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Implementation Review Group**First resumed fifteenth session**

Vienna, 28 August to 6 September 2024

Agenda Item 2

**Performance of the Mechanism for the Review of
Implementation of the United Nations Convention
against Corruption****Next phase of the Mechanism for the Review of
Implementation of the United Nations Convention
against Corruption: topics for discussion****Discussion guide by the Secretariat***Summary*

This discussion guide has been prepared to facilitate the deliberations of the Group on the topic of the scope and thematic sequence of the next phase of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, as well as on the issues of drawing of lots, direct dialogue, information-gathering and use of technology. It is intended to be read together with the note by the secretariat ([CAC/COSP/IRG/2024/9](#)) containing the updated analysis of views of States parties on the next phase of the Mechanism and the discussion paper by the secretariat ([CAC/COSP/IRG/2024/10](#)) on drawing of lots, direct dialogue, information-gathering and use of technology. Based on the views shared by States parties to date, as analysed in the note, and based on analyses by the secretariat, the present document lays out certain questions for discussion that the Group may wish to consider in order to facilitate its deliberations on this topic.



I. Introduction

1. The purpose of this discussion paper is to inform the deliberations of the Implementation Review Group regarding the scope and thematic sequence of the next phase of the Mechanism for the Review of Implementation of the Convention, as well as on drawing of lots, direct dialogue, information-gathering and use of technology, in line with the workplan on the implementation of Conference decision 10/2 that was adopted by the Group at its 15th session.

2. The present paper should be read together with the note by the secretariat ([CAC/COSP/IRG/2024/9](#)) containing the updated analysis of views of States parties on the next phase of the Mechanism, and the discussion paper by the secretariat ([CAC/COSP/IRG/2024/10](#)) on drawing of lots, direct dialogue, information-gathering and use of technology. Based on the views shared by States parties to date, as analysed in the note, certain questions for discussion are presented that the Group may wish to consider in order to facilitate its deliberations on this topic.

3. The present paper is structured into thematic areas corresponding to elements of the next review phase that were repeatedly emphasized by States parties in their written responses to date and in the previous sessions of the Group and during the tenth session of the Conference:

(a) Follow-up to the recommendations and technical assistance needs identified in the first review phase,

(b) Reporting on measures taken after the conclusion of a country review,

(c) Scope and thematic sequence of the next review phase,

(d) Reviewing the practical implementation (effectiveness) of the provisions of the Convention,

(e) Drawing of lots,

(f) Direct dialogue, and

(g) Information-gathering and use of technology.

II. Questions for discussion

4. Based on the above, delegations may wish to consider the following questions in their deliberations at the first resumed 15th session of the Group:

Follow-up process

Paragraph 40 of the terms of reference of the Mechanism¹ provides for States parties to submit information in their responses to the comprehensive self-assessment checklist on progress achieved in connection with the observations contained in the previous country review reports and, where appropriate, on whether technical assistance was provided. Accordingly, for each observation, States parties should report in their response to the self-assessment checklist for the next cycle on progress made in implementing measures that respond to the observation and, as appropriate, on whether technical assistance was provided.

(a) How is the follow-up review process to be structured? An obvious starting point would be to assess the implementation by the State party under review of the recommendations issued in the first review phase.

¹ Paragraph 40 reads as follows “In the following review phase, each State party shall submit information in its responses to the comprehensive self-assessment checklist 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 requested by them in relation to their country review reports have been provided.”

(b) Apart from reporting on the implementation of recommendations, how should new developments be taken into account, as suggested by a number of States parties? Should States parties report on new developments for all provisions under review in a cycle if there have been changes in the implementation of those provisions? This would entail a combined approach where new developments are reviewed in parallel with a follow-up assessment of how recommendations and conclusions were addressed.

(c) In reporting on progress, should States also report on developments in the implementation of good practices identified in the first review phase?

Reporting on measures taken after the conclusion of a country review

States parties made a number of suggestions on how information on measures taken after the conclusion of a country review could be shared. While some States parties referred to the existing practice of voluntarily sharing such information in the Implementation Review Group, a majority of reporting States parties (71 per cent responding to the 2024 questionnaire) referred to the need for more structured reporting. This could entail more systematic monitoring of the implementation of recommendations, as suggested by some States parties, and would not necessarily preclude States parties from voluntarily informing the Group of recent progress.

(a) In terms of structured reporting on measures taken after the conclusion of a review, what should be the scope of the reports? Should the reports mirror the follow-up process and comprehensively address all recommendations and any technical assistance provided? Alternatively, should States parties focus in the reports only on major implementation challenges?

(b) Should there be templates for the reports on measures taken after the conclusion of a review?

