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**Statement submitted by the UNCAC Coalition, a
non-governmental organization not in consultative status
with the Economic and Social Council***

The following document is being circulated in accordance with paragraph 1 (i) of resolution 4/6 of the Conference of the States Parties to the United Nations Convention against Corruption and rule 17, paragraph 3 (b), of the rules of procedure for the Conference.

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Making the UNCAC’s Implementation Review Mechanism more transparent, inclusive, efficient and effective

UNCAC Coalition Submission to the
First Resumed 15th Session of the UNCAC Implementation Review Group

19 August 2024

The experiences of civil society across the globe,¹ the UNCAC Coalition’s research and good practices applied in other anti-corruption monitoring mechanisms² show that the current UNCAC Implementation Review Mechanism (IRM) has numerous weaknesses that limit its impact on advancing national-level UNCAC implementation: a lack of transparency and inclusiveness, a lengthy and inefficient review process and no structured follow-up process.³

As States Parties to the UN Convention against Corruption (UNCAC) consider the scope and format for the next phase of the IRM,⁴ the UNCAC Coalition proposes the following recommendations to strengthen the IRM in five key ways to make it more transparent, inclusive, efficient and effective – efforts that are crucial to bolster UNCAC implementation, leading to more effective outcomes in the fight against corruption.⁵

¹ For more information on the IRM and its weaknesses and the Coalition’s blog on how civil society participates in UNCAC implementation reviews: <https://uncaccoalition.org/uncac-review/uncac-review-mechanism/> and <https://uncaccoalition.org/20-years-of-uncac/>.

² See the UNCAC Coalition’s Submission to CoSP10, November 2023, “Strengthening the UNCAC’s Implementation Review Mechanism to be Effective, Inclusive and Transparent”, <https://uncaccoalition.org/wp-content/uploads/UNCAC-Coalition-CoSP10-Submission-Strengthening-the-UNCACs-Implementation-Review-Mechanism.pdf>. Other anti-corruption monitoring mechanisms and other review mechanisms provide concrete examples of good practices that the IRM should draw upon to strengthen civil society participation, transparency and effectiveness in country reviews, including the OECD Anti-Bribery Convention, the Financial Action Task Force (FATF), the Group of States against Corruption (GRECO), the Open Government Partnership’s Independent Reporting Mechanism, the Organization of American States’ Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) and the Universal Periodic Review (UPR) of the Human Rights Council.

³ See the IRM [Terms of Reference](#) paragraphs 40 and 41 on follow-up procedures. Paragraph 41 states that “The Conference, through the Implementation Review Group, shall assess and adapt, where appropriate, the procedures and requirements for the follow-up to the conclusions and observations emerging from the review process.”

⁴ According to CoSP10 [Decision 10/2](#), the Implementation Review Group, to submit recommendations to the 11th Conference of States Parties that will be held in late 2025 and “endeavour to launch the next phase as soon as possible” The UNCAC Coalition would like to see the next phase of the UNCAC IRM to be launched as soon as possible, ideally at the 11th UNCAC Conference of States Parties (CoSP) that will be held in late 2025.

⁵ The UNCAC Coalition, a global network of over 400 civil society organizations promoting the implementation and monitoring of the UNCAC. The recommendations in this document reflect the feedback that the Coalition

The below priorities reflect the results of a consultation of our global network of over 400 civil society organizations from over 110 countries. When considering these recommendations, it is crucial to take into account the specific context of the country under review and the corruption risks that are present.⁶

1) Increase transparency

- **Publish and regularly update timelines for country reviews and information on government focal points**, as well as information on how civil society can engage in the review process and in review visits.⁷
- **UNODC should publicly announce when country reviews will be held and when country review reports are published**, in coordination with UNODC offices and relevant government agencies, to promote the findings of the report.
- **Publish all key inputs and outputs from the review** including the self-assessment checklists and country review reports,⁸ annual progress reports, [civil society parallel reports](#) and other submissions by non-governmental stakeholders and dashboards created to highlight recommendations and good practices from country reviews.⁹
- **Upgrade the UNODC [country profile website](#) to provide all country review information (as outlined above) in a user-friendly, accessible manner and in open data format.**¹⁰ The profiles should include links to the relevant sections of the government's website and to reports from other anti-corruption monitoring mechanisms, a section for publishing updates from governments on follow-up measures and engaging non-state actors, and information on technical assistance (TA) projects and the partners engaged. Country profile pages ideally

received through a network consultation with the aim of informing and influencing States Parties' discussions on this important issue.

