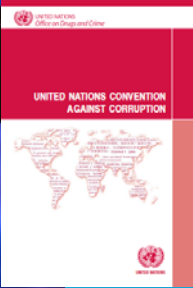

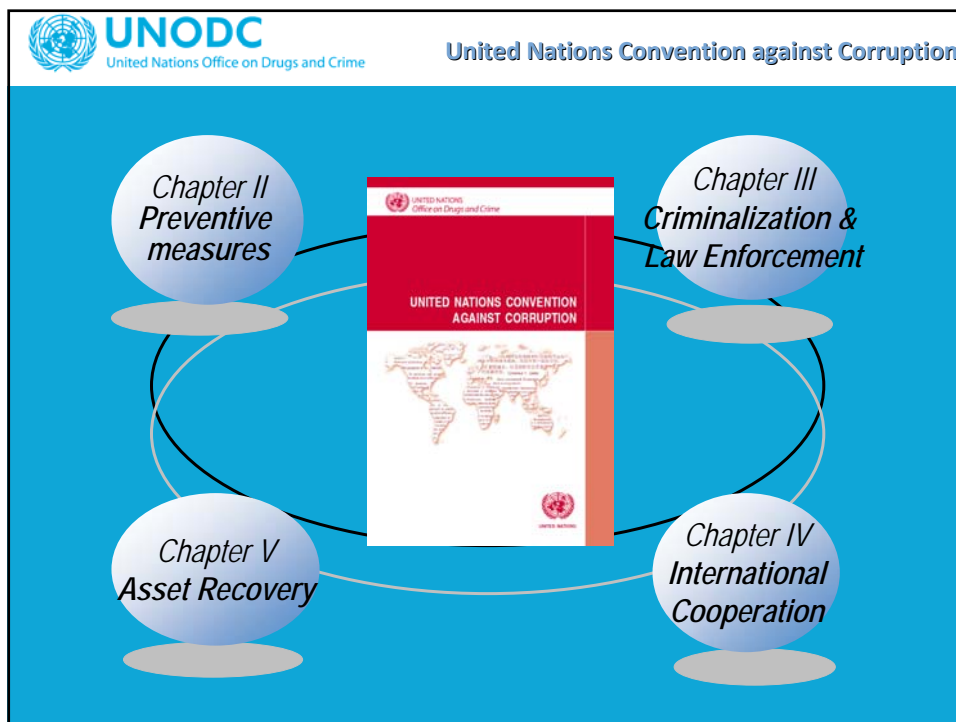
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Dimosthenis Chrysikos
UNODC/DTA/CEB/CSS



The United Nations Convention against Corruption – The role of the Conference of the States Parties to the UNCAC and its Review of Implementation Mechanism

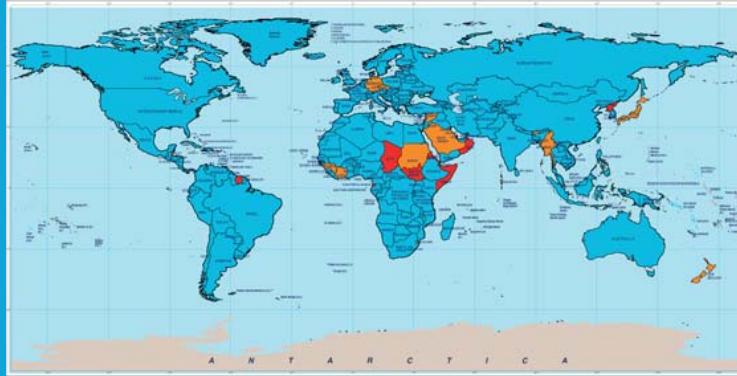
Second Preparatory Meeting of the 20th OSCE Economic and Environmental Forum on “Promoting Good Governance and Combating Corruption in Support of Socio-Economic Development” (Dublin, Ireland, 23-24 April 2012)





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UNCAC signature and ratification status



- States Parties
- Signatories
- Countries that have not signed or ratified the UNCAC

Adopted by GA Res. 58/4, 31 October 2003

Entered into force: 14 December 2005

160 States parties



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The Conference of the States Parties

Promote, Facilitate & Review Implementation

Make recommendations

Facilitate Information Exchange

CoSP 1
Dec 2006
Jordan

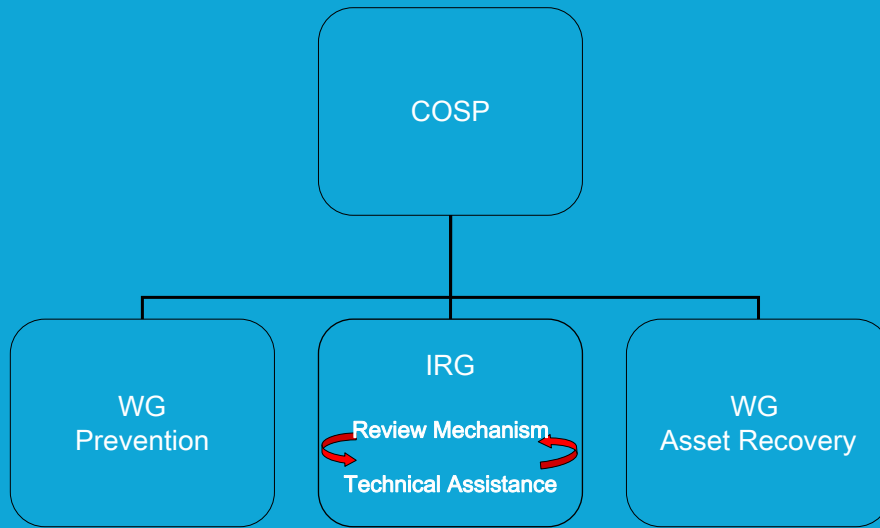
CoSP 2
Jan/Feb 2008
Indonesia

CoSP 3
Nov. 2009
Qatar

CoSP 4
Oct. 2011
Morocco

CoSP 5
2013
Panama

Current architecture of UNCAC treaty bodies



The 4th session of the CoSP, Marrakech 24 – 28 October 2011 - Highlights

1. Consolidation of Review mechanism and relevance for technical assistance
2. Marrakech Declaration on Prevention
3. Int. Cooperation in Asset Recovery





