



Conference of the States Parties to the United Nations Convention against Corruption

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Report of the Implementation Review Group on its first resumed thirteenth session, held in Vienna on 8 and 9 September 2022

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I. Introduction

1. The Implementation Review Group was established by the Conference of the States Parties to the United Nations Convention against Corruption in its resolution 3/1, entitled “Review mechanism”, as an open-ended intergovernmental group of States parties to operate under its authority and report to it. The Group is to have an overview of the review process in order to identify challenges and good practices and to consider technical assistance requirements in order to ensure effective implementation of the Convention.

II. Organization of the session

A. Opening of the session

2. The Implementation Review Group held its first resumed thirteenth session in Vienna on 8 and 9 September 2022, in a hybrid format (in person and online).

3. The Group held three meetings, which were chaired by Aftab Ahmad Khokher (Pakistan), Vice-President of the Conference at its ninth session.

4. On 8 September, the Group adopted the organization of work for the session, as contained in the annex to the annotated provisional agenda ([CAC/COSP/IRG/2022/1/Add.1](#)).

5. In her introductory statement, the Secretary provided an overview of the organization of work. She noted that the terms of reference for the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and the resolutions of the Conference contained clear guidance on the steps that needed to be taken by the Group to prepare for the next review phase. The Secretary also noted that the conference room paper prepared by the secretariat for the consideration of the Group at the present session outlined a number of initial considerations and possible next steps. She emphasized the importance of the session in the ongoing dialogue on the next phase, in the period leading up to the tenth session of the Conference.

B. Attendance

6. The following States parties to the Convention were represented at the session: Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, China, Colombia, Congo, Côte d’Ivoire, Cuba, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Morocco, Mozambique, Netherlands, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, State of Palestine, Sudan, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tunisia, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Yemen.

7. The European Union, a regional economic integration organization that is a party to the Convention, was represented at the session.

8. In accordance with rule 2 of its resolution 4/5, the Conference decided that intergovernmental organizations, Secretariat units, United Nations bodies, funds and programmes, specialized agencies and other organizations of the United Nations

system and institutes of the United Nations crime prevention and criminal justice programme network may be invited to participate in the sessions of the Implementation Review Group.

9. The following specialized agency of the United Nations system and institute of the United Nations crime prevention and criminal justice programme network were represented by observers: International Telecommunication Union and International Centre for Criminal Law Reform and Criminal Justice Policy.

10. The following intergovernmental organizations were represented by observers: Asian-African Legal Consultative Organization, Black Sea Economic Cooperation Organization, Commonwealth of Independent States, Cooperation Council for the Arab States of the Gulf, European Union Agency for Criminal Justice Cooperation (Eurojust), European Union Agency for Law Enforcement Cooperation (Europol), Group of States against Corruption of the Council of Europe, International Anti-Corruption Academy, International Criminal Police Organization (INTERPOL), International Development Law Organization, Interparliamentary Assembly of the States members of the Commonwealth of Independent States, Italian-Latin American Institute, League of Arab States, Organization of Islamic Cooperation, Parliamentary Assembly of the Mediterranean and World Customs Organization.

III. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption

11. A representative of the secretariat introduced conference room paper CAC/COSP/IRG/2022/CRP.2. Part 1 of the paper provided an overview of the performance of the Implementation Review Mechanism and the delays encountered during the second cycle, as highlighted in the regular progress updates to the Implementation Review Group, and set out recommendations on measures required to complete the country reviews. The overall analysis showed that, while delays had accumulated throughout the review process, the impact of the coronavirus disease (COVID-19) pandemic had exacerbated the previously identified slowdown in the pace of reviews, with 126 executive summaries and 98 direct dialogues outstanding in the second cycle. While every effort would be made to accelerate the pace of reviews, the total number that could be completed remained limited by the capacity of the secretariat to support all pending reviews. The speaker noted that it would not be possible to complete the second cycle by June 2024, as previously foreseen in the report to the Conference of the States Parties to the Convention in 2019 (CAC/COSP/2019/12), and that those developments might warrant the consideration by the Group of a recommendation to the Conference to extend the second cycle until December 2025, as outlined in the conference room paper, to allow for the finalization of country reviews and to ensure the quality of the reviews.