⁶ The Coalition received input from CSOs highlighting the importance of addressing the major corruption risks they face in their respective countries to make the country review meaningful and relevant. As examples: corruption in the context of a country experiencing conflict, and corruption in a country where corruption risks in the environmental sector are high.

⁷ Over 60 countries have signed the United Kingdom's IRM Initiative, committing to carry out country reviews and follow-up measures in a more transparent and inclusive manner, for more information see: <https://www.unodc.org/documents/treaties/UNCAC/COSP/session10/CAC-COSP-2023-CRP.14.pdf>.

⁸ The UNCAC review reports ideally should be available to the public in the local languages, which is important for ensuring that the general public can access the information to hold governments accountable, enable more robust civil society engagement and foster a greater understanding of anti-corruption efforts among citizens. Governments should also be encouraged to publish information and data on its country review process on its website in an open data format to promote its usage.

⁹ Questions posed by the review team relating to the self-assessment checklist should also be made available upon request or be included in the report's annex.

¹⁰ See the international Open Data Charter (ODC) principles "developed by governments, civil society and experts globally that represent a globally-agreed set of aspirational norms for how to publish data": <https://opendatacharter.org/principles/>.

should provide an option for users to be notified about updates to a specific country profile page via email.

- **Increase transparency of technical assistance and capacity-building efforts at all levels.** UNODC should publish a searchable database that provides information on all TA projects and the partners engaged to increase transparency and coordination; new TA efforts to support specific national reform efforts should be publicized in a timely manner.

2) Strengthen civil society participation

- **Require that countries carry out inclusive and transparent reviews that actively engage civil society at key stages of the review process and in follow-up actions,**¹¹ including by organizing stakeholder dialogues and meetings to jointly shape a follow-up action plan to implement the review recommendations. Countries should engage independent civil society stakeholders, including non-governmental organizations (NGOs), academia, the media, think tanks, grassroots and community organizations, youth, women and other marginalized groups and the private sector.¹²
- **States Parties should be able to nominate independent experts, including those with a civil society background, to serve as peer reviewers,** tapping into the knowledge, experiences and expertise of civil society while helping to address resource constraints.
- **The UNODC should update its guidance on how to promote meaningful civil society participation at key stages of the country review process and follow-up** (as outlined in the UNCAC Coalition’s [Guide to Transparency and Participation in the UNCAC Review Mechanism](#)). As examples: organizing sessions for peer reviewers to meet with stakeholders at the beginning of country visits without the government under review present,¹³ consulting

¹¹ See UNODC paper’s (2023) on lessons learned from other review mechanisms, Section F. on inclusion of non-governmental actors, which states that all the review mechanisms studied involve non-state actors in various ways in the review process and have initiated reforms and guidance to facilitate civil society engagement in the reviews. It concludes that “From the point of view of the secretariat representatives consulted, experiences with the involvement of non-governmental stakeholders in the review exercise have been positive. The contributions of such stakeholders are considered to improve the quality of country reports issued by the peer review mechanisms and to help with domestic follow-up.” Some review mechanisms have also taken measures to help protect non-governmental actors against reprisals, for example by organizing separate meetings with CSOs that are not part of government consultations.
<https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/4-8September2023/CAC-COSP-IRG-2023-8-Add.1/2312240E.pdf>.

¹² States Parties should establish a structured and inclusive mechanism through which civil society actors can provide input and feedback throughout the review process and follow-up process, with a guarantee that their contributions are considered. An open process that allows input from non-state actors both inside and outside of the country under review is critical, particularly in countries with civic space challenges where independent civil society may not exist. Sub-national governments could also be encouraged to contribute to reviews.

¹³ An important lesson learned from civil society experiences in country reviews is that adequate time should be provided for CSOs to present the results of civil society parallel reports, which provide detailed, technical analyses of the legal framework and implementation of UNCAC provisions. To give these presentations adequate consideration, separate meetings could be organized to present the report findings.

with stakeholders in the development of self-assessment checklists and draft country reports, including civil society in working groups to oversee country reviews, and developing joint action plans to follow-up on country review recommendations and findings.

