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**Implementation Review Group**

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**Enhancing Synergies among the International  
Anti-Corruption Monitoring Bodies**

**Conference room paper submitted by the Council of Europe**

*Summary*

The present document is being circulated at the request of the Council of Europe's Group of States against Corruption (GRECO).<sup>1</sup>

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<sup>1</sup> The document has been reproduced in the present conference room paper in the form in which it was received.



Strasbourg, 23 May 2018

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**ENHANCING SYNERGIES AMONGST  
THE INTERNATIONAL ANTI-CORRUPTION MONITORING BODIES (CoE/GRECO,  
OAS, OECD, UNODC)**

Paper prepared by the Secretariat  
(Revised after GRECO 79)

For consideration by GRECO 80 (18-22 June 2018)

## I. Background

On 22-23 September 2016, the Anti-Corruption Secretariats of the Organisation of American States (OAS), Organisation of Economic Cooperation and Development (OECD), Council of Europe's Group of States against Corruption (GRECO), and United Nations Office on Drugs and Crime (UNODC), held a joint workshop on enhancing synergies and sharing good practices in international anti-corruption peer reviews.

As a follow up, a side event on "Enhancing the cooperation between the secretariats of international anti-corruption peer review mechanisms" was held in Vienna on 8-9 November 2017, co-organised by the UNODC, the OECD, the OAS and GRECO during the Seventh Session of the Conference of the States Parties (CoSP) to the United Nations Convention against Corruption (UNCAC). This event was open to all member States.

At the same Session of the CoSP to the UNCAC, Resolution 7/4 on "Enhancing synergies between relevant multilateral organizations responsible for review mechanisms in the field of anti-corruption" was adopted<sup>1</sup>. GRECO held an exchange of views on this text and, more generally, on ways to increase synergies and coordination amongst the international anti-corruption peer review mechanisms at its 78<sup>th</sup> plenary meeting on 4-8 December 2017. On that occasion, GRECO took note of the ideas raised during the discussions and invited Delegations to send to the Secretariat any proposal they may have on this question by 15 January 2018; on that basis, the Secretariat would draw up a document for discussion by the Bureau and, subsequently, by GRECO at one of their 2018 meetings.

As regards the applicability to GRECO of Resolution 7/4, Article 63 of the UNCAC establishes the CoSP "to improve the capacity of and cooperation between States Parties to achieve the objectives set forth in [that] Convention and to promote and review its implementation," (Art 63(1)) as well as to "agree upon activities and methods of work" (Art 63(4)) to achieve the above-referenced objectives. The UNCAC does not provide the CoSP any authority to provide States Parties with guidance, instruction, or obligations related to any other legal instrument. As such, CoSP Resolution 7/4 is inherently limited in its scope to providing guidance to the UNODC in its role as Secretariat for the UNCAC, pursuant to Article 64 of the Convention, as well as jurisdictions that have ratified or acceded to the UNCAC, related specifically to their obligations and commitments as States Parties to that instrument. The Resolution notes that strengthening of synergies among the mechanisms "can take place only within their mandates and limits of the specificities of those mechanisms and their respective terms of reference and the practices developed in the course of operation of such mechanisms."

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<sup>1</sup> It is not the first time that such a Resolution is adopted. CoSP-6(2015), St. Petersburg, Resolution 6/1 calls upon the UNODC Secretariat to continue exploring and, where appropriate, enhancing synergies, in coordination and cooperation with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption, in full accordance with paragraphs 5, 27 (c) and 31 of the terms of reference, paragraph 6 of the guidelines for governmental experts, and article 64 of the Convention, and to report to the Implementation Review Group on actions undertaken in this regard.

It should also be noted that Article 3(j) of the Terms of Reference of the Mechanism for the Review of the Implementation of the UNCAC provides that the UNCAC review mechanism shall “complement existing international and regional review mechanisms in order that the Conference may, as appropriate, cooperate with those mechanisms and avoid duplication of efforts”.

This document reflects contributions received from a number of GRECO Delegations, as well as inputs from the Secretariats of GRECO, UNODC and OECD<sup>2</sup>. It highlights the objectives sought by this process (part II), the main differences in the operations of the various international anti-corruption monitoring bodies (part III), notes the actions which are already under way to ensure synergies and coordination amongst the Secretariats of the these bodies (part IV), and points to possible areas where improvements could be made (part V).

## **II. Objectives**

The objectives sought by enhancing synergies amongst the international anti-corruption monitoring bodies include: (i) supporting member states in effectively implementing the respective anti-corruption standards, (ii) reducing possible duplication, costs and administrative burdens both for member states and for the international organisations concerned, and (iii) maintaining a coherent and consistent approach across monitoring bodies.

