Implementation Review Group
Resumed twelfth session
Vienna, 6–10 September 2021

Annotated provisional agenda

Addendum

Annotations

1. Organizational matters

(a) Opening of the session

The resumed twelfth session of the Implementation Review Group will be opened on Monday, 6 September 2021, at 11 a.m., at the Vienna International Centre, M-Building, Plenary Room M. Subject to developments relating to the coronavirus disease (COVID-19) pandemic, it is currently planned that the session will be held in a hybrid format (in person and online).

(b) Adoption of the agenda and organization of work

In its resolution 8/2, the Conference of the States Parties to the United Nations Convention against Corruption requested the Implementation Review Group to continue to hold regular sessions at least once a year, based on an annotated provisional agenda and programme of work issued as early as possible in order to enable the States parties to plan the composition of the delegations and prepare for focused and efficient discussions on the main topics of the session, and, while taking into consideration the directions of the Conference, being able to adjust topics of discussion to maximize the effectiveness of its discussions and work outcomes, subject to the availability of existing resources.

The provisional agenda for the twelfth session of the Implementation Review Group was adopted by the Group at its second resumed eleventh session, held from 16 to 18 November 2020.

The proposed organization of work for the resumed twelfth session (see annex) was prepared in line with the guidance contained in the workplan for the subsidiary bodies of the Conference, which was adopted by the Conference at its eighth session, in order to enable consideration of agenda items 4 and 5 jointly with the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and the Open-ended Intergovernmental Working Group on Asset Recovery. Moreover, in accordance with that workplan, the thematic focus of the resumed twelfth session will be on chapter IV (International cooperation) and chapter V (Asset recovery) of the Convention.

Drawing of lots

On the first day of the resumed twelfth session, lots may be drawn to select reviewing States parties for the purpose of carrying out redrews, if required. In addition, lots will be drawn to select the reviewing States parties for the first and second cycle reviews of any States parties that have become parties to the Convention since the previous drawing of lots.

Progress made in the conduct of country reviews

In its decision 5/1, the Conference of the States Parties decided that the Implementation Review Group should include in its future sessions an agenda item allowing for discussion of relevant information collected, with the support of the Secretariat, in order to facilitate the assessment of the performance of the Implementation Review Mechanism, in accordance with paragraph 48 of the terms of reference, following the completion of the first review cycle.

In its resolution 8/2, the Conference, inter alia, requested the Implementation Review Group to continue to collect, with the support of the secretariat, relevant information, including the views of States parties, pertaining to the performance of the Implementation Review Mechanism, with a view to continuing, at the appropriate time, its assessment of the performance of the Mechanism, as provided for in paragraph 48 of its terms of reference and Conference decision 5/1. The Conference also requested the secretariat to continue to provide to the Implementation Review Group analyses of the time frames associated with the crucial stages of the review process, including statistics on the number of States parties behind schedule, with the aim of facilitating a more efficient process.

In response to the significant delays incurred during the second cycle of the Implementation Review Mechanism, in its decision 8/1, the Conference extended the duration of the second cycle until June 2024 to allow for the completion of country reviews, and called upon States parties to accelerate the completion of the second cycle.

The Secretariat prepared a note entitled “Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption” (CAC/COSP/IRG/2021/2) for the consideration of the Implementation Review Group at its twelfth session, which was held from 14 to 18 June 2021. The Secretariat will provide an oral update on the progress made since then with regard to the Implementation Review Mechanism.

3. Financial and budgetary matters

In its resolution 3/1, the Conference underlined that the Implementation Review Mechanism would require a budget that ensured its efficient, continued and impartial functioning. Pursuant to that resolution, the General Assembly, in its resolution 64/237, requested the Secretary-General to ensure that the Mechanism was adequately funded.

In its resolution 4/1, the Conference decided that the Implementation Review Group should assist it in the fulfilment of its responsibility to consider the budget biennially by engaging with the Secretariat during the intersessional period with regard to expenditures and projected costs related to the Implementation Review Mechanism.

The Secretariat prepared a note entitled “Resources and expenditures for the functioning of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption” (CAC/COSP/IRG/2021/5) for the consideration of the Implementation Review Group at its twelfth session. The Secretariat will provide an oral update during the resumed twelfth session under agenda item 3.
4. **State of implementation of the United Nations Convention against Corruption**

(a) **Exchange of information, practices and experiences gained in the implementation of the Convention**

In its resolution 8/2, the Conference encouraged States parties to keep using the Implementation Review Group as a platform for the voluntary exchange of information on national measures taken during and after the completion of country reviews, including strategies adopted, challenges encountered and best practices identified, as well as, where appropriate, the follow-up to the recommendations made in the country review reports, while taking into account the need for efficient discussions and decision-making processes in the sessions of the Group. The Conference also welcomed the important and useful thematic implementation reports, regional supplementary addenda and updates on technical assistance needs prepared by the Secretariat for the consideration of the Group, and encouraged States parties, the United Nations and other stakeholders to make full use of those documents.

Accordingly, the Implementation Review Group will have before it a thematic report prepared by the Secretariat on the implementation of chapter V (Asset recovery) of the Convention against Corruption (CAC/COSP/IRG/2021/7).

