



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

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Report of the Implementation Review Group on its third session, held in Vienna from 18 to 22 June 2012

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I. Introduction

1. In its resolutions 1/1, 2/1 and 3/1, the Conference of the States Parties to the United Nations Convention against Corruption recalled article 63 of the Convention, in particular paragraph 7, according to which the Conference would establish, if it deemed it necessary, any appropriate mechanism or body to assist in the effective implementation of the Convention.
2. In accordance with paragraph 42 of the terms of reference of the Mechanism for the Review of Implementation of the Convention (resolution 3/1, annex), the Implementation Review Group is an open-ended intergovernmental group of States parties that operates under the authority of and reports to the Conference. The Conference decided that the functions of the Implementation Review Group should be to have an overview of the review process in order to identify challenges and good practices and to consider technical assistance requirements in order to ensure effective implementation of the Convention. The Conference also decided that the Group should hold meetings at least once a year in Vienna.
3. In its resolution 4/1, entitled “Mechanism for the Review of Implementation of the United Nations Convention against Corruption”, the Conference endorsed the guidelines for governmental experts and the secretariat in the conduct of country reviews and the blueprint for country review reports as finalized by the Group at its first session.
4. In the same resolution, the Conference recalled its decision, contained in its resolution 3/1, by which the Group was charged with following up and continuing the work undertaken previously by the Open-ended Intergovernmental Working Group on Technical Assistance, taking into account the fact that, pursuant to paragraph 11 of the terms of reference, one of the goals of the Mechanism is to help States parties to identify and substantiate specific needs for technical assistance and to promote and facilitate the provision of technical assistance.
5. In its resolution 3/4, entitled “Technical assistance to implement the United Nations Convention against Corruption”, the Conference took note of the recommendations of the Open-ended Intergovernmental Working Group on Technical Assistance contained in the report of the Secretariat on the work of that Working Group (CAC/COSP/2009/8).

II. Organization of the session

A. Opening of the session

6. The Implementation Review Group of the United Nations Convention against Corruption held its third session in Vienna from 18 to 22 June 2012.
7. The 1st to 4th and 6th to 8th meetings of the Implementation Review Group were chaired by Eugenio María Curia (Argentina), and the 5th meeting by Simona Marin (Romania). In his introductory remarks, the Chair recalled resolution 3/1 of the Conference of the States Parties, containing the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption. The work of the Review Mechanism had been launched at the

first session of the Implementation Review Group, held in June 2010. The Group had held a resumed first session in November 2010, its second session in June 2011 and a resumed second session in September 2011, and continued its resumed second session on the margins of the fourth session of the Conference of the States Parties, in Marrakech in October 2011. At its fourth session, the Conference had been able to consider for the first time the work of the Mechanism. The discussions were rich with exchanges of experience and information, and in its resolution 4/1 the Conference had endorsed the action taken by the Group.

8. At the invitation of the Chair, the Director of the Division for Treaty Affairs made opening remarks in which he highlighted the adoption by the Conference of the innovative peer review mechanism to help countries identify and address gaps in national anti-corruption frameworks. At its fourth session, the Conference had taken stock of the lessons emerging from the country review process and the action taken by the Group in its resolution 4/1, in which it had endorsed the guidelines for governmental experts and the secretariat as well as the practice followed by the Group for the drawing of lots. The Conference had also endorsed the Group's resolution on resource requirements and considered its recommendations on technical assistance. The Conference had decided in its resolution 4/5 that the Group would include signatories, non-signatories, entities and intergovernmental organizations in its work. Following the adoption of resolution 4/6, non-governmental organizations (NGOs) had been invited to participate in the first-ever briefing for NGOs on the work of the Mechanism, to be held at the margins of that session. As the country reviews progressed, the secretariat was capturing the information, good practices, challenges and technical assistance needs that had been identified and considered. He noted that one of the major features of the Mechanism was the opportunity it created to assist States in meeting the identified technical assistance needs and encouraged donors and recipients alike to take full advantage of that opportunity. A strong sense of ownership of the Convention had also been forged through the collaborative effort undertaken in the work of the Mechanism.

9. The Minister for Institutional Integrity and the Fight against Corruption of the Plurinational State of Bolivia reported on the measures taken in her country, highlighting that its anti-corruption reform agenda was based on the Convention. In the application of the new national anti-corruption legislation, she observed significant progress in the prosecution and adjudication of corruption cases, and also in the areas of prevention and asset recovery. The Minister expressed concern about the current state of international cooperation in criminal matters within the framework of the Convention, in particular on extradition, and called upon all States parties to fully implement the provisions of the Convention.

