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



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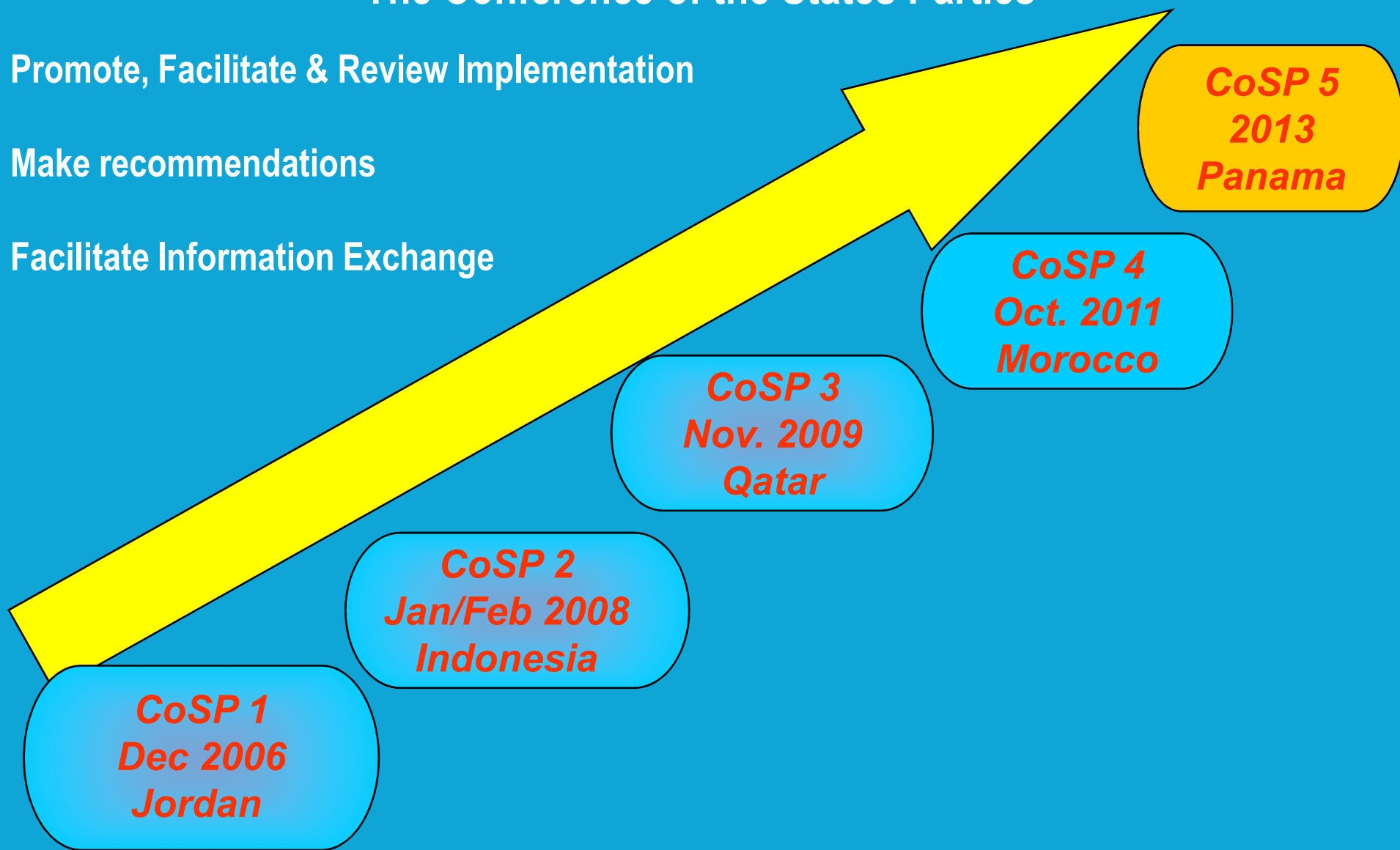
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The Conference of the States Parties