- **Allow independent civil society organizations (CSOs) and other non-governmental stakeholders to participate as observers in the Implementation Review Group (IRG),** the body that oversees the IRM, as well as other UNCAC CoSP subsidiary bodies. NGOs should be allowed to present civil society parallel reports and submissions on UNCAC implementation¹⁴ for specific countries as part of the IRG discussions.¹⁵
- **States Parties and donors should increase funding and capacity-building for civil society actors** to participate in country reviews, monitor UNCAC implementation and engage in follow-up efforts. This will help address the significant resource constraints that many civil society organizations working on anti-corruption, including in developed countries, face.¹⁶

3) Increase the efficiency of the review process

- **UNODC should publish a regularly updated global calendar of all reviews.** The calendar should provide explanations for any delays in reviews and how they will be addressed, promoting greater accountability, efficiency and effectiveness.¹⁷
- **Strengthen coordination and cooperation with relevant UN bodies and monitoring mechanisms¹⁸ to increase the efficiency and effectiveness of country reviews. Peer-reviewers should be able to integrate the findings of other anti-corruption review mechanisms and other relevant reviews** as well as relevant available data and statistics, reports published (or submitted to reviewers) by non-governmental organizations, think tanks, the media, as well as any other sources they deem relevant.
- **Peer reviewers should develop recommendations that are specific, detailed and actionable.**

¹⁴ Civil society actors should also be able to submit reports and research that they have already produced that is relevant to a country's UNCAC implementation.

¹⁵ Despite the essential role of civil society in combating corruption as embodied by UNCAC Articles 10, 13 and other provisions, non-governmental stakeholders have been excluded from participating as observers in the UNCAC's subsidiary bodies since 2010. However, according to Rule 2, the UNCAC CoSP rules of procedure must be applied *mutatis mutandis* to subsidiary bodies created under Article 63. These bodies include the Implementation Review Group, the Working Group on Prevention and the Working Group on Asset Recovery. Therefore, the following rules apply to the IRG *mutatis mutandis*: Rule 17 says that CSOs can participate as observers in CoSP plenaries. Rule 40 says that CoSP plenaries should be public unless the CoSP decides otherwise.

¹⁶ Global donor funding levels for anti-corruption efforts is relatively minimal compared to other issues and is in decline, see: <https://taicollaborative.org/show-me-the-money-the-global-anti-corruption-community-has-ambition-and-momentum-but-the-financial-support-is-severely-lacking>.

¹⁷ As an example of how this can be done, see FATF's [Global Assessment Calendar](#), a regularly-updated calendar of possible dates for on-site visits and plenary discussions of country evaluations.

¹⁸ Other relevant review mechanisms and UN bodies to coordinate with include FATF, OECD Anti-Bribery Convention, OGP, UPR, UN Convention against Transnational Organized Crime (UNTOC) and regional anti-corruption monitoring mechanisms such as GRECO, the Istanbul Anti-Corruption Action-Plan and MESICIC.

4) Establish a structured follow-up procedure to ensure accountability and effectiveness

- **Develop a clear, structured process to follow-up on the implementation of country review recommendations and findings from previous cycles**, including recommendations on technical assistance, new developments in the country, e.g. changes to anti-corruption frameworks and their implementation, notable improvements, challenges and good practices. Each subsequent cycle of reviews should consider whether previous recommendations have been met; issues yet to be addressed should be added to the recommendations of the current review cycle.
- **Countries should complete a self-assessment checklist to report on actions taken to implement recommendations from previous reviews, demonstrate implementation and enforcement efforts, lay out good practices and challenges and draw upon relevant findings and recommendations from other review mechanisms.**¹⁹
- **The checklist should include a section for non-governmental stakeholders to provide their views on the country's UNCAC implementation and follow-up efforts.**²⁰ Countries should also have the option of voluntarily providing information on implementation of CoSP resolutions relating to the article(s) under review.
- **Create substantive, user-friendly country reports and executive summaries that clearly lay out findings, conclusions and recommendations.** The executive summaries should be longer and more detailed, laying out all findings from country reviews, the country context, civil society stakeholder engagement in the review process (including which actors were consulted), recommendations to strengthen UNCAC implementation, good practices and challenges, and ways in which non-governmental stakeholder involvement in further action is foreseen.²¹
- **Following the completion of follow-up reviews, countries should submit and publish annual progress reports to provide updates on actions taken to address unimplemented recommendations made from previous reviews and to highlight new developments and challenges, drawing on data and other evidence.**
- **Countries should present the findings of their reports and plans for follow-up at the IRG meetings annually** to promote accountability and sharing of experiences and lessons learned; the IRG should **publish the schedule of countries' presentations as part of its agenda.**

¹⁹ See the MESICIC questionnaire for the Sixth Round that countries complete to report on implementation of recommendations from a previous round and the selected provisions under review. It offers some ideas for how countries could report on efforts to implement recommendations, efforts to assess implementation and results, update on new developments and changes and concretely outline best practices: https://www.oas.org/en/sla/dlc/mesicic/docs/mesicic6_cuestionario_ing.pdf.