B. Adoption of the agenda and organization of work

10. The Chair called upon the secretariat to provide clarification on the proposed organization of work. The Secretary noted that the proposed organization of work contained in the annex to document CAC/COSP/IRG/2012/1 reflected the guidance provided to the secretariat by the extended Bureau of the Conference. The Group agreed that the third day of the current session would be devoted to trilateral meetings for the country reviews, informal consultations and the briefing for NGOs

provided for in resolution 4/6. Consequently, agenda item 5, entitled “Other matters”, would not appear in the programme of work for that day. It was the understanding of the Group that interpretation was provided for the NGO briefing at the current session thanks to the availability of resources and that that would not constitute a precedent.

11. At its first meeting, on 18 June, the Implementation Review Group adopted the following agenda:

1. Organizational matters:
 - (a) Opening of the session;
 - (b) Adoption of the agenda and organization of work.
2. Review of implementation of the United Nations Convention against Corruption.
3. Technical assistance.
4. Financial and budgetary matters.
5. Other matters.
6. Provisional agenda for the fourth session of the Implementation Review Group.
7. Adoption of the report of the Implementation Review Group on its third session.

C. Attendance

12. The following States parties to the Convention were represented at the third session of the Implementation Review Group: Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malawi, Maldives, Mexico, Montenegro, Morocco, Namibia, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

13. The European Union, a regional economic integration organization that is a party to the Convention, was represented at the session.
14. In accordance with rule 1 of resolution 4/5, entitled “Participation of signatories, non-signatories, entities and intergovernmental organizations in the work of the Implementation Review Group”, adopted by the Conference of the States Parties at its fourth session, the Conference decided that States signatories would be entitled to participate in the Implementation Review Group.
15. The following States signatories to the Convention were represented by observers: Czech Republic, Germany and Japan.
16. In accordance with Rule 3 of resolution 4/5, the Conference decided that non-signatory States would be invited to attend the deliberations of the Implementation Review Group provided that such States had notified the Group, through the secretariat, of their intention or decision to ratify, accept, approve or accede to the Convention in accordance with its article 67, paragraphs 3 and 4.
17. The following non-signatory State was represented by an observer: Oman.
18. Palestine, an entity maintaining a permanent observer mission to the United Nations, was represented by an observer.
19. In accordance with rule 2 of Conference resolution 4/5, intergovernmental organizations, Secretariat units, United Nations bodies, funds and programmes, institutes of the United Nations crime prevention and criminal justice programme network, specialized agencies and other organizations of the United Nations system could be invited to participate in the sessions of the Implementation Review Group.
20. The following intergovernmental organizations were represented by observers: Council of Arab Ministers of Interior, Asian-African Legal Consultative Organization, Council of Europe, International Anti-Corruption Academy, International Organization for Migration and Organization for Economic Cooperation and Development.
21. The following Secretariat units, United Nations bodies, funds and programmes, institutes of the United Nations crime prevention and criminal justice programme network, specialized agencies and other organizations of the United Nations system were represented by observers: United Nations Development Programme (UNDP) and Basel Institute on Governance.
22. The Sovereign Military Order of Malta, an entity maintaining a permanent observer office at Headquarters, was represented by an observer.

III. Review of implementation of the United Nations Convention against Corruption

A. Drawing of lots

23. The Chair recalled that pursuant to paragraphs 14 and 19 of the terms of reference of the Review Mechanism, lots were to be drawn to determine which States parties would participate in the reviews. A State party selected for review in a given year could, with a reasonable justification, defer participation to the following

year. In its resolution 4/1, the Conference endorsed the practice followed by the Group for the drawing of lots. At its first session, the Group drew lots for States parties to be reviewed in the first cycle. In accordance with the organization of work, lots could be redrawn towards the end of the session in order to allow States under review sufficient time for consultations on whether they would like a draw to be repeated. Before proceeding with the drawing of lots for the reviewing States parties, the State party under review was asked whether it confirmed its readiness to undergo review in the third year or wished to defer its review until the fourth year; three States parties informed the Group that they wished to defer.

24. In order to comply with the requirement that by the end of a given cycle all States parties must have performed a minimum of one and a maximum of three reviews, it was recommended to the extended Bureau at its last meeting to leave aside States that had already performed two reviews: only States that had performed no more than one review would be included in the drawing of lots.