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

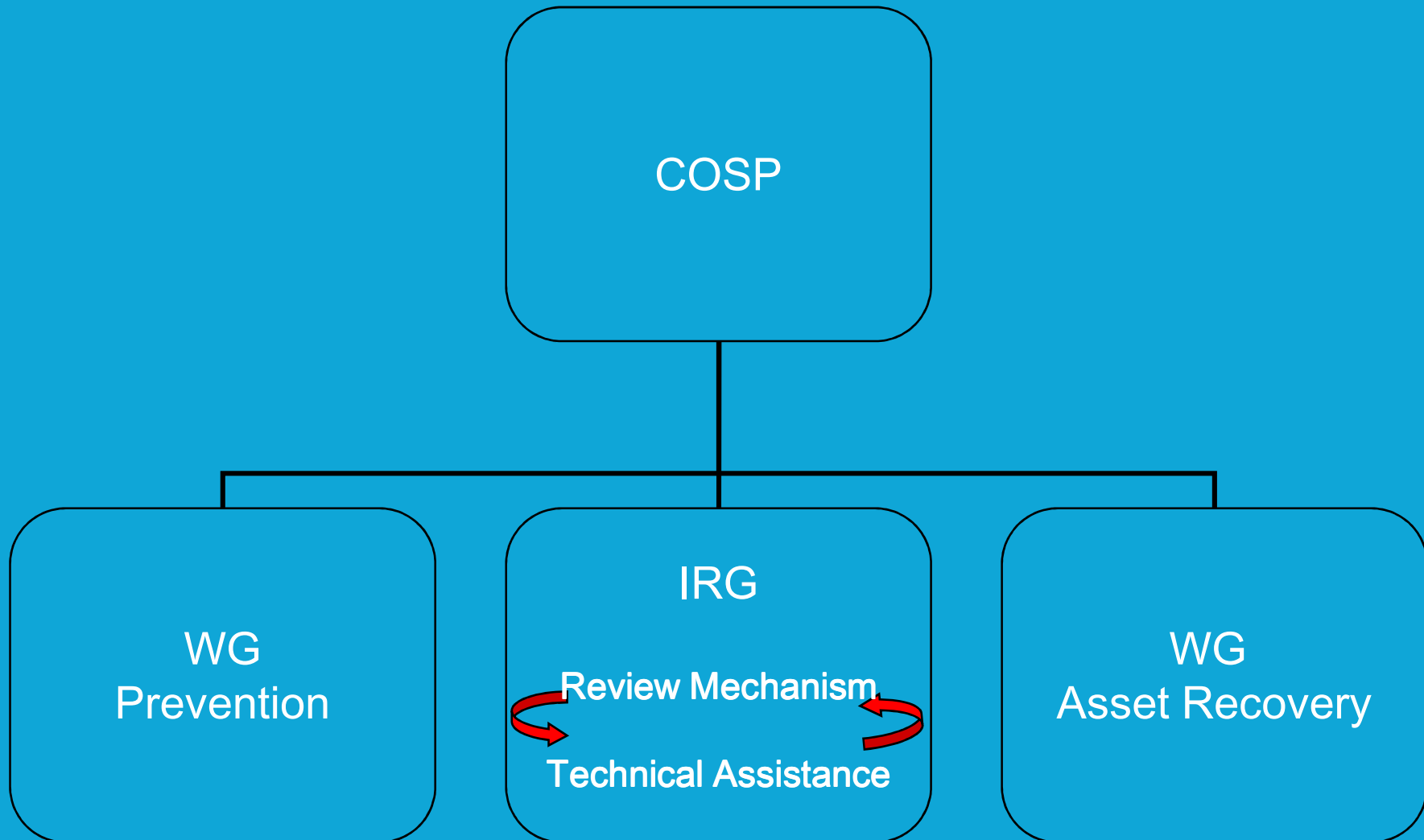
CoSP 5
2013
Panama



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Current architecture of UNCAC treaty bodies





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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



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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



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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



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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



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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)