(c) Could for instance voluntary briefings in addition to written reports be an interesting and informative way in which the Group could be used as platform for information exchange after a review has concluded?

(d) What could be possible ways for States parties wishing to do so to consult with and include the views of other stakeholders in the follow-up process, for example by including directly their views in the follow-up reports or inviting them to produce separate reports?

Scope and thematic sequence

States parties have shared views on the sequence of chapters, with many States parties expressing a preference for either maintaining the current sequence, with chapters III and IV under review in a first cycle of the next phase and chapters II and V under review in a second cycle (as preferred by 68 per cent of respondents to the 2024 questionnaire), or changing the sequence, or reviewing only one chapter per cycle.

(a) Some specific questions with regard to reviewing one chapter at a time: How long would one cycle be if only one chapter is reviewed? Would the length differ for each chapter (e.g. a shorter cycle for the review of chapter III compared to chapter II)? How would the financial and administrative implications of having to arrange for four reviews (one per chapter) instead of two reviews per phase be addressed?

Practical implementation (effectiveness)

A large number of States parties have referred to the possibility of adding a focus on reviewing the practical implementation of the Convention as an element for the next phase. More specifically, 60 per cent of respondents to the 2024 questionnaire considered that the focus of the next phase should be on both following up on the implementation of the recommendations and findings emanating from the first phase

and on assessing the practical implementation of the provisions under review (effectiveness).

(a) How would this look in practice? Which information should be provided by the State party under review to allow for assessing the practical implementation of the provisions (statistics, court cases, etc.)?

(b) Which criteria could be used to assess the practical implementation? How should the criteria/methodology be developed? How would the criteria take into account the different levels of development of States parties?

(c) Would a standardized, indicator-based approach be useful as a methodology to assess effectiveness of measures? For example, could some of the indicators contained in the UNODC Statistical Framework² to measure corruption be used to assess effectiveness?

Drawing of lots

(a) Should the drawing of lots to establish in which year a State party is reviewed be conducted at the beginning of each cycle, as in the past? Should the drawing of lots to select the reviewing States parties be conducted at the beginning of each review year, as in the past?

(b) Should the drawing of lots be paper-based or electronic? If electronic, could the automated tool used by the UNTOC Implementation Review Mechanism be a basis for the development of an automated tool for drawing the lots for UNCAC reviews?

(c) If an automated tool is used to draw the lots, should the similarity of legal systems be an additional factor in the drawing of reviewing States parties (based on paragraph 19 of the terms of reference)?

Direct dialogue

(a) Should there be a possibility to have a longer country visit where necessary?

(b) Should there be a public calendar of upcoming country visits on the UNODC website for increased transparency?

Information-gathering and IT tool

A number of States parties expressed a preference for having a choice between a Word document or similar and an IT solution for the information-gathering in the next phase (51 per cent of respondents to the 2024 questionnaire).

(a) Would it be useful if the self-assessment checklist were pre-filled with the information from the previous review phase for the State party under review to validate and/or update the information?

(b) Should an IT tool facilitate the review process beyond the completion of the self-assessment checklist (e.g. facilitate the desk review by the reviewers)?

² The Conference, in resolution 8/10, requested UNODC, in coordination with the Statistical Commission and in close cooperation and consultation with States parties, to [...] develop a comprehensive, scientifically sound and objective framework for the purpose of assisting States parties, upon their request, in measuring corruption, consistent with the Convention. The statistical framework was developed in close consultation with over 200 experts from 81 States parties. It was welcomed by the Statistical Commission as a statistically robust framework and taken note of with appreciation by the Conference in resolution 10/4. It is available here: https://www.unodc.org/documents/data-and-analysis/statistics/corruption/UNODC_Statistical_Framework_to_measure_corruption.pdf.

(c) Would features such as being able to directly assign provisions of the Convention to relevant experts or having a dashboard of progress help facilitate the review for the focal point and reviewing experts?

(d) Should any self-assessment checklist have an optional section that States parties could assign to individuals and groups outside the public sector to contribute to the review, if so desired by the State party under review?

(e) Could an IT tool be a way to assist States parties in monitoring measures taken to address recommendations after a review has concluded, e.g. by containing an action plan template to address recommendations, or by allowing for an assignment of different recommendations to different agencies?

(f) Could relevant features of REVMOD, the tool used to gather information for UNTOC reviews, be considered useful as a customizable option for UNCAC reviews?

III. Outlook

5. The above questions are meant as a basis for discussion and to support the deliberations of the Group with a view to continuing to collect and analyse the views of States parties on the scope and thematic sequence of the next review phase, as well as on the issues of drawing of lots, direct dialogue, information-gathering and use of technology. The views shared will inform future analysis and discussion in the Group on these issues.