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Resolution 4/1 – Consolidation of the Review Mechanism

- Recognises the valuable role of TA and the importance of addressing TA in the mechanism
- IRG to decide priority areas for the provision of technical assistance based on outcomes of IRM
- Encourages State Parties to share experience on technical assistance annually during Group meetings
- Secretariat to continue work on thematic reports, deliver technical assistance and develop partnerships with other technical assistance partners
- Secretariat to produce an executive summary template



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Resolution 4/3 - The Marrakech Declaration on Prevention

The resolution requests the Secretariat to:

- Continue to assist the Working group on Prevention;
- Continue to function as an observatory of good practices in preventing corruption;
- Create opportunities for the involvement of young people as key actors on the prevention of corruption;
- Promote the responsible and professional reporting by journalists on corruption;
- Continue to cooperate with UN DESA in the prevention of corruption;
- Report at the 5th session of the COSP on the Institutional Integrity Initiative of the Chief Executive Board;
- Continue to provide TA for the implementation of Chapter II



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Resolution 4/5 – Participation of intergovernmental organizations in the work of the Implementation Group

- Int. Organisations with standing invitation from the General Assembly to participate in work of the UN may:
 - Attend sessions of the Implementation Working Group
 - Deliver Statements at the invitation of the Chair of the Group
 - Receive documents of the Group
 - Submit their views in writing to the Group

Resolution 4/6 – NGOs and the Review Mechanism

- Briefings for NGOS to take place on the margins of the Review Group
- NGOs encouraged to report to the Conference / the Review Group on their activities and contributions to the implementation of the recommendations and conclusions of the Review Group



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Review mechanism - structure

- I. Introduction
- II. Guiding principles and characteristics of the Mechanism
- III. Relationship with the Conference of the States Parties
- IV. Review Process
 - A. Goals
 - B. Country review
 - C. Implementation Review Group (IRG)
 - D. CoSP
- V. Secretariat
- VI. Languages
- VII. Funding
- VIII. Participation of Signatories in the Mechanism



Terms of reference – main elements

- Peer review process
- Drawing of lots for each year of the review cycle
- One phase = two cycles of five years
 - First cycle: chapter III (Criminalization and law enforcement); and IV (International cooperation)
 - Second cycle: chapters II (Preventive measures); and V (Asset recovery)
- Desk review of self-assessment reports
- Dialogue between State under review and reviewing States
- Possibility of direct dialogue
- Outcome of review process (report) and executive summaries
- Role of the Secretariat
- Funding



Framework documents for the Mechanism

- UNCAC
- COSP resolutions
- Terms of Reference of the Review Mechanism
- Guidelines for governmental experts and the secretariat, adopted at COSP III and finalized by the Implementation Review Group
- Blueprint for country review reports

Guidelines – main elements

- General and specific guidance
- Indicative timelines
- General guidance: purpose of the review and confidentiality
- Specific guidance:
 - Process to follow during the different stages of review
 - Self-assessment
 - Outcome of desk review
 - Dialogue including direct dialogue
 - Draft report
 - Agreement on country review report
- Blueprint for country review reports and executive summaries

The Implementation Review Mechanism – Update Emerging trends following analysis of country reviews in year 1

Implementation of Chapter III (Criminalization and Law Enforcement)

Examples of challenges :

- adoption of measures to criminalize bribery in the private sector,
- introduction of procedures regarding the protection of witnesses and the protection of reporting persons (whistle-blowers)

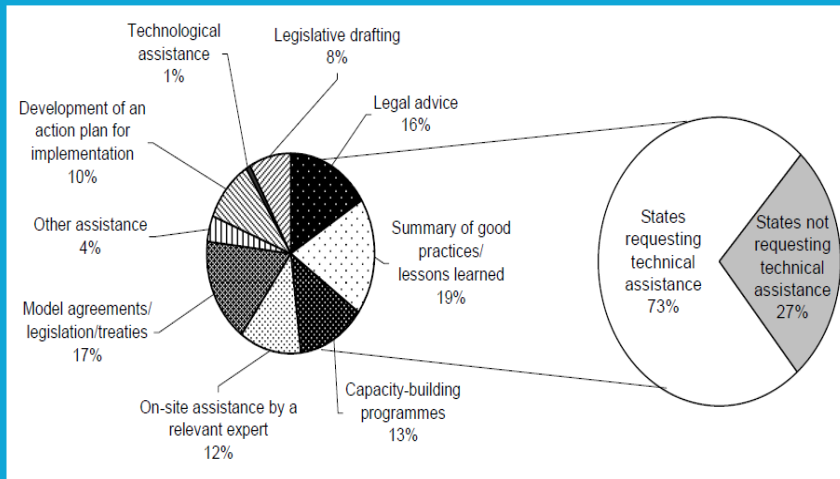
Implementation of Chapter IV (International Cooperation in Criminal Matters)

Examples of challenges :

- Need for appropriate training, access to information, language skills to enhance international cooperation,
- Need to strengthen channels of communication between competent anti-corruption authorities,
- Need to further develop special investigative techniques

The Implementation Review Mechanism – Update

TA needs identified through the self-assessment checklist by countries under review
- Chapters III and IV -



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