25. However, as there were only two years left in the current review cycle, States that did not perform a review during the current year would necessarily have to do so in the fourth year. States that were under review in the fourth year and that had never performed a review would therefore not have the possibility of declining to serve as reviewers in accordance with paragraph 20 of the terms of reference. The difficulty was compounded by the fact that those States that had become parties to the Convention after the launch of the Mechanism would be reviewed in the fifth and last year of the cycle. Experience had shown that States gained valuable insight and experience in the review process when they served as reviewers before being reviewed, a point that was even more relevant for new parties. Furthermore, the Group of Asian States had seen a large increase in States parties since the first drawing of lots, particularly among small island States. Those small States could find it difficult to both undergo their own reviews and be a reviewing State party.

26. The Group agreed to initiate the drawing of lots for the States under review in the third year only with those States that had never performed a review. If they were also under review in the third year, they could decline to serve as reviewers in accordance with paragraph 20 of the terms of reference. When the number of States that had never performed a review was exhausted, then those States that had performed one review would be included in the drawing of lots.

27. Attention was drawn to the updates on the receipt of lists of governmental experts that were available on the website of the United Nations Office on Drugs and Crime (UNODC). Several updates had been received in recent weeks. As of the first meeting of the session, 143 States parties had submitted their list of governmental experts. Several were present at the meeting and others had given assurances that the list was forthcoming. Seven States parties were unresponsive. While a very large number of States parties had complied with the requirement to provide their list of governmental experts before the drawing of lots, the Group expressed concern that not all had done so.

28. Several States parties that were either under review in the third year or already selected to perform a review in the third year declined to serve in a second review. Some States parties that were selected to be reviewed or to perform a second review agreed to serve in two country reviews (see annex II).

29. Speakers reported on their national anti-corruption efforts, including new legislation on access to information, money-laundering and lobbying. Speakers also reported on institutional reform, inter-agency cooperation and cooperation with the private sector. In particular, speakers referred to the recent Group of Twenty declaration in this regard and to the Open Government Partnership initiative. Several speakers also made reference to other regional and multilateral initiatives, and some reported on practical challenges faced in international cooperation in criminal matters and urged States parties to cooperate under the Convention and to fully implement chapter IV as an urgent priority.

30. Several States reported on measures taken in implementing the chapters on prevention and asset recovery. They stressed that the second cycle of the Review Mechanism would touch on even more complex issues than the first cycle. They emphasized the importance of preparing themselves for the second cycle well in advance, including through the Open-ended Intergovernmental Working Groups on the Prevention of Corruption and on Asset Recovery.

31. Speakers referred to the Mechanism as a powerful instrument to generate dialogue and cooperation. Preparing the responses to the self-assessment checklist was regarded as a good opportunity for inter-agency cooperation. Several speakers reported on their experience with multi-stakeholder approaches, in particular on the involvement of civil society and the private sector in the country reviews. One speaker reported that her country had published detailed information about its focal point and encouraged all States parties to do the same. Trilateral meetings and other informal consultations at the margins of sessions of the Group and other meetings were also mentioned as good practices.

32. The training courses organized by the Secretariat, supported by other partners, were highlighted as a very important component of the Mechanism, and the further training of experts at the regional and national levels was considered useful.

33. The Secretariat provided an oral update to document CAC/COSP/IRG/2012/4, providing statistics on the different steps of the review process. Initial steps taken to prepare the States parties under review in the third year were outlined, including the training of focal points that had been nominated for advance preparation for their review. The updated version of the software containing the comprehensive self-assessment checklist and the new web page for country reviews were demonstrated.

34. Many country reviews were not concluded within the indicative timelines contained in the guidelines for governmental experts and the secretariat in the conduct of country reviews. Some delegations advocated taking a more realistic approach to timelines, considering the complexity of the two chapters under review, translation requirements and capacity issues. Others called upon countries to comply with their obligation to designate focal points and governmental experts and follow the process of the country reviews within the established timelines. It was hoped that the learning experience of those participating in reviews would lead to shorter timelines in the future. The delays in the reviews were reported to cause problems with regard to the continuity of the review process and of the responsible governmental experts, and the resulting consistency of the reports. Country visits needed to be well planned and prepared in advance to be efficient. Country review reports were to reflect the implementation of the Convention at a given time; important measures that the country under review adopted shortly before the

conclusion of the review could be included for information purposes with the proviso that they had not been subjected to review.

35. The distribution of labour among governmental experts of the reviewing States parties was recognized as a means for timely conclusion of the review. However, some speakers reported on their experience that the thorough review of both chapters by each of the reviewing countries made a valuable contribution to the substantive quality of the review.

