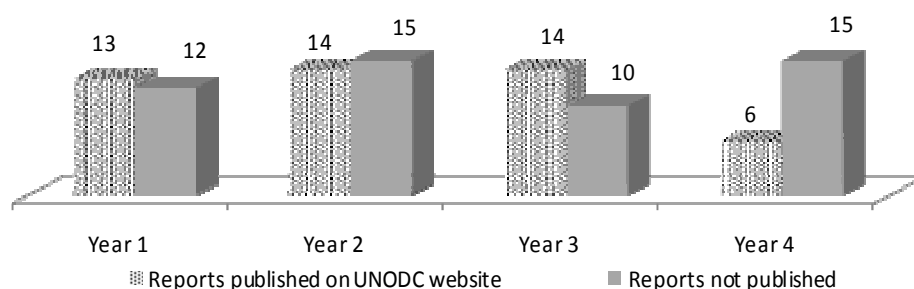


12. With regard to consultations with national stakeholders and publication of responses to the comprehensive self-assessment checklist, several States parties

³ With regard to States parties under review during the fourth year, the higher percentage of States parties that submitted their responses to the self-assessment checklist more than six months after being officially informed of the review is partially due to the fact that substantive work on some reviews was staggered over to the second half of the year, for instance in the case of new States parties.

under review in the first to fourth years informed the secretariat of such consultations. Several more had circulated their responses to relevant stakeholders and/or posted the responses on national websites for comment, and, at the time of writing, 47 States parties had requested for the publication of their full country review reports on the UNODC website (see figure III for a break-down of such publications per year, taking into account only the completed country review report). Several States had included national stakeholders, such as academia, representatives of civil society and the private sector, in the committees set up to coordinate and oversee the review process.

Figure III
Publication of full country review reports



Desk review

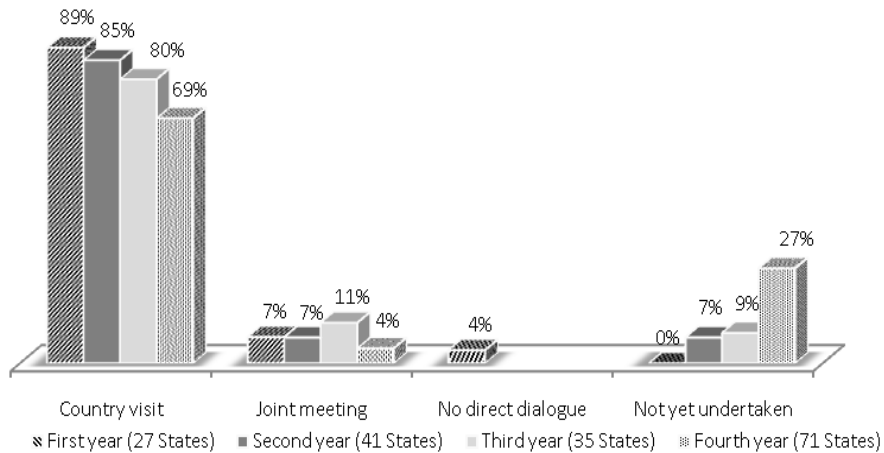
13. According to paragraph 21 of the guidelines, within one month of the receipt of the response to the comprehensive self-assessment checklist and any supplementary information provided by the State party under review, governmental experts should submit to the secretariat the outcome of the desk review. At the time of writing, a few desk reviews of the responses to the self-assessments for the third and fourth years were pending, owing, inter alia, to the late submission of information and translation difficulties.

Further means of direct dialogue

14. Pursuant to paragraph 24 of the guidelines and paragraph 29 of the terms of reference, if requested by the State party under review, the desk review should be complemented by any further means of direct dialogue, such as a country visit or a joint meeting at the United Nations Office at Vienna.

15. Out of 176 countries under review, 148 countries have already availed themselves of further means of direct dialogue in the form of either a country visit or a joint meeting. For the 27 States parties under review in the first year, 24 country visits and two joint meetings had taken place. For the 41 States parties under review in the second year, 35 country visits and three joint meetings had taken place. For the 35 States parties under review in the third year, 28 country visits and four joint meetings had taken place. For States under review in the fourth year, 49 country visits and three joint meetings had taken place (see figure IV). Several other States had agreed to further means of dialogue, which were in various stages of planning. Only one country, thus far, has opted to complete its country review without the conduct of a joint meeting or country visit.