## **III. Main differences in the operations of the international anti-corruption monitoring bodies and overall purpose of seeking greater synergies**

While all international anti-corruption monitoring bodies review and assess the implementation of corresponding international anti-corruption legal instruments, there are a number of objective differences in the way in which those bodies operate. These notably include:

- Different legal frameworks;
- Different topics currently covered in the UNCAC, OECD (both WGB and ACN), OAS, and GRECO evaluation cycles;
- Different timings of evaluation cycles;
- Different membership/geographical scope;
- Different composition of plenaries and country delegations;
- Not all monitoring bodies have a technical assistance mandate.

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<sup>2</sup> GRECO Secretariat hosted an exchange of views with the UNODC and OECD Secretariats on 31 January 2018 in Strasbourg. (The OAS Secretariat was invited, but could not attend.)

#### **IV. Actions already under way to ensure synergies and coordination**

The Secretariats of the OECD, UNODC, OAS and GRECO already undertake a number of actions to ensure synergies and coordination. These include, but are not limited to:

- Regular inter-secretariat meetings (e.g. once a year with rotating responsibility) and joint events;
- Participation in each other's meetings (including some training sessions, e.g. for evaluators, kick-off of a review cycle/round);
- Sharing information about schedules, monitoring reports and guidance produced by the various secretariats;
- Ensuring that scheduling of meetings/on-site visits is done in a way which avoids conflicts in schedule;
- Desk-to-desk contacts on country-specific evaluations;
- References to other monitoring bodies' findings, where relevant depending on the cycles/topics (and as agreed by the member state under review<sup>3</sup>);
- Ensuring that recommendations across monitoring bodies are, to the extent possible, consistent, not in contradiction with, and reinforce each other ;
- Joint thematic reports helping to identify trends, risk areas, good practice.

It should also be noted that GRECO's annual work programme (including dates of meetings and visits), the evaluation questionnaire and guidance for evaluators, the vast majority of evaluation and compliance reports, the decisions adopted at each GRECO meeting (and the related meeting reports), as well as the programme and budget as adopted by GRECO's Statutory Committee, are available online.

#### **V. Possible additional actions**

In addition to continuing and intensifying the above actions, additional measures could be considered/taken (in the short, medium or long-term, as well as on an ongoing basis). In examining the various proposals made, it is important to focus on those that add distinct value, bring cost-effectiveness to international anti-corruption monitoring frameworks, and do not add unnecessary burden or costs on member states and/or the secretariats concerned. These may include:

*New co-operation arrangements:*

- i. Explore the idea of a formal inter-institutional legal cooperation framework amongst the OECD, UNODC, OAS and GRECO/CoE within which the deeper substantial cooperation amongst the Secretariats of the international anti-corruption monitoring bodies can take place extending beyond mere co-ordination of efforts (short to medium-term, will entail costs/time to prepare);
- ii. Consider possibilities for joint/back-to-back country visits or participation of experts/secretariats in each other's evaluations, whenever the country concerned proposes or agrees to it and the topics covered by the evaluation coincide (medium to long-term, when the occasion arises and subject to resources);

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<sup>3</sup> This is particularly the case for UNCAC evaluations.

- iii. Consider a common approach in cases of non-compliance situations (medium-term, on a case-by-case basis);
- iv. Invite the secretariats of other monitoring mechanisms to contribute to the drafting of the respective questionnaires ahead of the launch of a new evaluation round when the topics coincide (medium to long-term or at the beginning of each evaluation round);
- v. Identify common challenges, good practices and regulation models and consider relying on other mechanisms' expertise and engaging them directly into own technical assistance projects (medium term, subject to resources);

*Better co-ordination of organisational aspects:*

- vi. Share with the GRECO plenary at an early stage of each evaluation round a general outline of the anticipated schedule (by year) of GRECO evaluations so that Members can start early on comparing potential review schedules with the other mechanisms and take steps to avoid overlap, where possible (short-term, and subject to inevitable changes in schedule);
- vii. Proactively share the names and contact details of a country delegation in each monitoring body prior to the initiation of a review in respect of that country (short-term);

*More efficient data collection, availability and sharing:*

- viii. Explore practical measures to exchange primary data (e.g. legislation, statistics, policy documents, official anti-corruption reports) (short-term), including by setting up a common database/platform/legal library of publicly available information (medium to long term, subject to available resources);

*Enhancing performance through training:*

- ix. Exchanges in respect of training of experts and staff, sharing of training manuals/materials/guidelines, as well as staff exchanges during trainings (ongoing).

**VI. Action proposed**

GRECO Delegations are invited to consider and discuss the above proposals, with a view to indicating which, if any, should be continued and/or further pursued by GRECO. Delegations are also invited to reflect those decisions in the context of their partnership with other international anti-corruption monitoring bodies.