²⁰ As an example, the UPR encourages civil society actors and other stakeholders to provide written input on the country under review, and a summary of the views of civil society actors and other stakeholders is prepared by OHCHR and included as part of the review of a country, for more information: <https://www.ohchr.org/en/hr-bodies/upr/ngos-nhris>.

²¹ Wherever possible, the reports should provide evidence, data and links to website pages where more detailed information is provided.

- **Stakeholders should be encouraged to organize meetings on the sidelines of the IRG meetings where NGOs can present their findings on UNCAC country reviews that the IRG is discussing.**²²

5) Assess implementation and effectiveness in practice

- **Reviews should have a central focus on evaluating implementation and the effectiveness of the UNCAC provisions,**²³ by developing indicators to evaluate both the level of implementation and impact of anti-corruption frameworks through examining aspects such as programs to promote compliance, statistics and evidence of investigative and enforcement actions taken for non-compliance including court cases, evidence of appropriate regulatory bodies created that are independent with adequate authority and resources to enforce and have oversight, the use of regular audits and monitoring and evaluation programs, the use of research, polls and surveys, and cross-checking the information that is gathered with research and monitoring done by civil society actors.²⁴
- Peer reviewers should be encouraged **to consider how relevant CoSP resolutions could be applied to a country's specific context,** for example to address major corruption risks and gaps identified through the review.²⁵

²² The respective government, as well as any other countries and interested stakeholders, would be able to participate and discuss the findings of the review and planned follow-up.

²³ Guiding questions could be created to assess implementation and effectiveness of the relevant UNCAC article(s). As an example, see the UNCAC Coalition guidance documents for creating parallel reports, which include guiding questions on implementation and application for Chapter II and Chapter V: https://uncaccoalition.org/wp-content/uploads/UNCAC-Coalition_Guidance_Chapter-2_UNCAC-Civil-Society-Parallel-Report-18-January-2021.pdf, https://uncaccoalition.org/wp-content/uploads/UNCAC-Coalition_Guidance_Chapter-5_UNCAC-Civil-Society-Parallel-Report-18-January-2021.pdf. See also UNODC's discussion paper on methodologies and indicators for measuring corruption the effectiveness of anti-corruption frameworks (2024) which outlines both quantitative and qualitative approaches that States Parties are taking to measure the level of implementation and effectiveness: https://track.unodc.org/uploads/documents/UNCAC/WorkingGroups/workinggroup4/2024-September-3-6/CAC-COSP-WG.4-2024-2_E.pdf. In addition, the work and outputs of Supreme Audit Institutions, as entities that oversee the use of resources and public management, should also be examined and drawn upon to evaluate implementation.

²⁴ See the UNODC discussion paper on measurement of corruption (2024), which highlights the valuable role non-governmental stakeholders play to help governments validate or cross-check information, see paragraph 95: which concludes "Almost all submissions highlighted the role of non-governmental stakeholders in the development and conduct of any measurement exercise, as well as the usefulness of parallel reports or surveys carried out by non-governmental agencies that fed into the work conducted by public authorities or helped validate or cross-check its results. The private sector, civil society and academia were frequently named as invaluable actors in these exercises, and they were often surveyed or consulted during the development of any methodology. Others mentioned included judges, journalists, politicians, analysts, the media, international organizations, donors, and representatives of trade associations."

²⁵ UNCAC CoSP resolutions, while not legally binding, aim to lay out and promote the establishment and adoption of good practices and standards and follow-up actions, making them important and useful for assessing implementation and effectiveness and for keeping the UNCAC commitments and standards more up-to-date and specific.

- **The reviews should highlight technical assistance needs identified and details on the delivery of TA efforts following the 1st and 2nd cycle reviews,²⁶ and consider ways to prioritize these needs, for example based upon their importance in addressing a country's major corruption risks.**
- **Technical assistance by UNODC should involve various stakeholders** such as NGOs, international and regional organizations and donors to maximize the impact of TA and capacity building efforts and to encourage multi-stakeholder approaches. Civil society should be beneficiaries of TA and be meaningfully involved in its implementation.

²⁶ As outlined in paragraph 40 of the IRM [Terms of Reference](#).