



Conference of the States Parties to the United Nations Convention against Corruption

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Implementation Review Group

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Addendum

IV. Technical assistance

1. The Chair invited the Group to reflect on the lessons learned with regard to technical assistance from the first year of the Mechanism. The Secretary welcomed the participation of signatories and intergovernmental organizations on this agenda item and recalled the recommendations of the resumed session of the Group and resolution 3/1, which charged the Group with the work previously undertaken by the intergovernmental working group on technical assistance. The resolution further identified the review process as a means to help States parties identify and substantiate specific needs for technical assistance, and to promote and facilitate the provision of technical assistance. By resolution 3/4, States parties and signatories were urged to exchange expertise, experiences and lessons learned. In this regard, the Secretary commended the recent initiative by Kenya in organizing and hosting the South-South Anti-Corruption Conference. The Group was further encouraged to make full use of UNODC's database of anti-corruption expertise for the delivery of technical assistance.

2. The Group had before it a note entitled "Integrating technical assistance in the review process" (CAC/COSP/IRG/2011/3) which was based on the identified technical assistance needs of 16 States parties under review that had submitted their responses to the self-assessment checklist prior to March 2011. This information was preliminary and it was hoped that the ongoing review process would provide a sharper and more complete image of technical assistance needs. The analysis in the note was both thematically, as well as geographically focused. Certain priority areas had already emerged, for example, the protection of witnesses and reporting persons, and their cooperation with law enforcement authorities, as well as mutual legal assistance. Requests were most frequently made for a summary of good practices and lessons learned, models on how to implement the provisions under review, supported through the guidance of an anti-corruption expert and legal



advice, as well as an action plan for implementation. Speakers appreciated the preliminary analysis and acknowledged that the Group at its resumed second session would have a more accurate overview of these needs emerging from the review process. Further detailed analysis of identified technical assistance needs through the review process was essential in order to enable the Group to provide concrete recommendations to the Conference of the States Parties on policy and operational issues related to technical assistance. This would allow for common needs to be effectively addressed collectively, including in a broader programmatic context.

3. The Group reaffirmed the role of technical assistance as an important goal of the mechanism for the review of implementation. As provided for in resolution 3/4, the Conference of the States Parties endorsed a country-led and country-based, integrated and coordinated technical assistance delivery. Speakers stressed that this should not preclude complementary technical assistance initiatives at the regional and global levels. Specifically in the area of international cooperation and asset recovery it was emphasized that regional and interregional programmes were required to ensure effectiveness. Some speakers mentioned, in this regard, regional activities which have brought States and relevant stakeholders together to facilitate the implementation of the Convention and other regional instruments. Regional-level technical assistance delivery could also be useful when addressing common needs, while at the same time allowing for the establishment of regional networks, facilitating cooperation by ensuring a better understanding of different legal systems and the sharing of experiences. Several speakers noted that technical assistance for the implementation of UNCAC should be considered in the broader context of governance and development assistance frameworks.

4. Speakers shared their experiences as providers and recipients of technical assistance, including challenges and lessons learned. Recipient States expressed their appreciation for the assistance that had been provided to them and highlighted other areas where additional assistance was required. In this regard, several speakers noted their need for assistance with regard to data collection and recovery. Specifically in the area of mutual legal assistance, some speakers noted the usefulness of cooperation in addition to the formal channels, including the possibility of forming joint investigative teams.

5. Several speakers highlighted the ongoing efforts to strengthen legal and institutional frameworks in light of the country reviews and comprehensive self-assessments. An important area of support requested was assistance in assessing the effectiveness of existing anti-corruption frameworks and measures, and in gathering and generating statistics to measure the impact of corruption.

6. While speakers agreed that the Group should focus on prioritizing and ensuring responses to the needs identified through the Mechanism, needs for technical assistance in areas outside the current review cycle, such as asset recovery should continue to be addressed, including in the context of existing regional and international initiatives.

7. Several speakers highlighted the important role played by signatories and intergovernmental organizations in supporting the provision of technical assistance, and in furthering the implementation of the Convention. In order to effectively address identified needs, the importance of cooperation among technical assistance providers in delivering such assistance was emphasized. Speakers welcomed joint

activities by UNODC and UNDP, as well as other partnerships. The efforts of the Secretariat to develop tools, such as the anti-corruption expert database were appreciated.

8. The representative of UNDP stated that country-based programmes represented the primary modality for its programme delivery, with anti-corruption being integrated into the overall development agenda, for example in the context of the United Nations Development Assistance Framework (UNDAF). These could be complemented by initiatives at the regional level, facilitating networking through inter-alia South-South or East-East coordination. On the global level, technical assistance can be integrated into the overall development agenda, including the achievement of the Millennium Development Goals. The speaker stated that UNODC and UNDP cooperate closely in programme delivery in the context of the memorandum of understanding concluded between the organizations. A representative of the joint World Bank/UNODC Stolen Asset Recovery (StAR) initiative stated that global programming should inform the country level programming. The sharing of experiences, including through regional practitioners' networks, including the recently established StAR INTERPOL Asset Recovery Focal Points Network, was important. A representative of the International Anti-Corruption Academy reported on the membership and training activities of that organization.

9. In this context, speakers noted that it would be important for the Group to have information allowing it to consider assistance that had already been provided, so as to avoid duplication or overlap of existing efforts. Further analytical work could include an assessment of progress made, including through ongoing evaluations. Strategic programme development, undertaken in cooperation with domestic and international partners, should take into account the recipient country's own resources and give consideration to the programme's duration, sustainability and impact, as well as quality, efficiency, accuracy and consistency of technical assistance, including through multi-year commitments of resources.

10. The Group reaffirmed the decisions on technical assistance taken at its resumed first session. The need to develop the necessary tools and resources in areas identified as priorities, such as witness protection and mutual legal assistance was highlighted. Emphasis was given to further exploring and forging partnerships, synergies and joint programming with other multilateral and bilateral technical assistance providers.

11. Bilateral and multilateral assistance providers were requested to share information at the resumed session on technical assistance that has already been provided, in order for the Group to begin getting a picture of the type of assistance delivered.

12. Speakers stressed the usefulness of States parties making their review reports public, so that targeted and tailored technical assistance programmes to respond to the needs identified in the reviews could be developed.