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NATIONAL STATEMENT

BY

REPUBLIC OF SOUTH AFRICA

RESUMED 13TH SESSION OF THE IMPLEMENTATION REVIEW GROUP

08 SEPTEMBER 2022

Chairperson;

Distinguished Delegates;

At the outset, the South African delegation wishes to express its gratitude to the Chairperson for his leadership of this session and the Secretariat for the outstanding work done in preparing for this session.

Chairperson,

South Africa has already concluded both cycles (first and second) of the Implementation Review Mechanism (IRM). It has also reviewed two States parties in the first cycle and another two in the second cycle. South Africa is also reviewing a third State Party in the second cycle. The review is yet to be concluded.

The views in this presentation are based on South Africa's experience as the Reviewed and Reviewing State Party. The Implementation Review Mechanism had a positive effect on the implementation of the Convention in South Africa. South Africa reviewed its anti-corruption strategy and its laws to comply with the requirements of the Convention.

The Technical Assistance born out of the Implementation Review Mechanism, provided by the UNODC to enhance the implementation of the Convention, is welcome as it continues to assist South Africa efforts to fight the scourge of corruption.

My delegation wishes to note that the schedule for the Country reviews (six months) was short, especially for the second cycle as Chapter II involves a variety of topics and a range of stakeholders. This made the task of coordination difficult, as a vast quantity of information had to be collected from different stakeholders.

During the review of the second cycle, notwithstanding that we went beyond the six months, we were assisted by the preparation that was made before the review formally commenced, as the self-assessment checklist was already available. It is critical to note

that for State Parties that were in the first year of implementation review, this might have been a challenge.

Noting that the Conference of States Parties (COSP) had to extend the period of the second cycle, it is critical to observe that there is still uncertainty regarding the fact that it will be concluded by 2024. This uncertainty is evidence of the fact that the time allocated for the review is unrealistic, especially the second cycle. My delegation notes the Secretariat's proposed timeline of the end of 2025.

Chairperson,

It is South Africa's view that the use of reviewers from different legal systems improves the robustness of the Implementation Review Mechanism. It has a positive impact on learning from different legal systems. South Africa recommends that the Mechanism continue with this methodology.

South Africa recommends that Country visits should be maintained as part of the review process. A Country visit is an opportunity to hear from all stakeholders especially experts in different fields, their experience, good practices and challenges in implementing the Convention. In the case of South Africa, it also allowed civil society organisations and the private sector to participate in the review process.

Chairperson,

My delegation is of the considered opinion that interaction with civil society could be better structured with a formal agenda, to maximise its value to the process. The agenda could be agreed to by the reviewed State, reviewers, and the Secretariat. A summarised version of the report can also be made available to the State party with the objective of improving the participation of civil society in the fight against corruption.

The South African delegation wishes to commend the support provided by the Secretariat during the review process. The support was critical in making the review

process a success and a fruitful learning opportunity in the fight against corruption. My delegation wishes to note that the Secretariat should, however, not be tempted to take over the process from the reviewers. The reviewers, as State Parties to the UNCAC, should lead the review process.

Chairperson,

My delegation wishes to propose that a follow-up mechanism should be a structured formal process based on a self-assessment checklist, like in the first and second cycles of the Implementation Review Mechanism. The mechanism should collect information regarding:

- i. implementation of the recommendations;
- ii. initiatives after the review process, including implementation of the political declaration adopted by the Special Session of the General Assembly against Corruption;
- iii. good practices and challenges, and
- iv. outcomes of the technical assistance provided.

The follow-up mechanism could follow the sequence of the Implementation Review Process (first cycle and then the second cycle) to allow States parties to implement the recommendations, after the review process.

I thank you