



European Union

**EU Statement at the
First resumed 15th session of the
Implementation Review Group (IRG)**

United Nations Convention against Corruption (UNCAC)

Vienna, 28 August to 6 September 2024

Mme President,

I have the honour to speak on behalf of the European Union (EU) and its Member States.

Mr Chair, in this statement, I would like to address a few issues under agenda item 2, on the future of the Implementation Review Mechanism (IRM). Let me start, however, by thanking the Secretariat for the excellent organisation and preparation of the meeting and the hard work that has gone into the background papers. We also wish to underline, as expressed during the IRG's June session, our continuous concern with regard to ongoing wars, conflicts and humanitarian crises in different parts of the world, and their negative impact on the implementation of the UNCAC and corruption prevention more generally.

According to the workplan for the implementation of Conference decision 10/2 that was adopted at the last session of the Implementation Review Group (IRG), this session will continue discussing the scope and thematic sequence of the next review phase; and begin deliberations on information-gathering, information technology and direct dialogue; as well as on the drawing of lots.

Concerning, first, the scope and thematic sequence of the next review phase, we believe that the panel discussions held at the last session of the IRG were quite helpful. In particular, all panellists seemed to agree on three points: (i) the need to follow-up on the implementation of recommendations made during the first Phase; (ii) the need to focus not merely on the legislative implementation of the Convention but also on the effectiveness of its implementation; and (iii) to include some elements of a new substantive review of the Convention. However, on the last point, there was no agreement as to what that new substantive review should comprise and which parts of the Convention should be reviewed in each cycle of the new Phase.

In line with the panel discussions, the EU considers that the next Phase should indeed include a follow-up on the implementation of recommendations made during the first Phase. This follow-up should assess the effective implementation of the recommendations (as in the OECD Working Group on Bribery, FATF and GRECO; but only to the extent that such a review of effective implementation has not already been performed by them), rather than just legislative compliance. In that regard, it is worth noting that the Secretariat has just submitted a Note on methodologies and indicators for measuring corruption and the effectiveness of anti-corruption frameworks to the Working Group on Prevention. At the same time, we would like to emphasise that any new levels of evaluation/follow up need to demonstrate added value before they are put in practice.

When it comes to the question of a new substantive review of the Convention, we see three main options: (i) follow the same cycles and sequencing as in the first Phase (i.e. first chapters III and IV; then II and V); (ii) focus on a single chapter per cycle; or (iii) review the entire Convention at once, but focussing only on those provisions where changes in the national anti-corruption framework have occurred since the last review took place. We do not yet have a clear preference but we note that changes in the national anti-corruption framework may have happened even where the review was relatively recent, and these changes may have rendered recommendations irrelevant – or conversely even more pressing.

Second, concerning information-gathering, information technology and direct dialogue, we will be happy to share some of our experiences during the panel debate on Thursday. At this point, we would just like to note the importance of the country visits. Almost all States parties have opted for on-site visits. They are a crucial element of the IRM – the comparison with the UNTOC Review Mechanism is revealing in this regard – and they should be maintained while keeping in mind our overall aim to streamline the review mechanism and make it both, more effective and efficient.

Finally, concerning the drawing of lots, we think that the current system of country pairings (i.e. one reviewer from the same region and one from the rest of the world) should be maintained. It is the added value of the UNCAC IRM that countries may be also exposed to reviewers from other continents and other legal traditions. While we like the current “tombola”, where “lady luck” is an actual person, drawing actual paper tickets – this has always been a special moment at the IRG sessions – we see that an electronic system could be more efficient and avoid some re-draws.

Let me now briefly turn to the review of the EU.

The review of the EU under the 1st cycle is almost complete. We are currently reviewing comments from the EU institutions. Once this has been done and the report has been finalised, we look forward to sharing some of the successes and good practices, as well as the challenges, highlighted by the reviewers in the final report. At this point, we would like to underline once more how enriching the inclusion of other stakeholders was during the on-site visit and that this element should be strengthened in the second phase of the Mechanism.

Thank you, Mme President.