36. Multilingualism was highlighted as an important feature of the Mechanism that allowed the participation of all countries, and it was stressed that the six official languages should be used equally. Some speakers expressed their concern about the delays caused by translation, including in exceptional cases involving translations from non-United Nations languages.

37. Speakers recommended that lessons learned and good practices from the first review cycle be compiled and used as a basis for the second review cycle.

B. Executive summary template

38. The Chair introduced the discussion on the draft executive summary template, prepared by the secretariat pursuant to resolution 4/1 of the Conference, and submitted to the Implementation Review Group for its consideration (CAC/COSP/IRG/2012/2).

39. The Secretary explained that the draft template was aimed at ensuring consistency in the structure of the executive summaries. He further informed the Group that the template had been used for the executive summaries that had been finalized in the last few months before the session of the Group, and the Group could thus refer to these executive summaries for a better understanding of how the proposed template would be applied.

40. In the ensuing discussion, speakers exchanged views on the structure of the proposed template and the content of its sections. Many speakers expressed satisfaction with the template prepared by the secretariat and emphasized its usefulness in practice. A number of other speakers stressed that the template should ensure that the executive summary does not replicate the structure and content of the country review report.

41. It was stressed that the template should be fully consistent with the terms of reference of the Review Mechanism and resolution 4/1 of the Conference. Some speakers expressed the view that the executive summary should adopt a general approach, and avoid providing a detailed account of the implementation of each provision under review. They noted that a general wording of the template would allow for its application to both review cycles.

42. Several speakers stressed the informative value of the executive summary. They expressed the view that the executive summary should lend itself to being read as a stand-alone document and contain a reasonable amount of detail on the implementation of provisions under review. They expressed the view that such an approach would facilitate the study of the executive summary and would serve its overall usefulness.

43. The Group approved the following structure for the executive summary:
 1. Introduction: Overview of the legal and institutional framework of [country under review] in the context of implementation of the United Nations Convention against Corruption
 2. Chapter [...]
 - 2.1 Observations on the implementation of the articles under review
 - 2.2 Successes and good practices
 - 2.3 Challenges in implementation, where applicable
 - 2.4 Technical assistance needs identified to improve implementation of the Convention
 3. Chapter [...]
 - 3.1 Observations on the implementation of the articles under review
 - 3.2 Successes and good practices
 - 3.3 Challenges in implementation, where applicable
 - 3.4 Technical assistance needs identified to improve implementation of the Convention

C. Thematic implementation reports

44. The secretariat summarized the main elements of the thematic implementation reports (CAC/COSP/IRG/2012/CRP.1 and CAC/COSP/IRG/2012/CRP.2), which contained information on the implementation of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention by States parties under review in the first and second years of the first cycle of the Review Mechanism. The reports were based on information included in the review reports of 19 States parties that had been completed, or were close to completion, as at 31 May 2012. The reports contained implementation examples, information on successes, good practices, challenges and observations, and a thematic overview of the most salient technical assistance needs, where possible with a regional breakdown.

45. Speakers welcomed the thematic reports and their increasing usefulness to the Group's analytical work, in particular concerning the coverage of substantive issues and the analysis of technical assistance needs. Speakers appreciated that the Group's previous recommendations had been reflected in the reports and emphasized the usefulness of the examples on implementation and good practice as a means for information exchange. The thematic reports provided valuable information on nuances in implementation, especially for States parties participating in the Review Mechanism, and could also assist the Group in identifying specific areas that deserved more attention.

46. The Group invited a discussion on particular substantive provisions of the Convention that were addressed in the reports, including illicit enrichment, bribery in the private sector, the liability of legal persons, and privileges and immunities. A

number of speakers shared their countries' experiences in implementing the Convention and highlighted nuances and challenges in implementation, as well as innovative steps that had been taken and recent developments. Ancillary measures, such as asset and income disclosures in the context of illicit enrichment, were discussed. A number of speakers underscored the critical need to enhance international cooperation, in particular in the areas of extradition, mutual legal assistance, asset recovery and technical assistance. Speakers also observed a need for further cooperation and sharing of knowledge on how to apply the Convention as a basis for international cooperation. In the area of technical assistance, requests for model legislation and a sharing of experiences on the verification of sworn asset declarations were noted. Reference was also made to the UNODC database of central authorities under the United Nations Convention against Corruption, the United Nations Convention against Transnational Organized Crime and the drug conventions, and to the Tools and Resources for Anti-Corruption Knowledge (TRACK) portal, which contained specific case law on asset recovery.