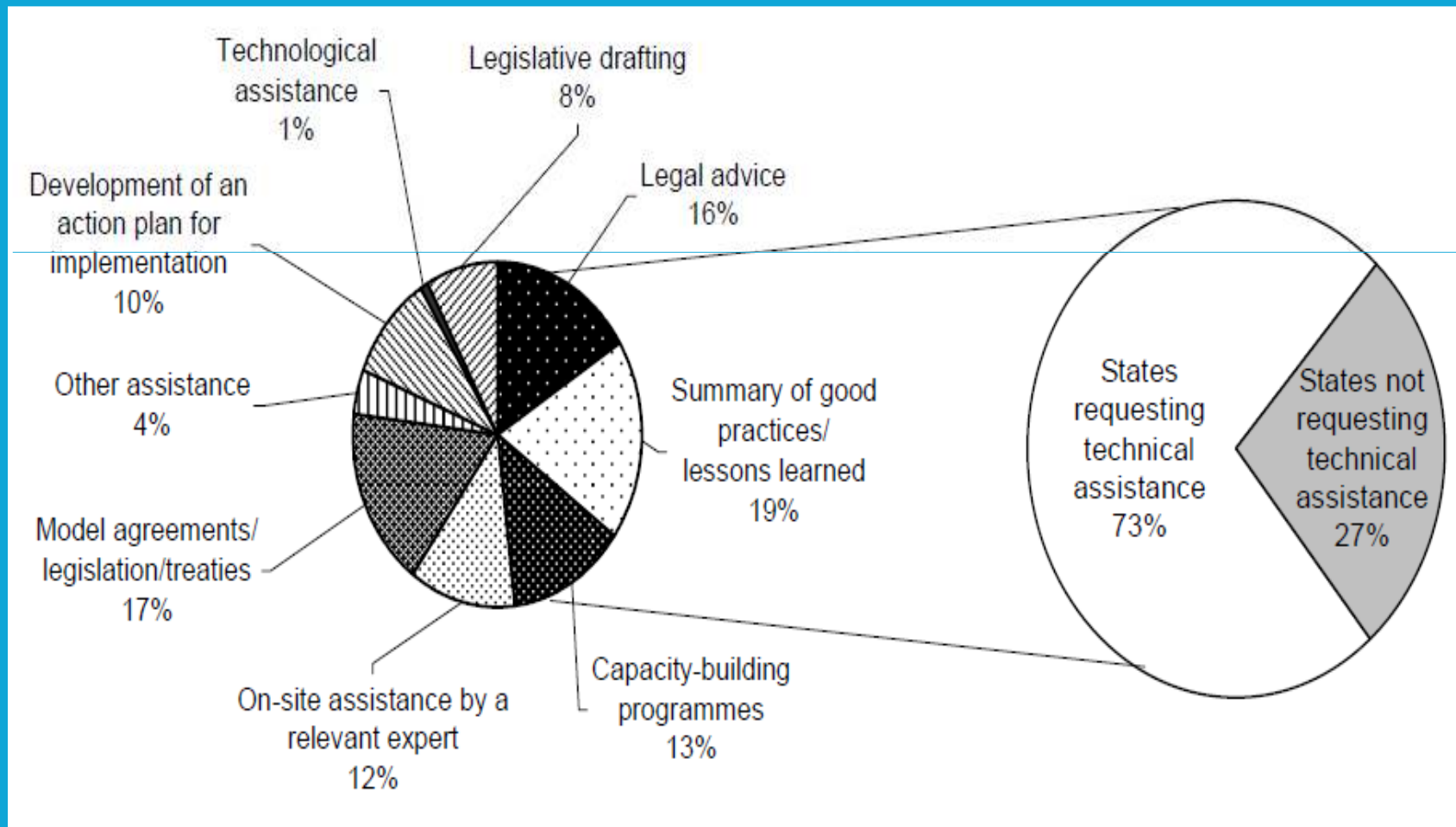
Examples of challenges :

- 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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