



European Union

EU Statement on

Agenda item 2: Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption (UNCAC)

Agenda item 4: State of implementation of the UNCAC

**Second resumed 13th session of the Implementation Review Group,
16th Open-ended Intergovernmental Working Group on Asset Recovery and
11th Open-ended intergovernmental expert meeting to enhance international
cooperation**

Vienna, 7-11 November 2022

Mr President, Excellencies, ladies and gentlemen,

I have the honour to speak on behalf of the European Union and its Member States. The following countries align themselves with this statement: North Macedonia*, Montenegro*, Albania*, Ukraine*, the Republic of Moldova*, Bosnia and Herzegovina*, Georgia, Iceland⁺ and Norway⁺.

Mr President,

In the course of this week, we will speak about the review of implementation of the Convention, about asset recovery and international cooperation. Regrettably, all these topics, and especially international cooperation, are affected by Russia's illegal, unprovoked and unjustifiable aggression against Ukraine, which we condemn in the strongest possible terms. The EU remains unwavering in its support for Ukraine's independence, sovereignty and territorial integrity within its internationally recognized borders.

Let me now turn to the performance of the implementation review mechanism (IRM) and the implementation of the Convention in the European Union.

In this context, I would like to point out that the EU has recently submitted its self-assessment checklist for the first cycle and that, in line with the principles of the Transparency Pledge, the checklist has been published on the UNODC website.

* Candidate Countries North Macedonia, Montenegro, Albania, as well as potential Candidate Country Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

⁺ Iceland and Norway are members of the EFTA and of the European Economic Area.

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The EU's experiences with being reviewed will certainly also help us in contributing to the upcoming discussion of the future of the review mechanism.

Mr. President,

There are three issues I would like to address in this statement: the extension of the second cycle; the future of the review mechanism; and the framework in which discussions on a possible second phase of the review mechanism can take place.

All these issues are also addressed in a note by the Secretariat.

First, with regard to the duration of the second cycle, the note points out that in its decision 8/1, the Conference already decided to extend the duration of the second cycle until June 2024 to allow for the completion of country reviews. Shortly after this decision, the coronavirus disease (COVID-19) pandemic began, resulting in additional delays with respect to the completion of country reviews. Therefore, we agree with the detailed analysis of the Secretariat in its note and the resulting suggestion that the Group should recommend that the Conference, at its tenth session, next year, extend the current cycle by 18 months, to December 2025. However, since it cannot be excluded that the second cycle might not even be completed by that date, we suggest that any decision to extend the cycle should also clarify either that this is the last extension or that the cycle will be considered completed once a certain percentage of reviews has been concluded.

Second, if the Conference wishes to launch a next Phase at its eleventh session, in 2025, after completion of the current cycle, the Group needs to start discussions on the future of the Mechanism. According to para. 40 of the terms of reference of the Mechanism, in the next review phase, each State party shall submit information on progress achieved in connection with the observations contained in its previous country review reports. As appropriate, States parties shall also provide information on whether technical assistance needs have been provided.

However, given that in some instances more than a decade may have elapsed since the observations in the review reports were made, it would seem advisable not to limit the second phase to a simple follow-up to past recommendations but to look for more tailor-made solutions that also avoid a mere repetition of the two previous review cycles. This could also help to streamline the self-assessment checklist and the country review report, bringing them closer to the present executive summary model. Moreover, we encourage the Secretariat to exchange with the Secretariats of other relevant mechanisms (notably the OECD's Working Group on Bribery and the Council of Europe's GRECO), to inform our discussion on the future of the UNCAC IRM. We also need to strengthen the Mechanism to increase transparency and inclusiveness, especially with regard to engagement with civil society.

Finally, the Secretariat has also suggested that the member States may wish to establish a group of friends of the Implementation Review Mechanism to advance

the discussions on the next phase. At the last meeting of the Group, several speakers welcomed the idea of establishing such a group of friends. The EU and its Member States could also welcome the creation of a group of friends and would consider joining it. Moreover, we would suggest to the Bureau of the Conference to take further action on continuing discussions on the next review phase during the period leading up to or following the tenth session of the Conference, and schedule informal consultations on this issue.

Thank you, Mr President.