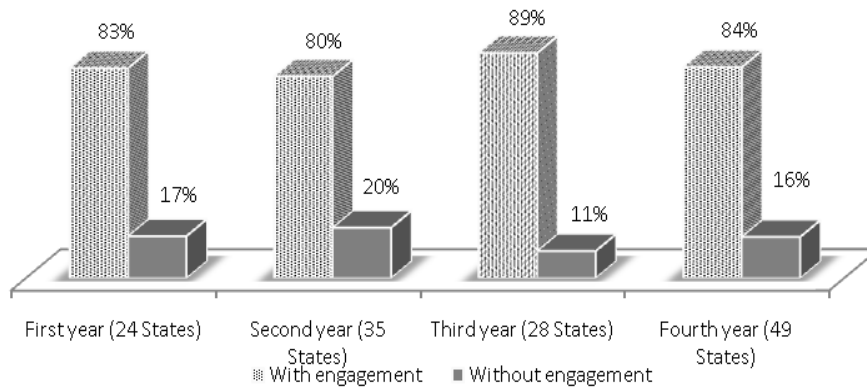
Figure IV
Further means of direct dialogue between countries



16. In accordance with paragraph 24 of the guidelines, the country visit is planned and organized by the State party under review. Focal points draft the agenda and submit it to the reviewers and the secretariat prior to a country visit.

17. Out of all country visits conducted, 84 per cent included sessions with other stakeholders (see figure V), in accordance with paragraph 30 of the terms of reference. In some cases, those sessions have been organized in the form of panels that included representatives of civil society, the private sector, academia, trade associations and other national stakeholders. In other cases, such stakeholders have been represented as members of national coordinating committees.

Figure V
Engagement with stakeholders during country visits



Outcome of the country review process

18. Pursuant to paragraph 33 of the terms of reference and paragraph 30 of the guidelines, the reviewing governmental experts are to prepare a country review report, and an executive summary of that report, in close cooperation and

coordination with the State party under review and assisted by the secretariat. The report should identify successes, good practices and challenges, and make observations for the implementation of the Convention. Where appropriate, the report should include the identification of technical assistance needs for the purpose of improving the implementation of the Convention.

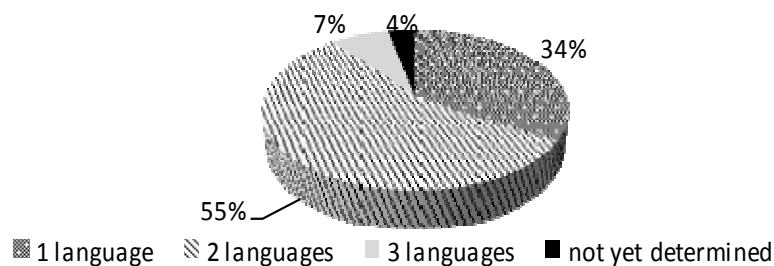
19. A total of 113 executive summaries and 99 country reports had been completed at the time of writing the present report: out of these, 26 executive summaries had been completed and made available to the Group for the reviews in the first year and the remaining one was being finalized. For reviews in the second year, 34 executive summaries had been completed and made available to the Group, while several more were being finalized. For the third year, 26 executive summaries had been completed and made available to the Group and several more were being finalized, and for the fourth year, 27 executive summaries had been completed and made available and several more were being finalized. In several cases, agreement had been reached on the findings contained in the draft executive summary before finalization of the full country review report. In many of these cases, States parties have indicated that reaching an agreement on the shorter executive summary first facilitated reaching an agreement on the full country review report.

20. The executive summaries of the country review reports are placed online, both as part of the documentation of the Group and on the country profile page (www.unodc.org/unodc/en/treaties/CAC/country-profile/index.html).

21. The length of the country review reports, depending on the language and number of annexes, ranged from approximately 100 pages to over 500 pages.⁴ While in some cases, governmental experts agreed to conduct the review in a language other than their preferred language most reviews were conducted in two or even three official languages of the United Nations. More specifically, out of 176 reviews, 60 reviews involved one official language of the United Nations, 97 reviews involved two official languages of the United Nations, while 13 reviews involved three official languages of the United Nations. In six reviews, no decision on the language(s) to be used has been taken (see figure VI).

Figure VI

Official languages of the United Nations used in the reviews



⁴ Details on the costs of translations are available in CAC/COSP/IRG/2015/4.