12. Part 2 of the conference room paper laid out the mandates and next steps regarding the second review phase. The speaker noted that, pursuant to paragraphs 13 and 14 of resolution 8/2, the secretariat would prepare a report for consideration by the Group that would build on an information collection exercise aimed at gaining a more comprehensive overview of States parties' experience, lessons learned, and views on potential areas for improvement of the Implementation Review Mechanism. In addition, the paper contained a proposal for the secretariat to further analyse lessons learned from other review mechanisms in their transition from initial evaluation phases to a follow-up review phase. In the paper, it was also proposed that the Group may wish to begin discussions on the future of the Mechanism, considering lessons learned under its current review phase and bearing in mind its guiding principles, in particular its intergovernmental nature. Lastly, the paper suggested the creation of an open-ended group of friends of the Implementation Review Mechanism, open to all States and dedicated to advancing the launch of the next phase, to oversee the process and report to the Group on progress made. As part of

the design process, a potential pilot programme could be envisioned, similar to the one conducted prior to the launch of the Mechanism.

13. In the ensuing discussion, many speakers underscored the positive impact that the Implementation Review Mechanism had had, including through the identification of good practices and challenges, and reiterated their strong commitment to the Mechanism and to fulfilling the obligations emanating from the Convention. Many speakers shared their experience in conducting reviews, both as States parties under review and as reviewing States parties, and highlighted the crucial role of the Mechanism in operationalizing the obligations contained in the Convention. Speakers also noted that the Mechanism was instrumental in identifying technical assistance needs. Two speakers invited the secretariat to provide the Group with an update on the implementation of Conference resolution 9/4, in particular on the delivery of technical assistance based on outcomes of country reviews through United Nations Office on Drugs and Crime (UNODC) regional hubs.

14. Several speakers informed the Group of progress made in their reviews and measures taken after the conclusion of the first and second cycle reviews to address recommendations and other findings. Several speakers noted that legislative amendments or new legislation had been adopted to further implement the Convention. Others indicated that their countries had established new anti-corruption bodies and had taken measures to strengthen the capacities of existing bodies. Several speakers also noted how the preparation for and conduct of the reviews had improved coordination and cooperation at the national and international levels. Speakers also urged the secretariat to continue to provide training sessions to focal points and reviewing experts before the start of country reviews, and expressed their appreciation for the support provided by the secretariat in the conduct of the reviews.

15. Regarding the progress made in the second review cycle, speakers expressed appreciation for the detailed analysis provided by the secretariat of the delays experienced at all stages of the review process and the impact of the COVID-19 pandemic in aggravating the previously identified slowdown in the pace of reviews. Several speakers noted that the timely completion of the second review cycle was important. However, speakers also acknowledged that, despite ongoing efforts to accelerate the reviews, it would be impossible to complete the second cycle by June 2024, as foreseen in Conference decision 8/1. It was suggested that the Group consider a recommendation to the Conference to extend the second review cycle to December 2025, to coincide with the eleventh session of the Conference, in order to finalize the country reviews while maintaining the quality of reviews. One speaker noted that, should a decision be made in favour of an extension, efforts should be made to avoid extending the second cycle again beyond the additional 18 months in order not to prolong the second cycle and the first phase of the Implementation Review Mechanism, and that the Conference should be urged to consider the first cycle complete. In that context, it was suggested that either the Conference should consider establishing a threshold (e.g. 70 per cent of reviews, as under the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto), to be determined through further consultations, above which the Conference would consider the cycle closed and allow the next phase to be launched, or the Conference should agree not to extend the cycle again beyond 2025. Regarding options to promote the timely completion of reviews, the secretariat was encouraged to invite States parties to report on the status of their reviews, which would be made available on their country profile pages, and to continue sending reminder letters to States parties where warranted.

16. Several speakers welcomed the initial considerations regarding the next phase of the Implementation Review Mechanism, as presented in the conference room paper, and supported the idea of starting discussions on the future of the Mechanism. Several speakers put forward concrete proposals for elements of the Mechanism that might be changed or improved in the second phase. Some of those proposals focused in particular on the self-assessment checklist, which could be simplified and condensed to make the process more effective and flexible. It was also suggested that

the self-assessment checklist should allow States to respond to a list of key questions or provide information on thematic areas rather than on each individual provision of the Convention, also taking into account information provided in other mechanisms, to avoid duplication of efforts. One speaker suggested that the next phase should be a structured, formal process based on a self-assessment checklist following the sequence of the cycles conducted so far, and that the checklist should elicit information on the implementation of recommendations, on initiatives taken after the review process, including the follow-up to the political declaration adopted at the special session of the General Assembly against corruption, on good practices and challenges identified and on the outcome of technical assistance that had been provided. Several speakers made suggestions on the scope of the second phase and emphasized the need to include appropriate follow-up to the implementation of previous review recommendations, to establish more realistic time frames for the different stages of the reviews and to make the best possible use of information technology tools for the reviews.