Furthermore, a report prepared by the Secretariat on the implementation at the regional level of chapter V (Asset recovery) of the Convention against Corruption (CAC/COSP/IRG/2021/8) will be made available to the Implementation Review Group for its consideration. The report will provide an overview of successes, good practices, challenges and observations in relation to the implementation of article 52, paragraphs 5 and 6, and article 53 of the Convention.

States parties are encouraged to provide, under agenda item 4, further information on successes, good practices, challenges, technical assistance needs and measures taken after the completion of the country reviews under the first and second review cycles.

In line with the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, which was adopted by the General Assembly at its special session against corruption in June 2021, it is proposed that the Implementation Review Group focus its discussions on gaps and challenges in the implementation of chapter V of the Convention by taking into account the results of the Implementation Review Mechanism. In order to facilitate those discussions, a panel on gaps and challenges in the implementation of the asset recovery provisions of the Convention will be organized under the agenda item.

(b) **Thematic discussion**

In the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, States noted barriers to asset recovery and return that were posed, in particular, by mutual legal assistance processes that were often found to be lengthy and complicated. States highlighted the need to use all methods available to recover assets, including measures for direct recovery methods, as outlined in article 53 of the Convention, which provides flexible means for States to directly recover assets without having to rely on international cooperation. States committed to sharing information and good practices and developing further guidance in that regard, in order to facilitate litigation of cases in foreign courts. Furthermore, in its resolution 6/3, the Conference recognized, inter alia, that all efforts should be made to conduct international cooperation for the purposes of confiscation or appropriate direct recovery measures. Accordingly, a panel on the implementation of article 53 of the Convention (measures for direct recovery of property) will be organized under the agenda item.

Agenda item 4 will be discussed together with item 3 of the agenda of the tenth open-ended intergovernmental expert meeting to enhance international cooperation under
the United Nations Convention against Corruption and with items 2 to 4 of the agenda of the fifteenth meeting of the Working Group on Asset Recovery, at joint meetings.

**Documentation**

Thematic report prepared by the Secretariat on the implementation of chapter V (Asset recovery) of the United Nations Convention against Corruption (CAC/COSP/IRG/2021/7)

Report prepared by the Secretariat on the implementation at the regional level of chapter V (Asset recovery) of the United Nations Convention against Corruption (CAC/COSP/IRG/2021/8)

Executive summaries of country review reports (CAC/COSP/IRG/II/2/1/Add.27, CAC/COSP/IRG/II/2/1/Add.28 and CAC/COSP/IRG/II/3/1/Add.4)

5. **Technical assistance**

In its resolution 7/3, the Conference of the States Parties encouraged States parties to, inter alia, continue voluntarily sharing information on the provision of technical assistance and their needs for such assistance, including those needs identified through the review process, and to consider providing such information to the secretariat for publication on its website. In its resolution 8/1, the Conference acknowledged the importance of promoting, facilitating and supporting international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery, as set out in article 1, paragraph (b), of the Convention. Moreover, in its resolution 8/8, the Conference encouraged States parties to, inter alia, address the needs identified during their country reviews and to promote national anti-corruption strategies and/or action plans as a tool for country-led and country-based, integrated and coordinated technical assistance programming and delivery. The Secretariat prepared a conference room paper entitled “Technical assistance in support of the implementation of the United Nations Convention against Corruption, including an analysis of the responses to the technical assistance needs identified through the Implementation Review Mechanism” (CAC/COSP/IRG/2021/CRP.1) for the consideration of the Implementation Review Group at its twelfth session. An oral update will be provided by the Secretariat during the resumed twelfth session under agenda item 5.

In order to facilitate the deliberations of the Implementation Review Group on this topic, panels in relation to articles of chapters IV and V of the Convention will be organized.

Agenda item 5 will be discussed together with item 3 of the agenda of the tenth open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and item 5 of the agenda of the fifteenth meeting of the Working Group on Asset Recovery, at joint meetings.

6. **Other matters**

In its resolution 4/6, the Conference decided that briefings on the Implementation Review Mechanism would be convened for non-governmental organizations on the margins of the sessions of the Implementation Review Group and be conducted by the Secretariat in cooperation with a member of the Bureau.

In its resolution 8/2, the Conference encouraged the Implementation Review Group to continue to conduct briefings on the outcomes of the review process for non-governmental organizations on the margins of the sessions of the Group, in accordance with resolution 4/6.

The Implementation Review Group will receive a summary of the briefing to be held on Tuesday, 7 September 2021, on the margins of its resumed twelfth session.

Moreover, under agenda item 6, the Implementation Review Group may wish to discuss any other matters.
8. **Adoption of the report of the Implementation Review Group on its resumed twelfth session**

The Implementation Review Group is to adopt a report on its resumed twelfth session, the draft of which is to be prepared by the secretariat.
## Annex

### Proposed organization of work

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<sup>a</sup> Agenda item 4 will be discussed together with item 3 of the agenda of the tenth open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and with items 2 to 4 of the agenda of the fifteenth meeting of the Working Group on Asset Recovery.

<sup>b</sup> Agenda item 5 will be discussed together with item 3 of the agenda of the tenth open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and item 5 of the agenda of the fifteenth meeting of the Working Group on Asset Recovery.