17. Speakers also emphasized the importance of country visits in order to be able to discuss measures taken directly with the relevant experts and stakeholders and to enhance peer learning and international cooperation. Some speakers underscored that hybrid country visits should continue to be explored as a way to increase inclusivity. Two speakers suggested that, to help facilitate understanding, the final outcome documents of the review process could include the date up to which information had been included in the analysis. It was also suggested that the outcome documents of country reviews should be simplified.

18. With respect to the possible next steps in discussions on the second phase of the Implementation Review Mechanism, speakers welcomed the proposal by the secretariat to prepare a report for consideration by the Group at its fourteenth session, in accordance with paragraphs 13 and 14 of Conference resolution 8/2 and based in part on a questionnaire aimed at soliciting the views of States parties on the Mechanism and the review process, as well as preliminary views and ideas for the design of the next phase. Several speakers stressed that lessons learned in the current review phase should be an important consideration when discussing the second phase.

19. Emphasizing the importance of ensuring synergies with other relevant review mechanisms, some speakers noted that lessons learned and good practices arising from such review mechanisms should also be taken into account when designing the second phase of the Implementation Review Mechanism. One speaker suggested that joint country visits under different review mechanisms should be considered, while another speaker called for reviews of recommendations emanating from the various mechanisms on similar topics in order to ensure consistency. To benefit from the experience of other review mechanisms that had already moved beyond the first phase, the Group requested the secretariat to invite speakers from other secretariats and to prepare a paper, for consideration at its fourteenth session, containing an analysis of lessons learned from existing review mechanisms of relevant regional, sectoral and international instruments.

20. Speakers agreed that, while a decision on the next review phase should only be taken once the vast majority of States had completed the current phase, there was a need for in-depth discussions and consultations on the next phase.

21. In that regard, several speakers welcomed the idea put forward in the above-mentioned conference room paper by the secretariat of establishing a group of friends of the Implementation Review Mechanism open to all States parties interested in advancing deliberations on the next phase of the Mechanism, and expressed their States' interest in participating in such informal discussions should such a group be established. One speaker welcomed the idea in principle but stressed that the discussions should take place under the auspices of the Implementation Review Group and that any recommendations arising from that informal process should be presented to the Group for endorsement. Moreover, one speaker suggested holding regular thematic discussions involving focal points and governmental experts with relevant

experience. Another speaker asked about the mandate for establishing such a group of friends and about participation in the group, in particular the participation of other stakeholders.

22. The Implementation Review Group noted the need for further consideration on this informal process and on the mechanisms for regularly reporting back to the Group.

23. Commenting on the proposal for a pilot programme to test different possible modalities related to the next review phase, one speaker raised concerns about the limited time and capacity of States parties and the secretariat to conduct such a pilot programme.

24. One speaker suggested that a protocol on asset recovery be developed to strengthen the implementation of chapter V (Asset recovery) of the Convention, similar to the protocols to the United Nations Convention against Transnational Organized Crime.

25. Several speakers underlined the importance of the guiding principles of the Mechanism, including those relating to non-intrusiveness and impartiality, transparency, efficiency and inclusivity, and stressed that they should continue to be adhered to in the second phase. In that regard, several speakers stressed the value of the intergovernmental nature of the Mechanism. Several other speakers expressed the view that other stakeholders, such as civil society organizations, should be invited to take a more active role in the second phase of the Mechanism. One speaker highlighted the need to take into account the gender dimensions of corruption.

IV. Other matters

26. No issues were raised under the item.

V. Adoption of the report

27. On 9 September 2022, the Implementation Review Group adopted the report on its first resumed thirteenth session ([CAC/COSP/IRG/2022/L.1/Add.6](#), [CAC/COSP/IRG/2022/L.1/Add.7](#) and [CAC/COSP/IRG/2022/L.1/Add.8](#)), as orally amended.