47. Several speakers underscored the need for effective enforcement of existing laws against corruption, including the availability of relevant statistical information, which was noted as a challenge by some speakers. The secretariat reported that the reviews had collected information on enforcement, where available, although comprehensive statistics did not always exist. It was suggested that this was due in part to the recent enactment of implementing legislation, insufficient capacity and the fact that some provisions were less familiar than others.

48. Several speakers recognized a need for States to fully and effectively implement all provisions of the Convention. They emphasized the importance of raising awareness about the application of its principles and sharing knowledge and information among States. In this regard, several speakers highlighted the important role of the secretariat in enhancing knowledge of the Convention and providing technical support to assist States in addressing challenges in implementation, including through the Stolen Asset Recovery Initiative. A need for States to build cooperation and trust and to engage in direct communication to enhance international cooperation was noted. Speakers also observed that the implementation of the Convention was a gradual process and that developments and trends in implementation were already emerging during the first two years of the Review Mechanism.

49. It was recognized that the content of the thematic reports would evolve as more data were accumulated. Speakers noted that future reports could differentiate between mandatory and non-mandatory provisions, which would become more relevant in the second cycle, and that a concise summary of key observations or good practices on specific provisions of the Convention could be useful. One speaker welcomed the inclusion of more detailed implementation figures and information on how national authorities were implementing the Convention.

50. Speakers welcomed the preparation of regional addenda for future sessions of the Group, once a critical mass of data had been accumulated, and invited a fuller discussion of the content of such addenda. The secretariat welcomed the Group's suggestions in this regard. A renewed comprehensive thematic discussion on implementation was expected at the Group's resumed third session, when full translations of the reports would also be available.

IV. Technical assistance

51. The Chair invited the Group to consider the provision of technical assistance for the implementation of the Convention, in response to the needs identified through the Review Mechanism. Reference was made to resolution 3/1, in which the Conference of the States Parties had tasked the Group with following up and continuing the work previously undertaken by the Open-ended Intergovernmental Working Group on Technical Assistance. The Secretary further recalled resolution 4/1, in which the Conference of the States Parties had recognized the continuing and valuable role of technical assistance within the Mechanism, and the importance of its delivery through a three-tiered — global, regional and national — approach. He further emphasized the need for the Group to consider its role in the delivery of such assistance.

52. The Group had before it for its consideration a note by the Secretariat on technical assistance in support of the implementation of the Convention (CAC/COSP/IRG/2012/3), containing an updated overview of the response of UNODC to identified technical assistance needs since the fourth session of the Conference of the States Parties. That document provides a description of activities carried out since July 2011, as well as current planning for upcoming delivery of technical assistance by the Office.

53. The Group welcomed the documents prepared by the secretariat as a basis for the initial discussion on the provision of technical assistance. In particular, speakers appreciated the focus on technical assistance in the thematic reports. Those reports, as well as the technical assistance needs detailed in the executive summaries, provided an understanding and appreciation of the needs being identified by States. One speaker informed the Group of the dissemination of those summaries to its relevant departments to ensure alignment of projects with such needs.

54. Speakers reiterated that technical assistance was an integral component of the Review Mechanism. They reaffirmed that the guiding principles of the Mechanism, mainly its being transparent, efficient, non-intrusive, inclusive and impartial, and not producing any form of ranking, were also applicable to the delivery of technical assistance. The importance of country-led and country-based, integrated and coordinated programming and delivery of technical assistance, as provided for in Conference resolutions 3/4 and 4/1, was highlighted as an effective means of addressing the technical assistance needs of States.

55. Several speakers emphasized the need not to duplicate efforts and make better use of available resources. Effective coordination at all levels, between national authorities, bilateral and multilateral organizations and other technical assistance providers, was highlighted as a key to the delivery of technical assistance. Some speakers recognized the role of civil society, NGOs and the private sector as actors in the fight against corruption. One speaker expressed appreciation for the role of the media.

56. Speakers appreciated the three-tiered approach — global, regional and national — to the delivery of technical assistance. The importance of facilitating a greater exchange of knowledge and views in order to address challenges in implementing the Convention was stressed. Several speakers noted the important role that UNODC could play as a technical assistance provider, in linking the outcome of the

review process to the provision of technical assistance, and also in the development of knowledge. The TRACK portal was highlighted as relevant to the dissemination of information and as a resource for technical assistance; other tools included the Mutual Legal Assistance Request Writer Tool and the database of central authorities. Some speakers recognized other educational activities and tools, such as those employed by the International Anti-Corruption Academy and those being developed under the UNODC Anti-Corruption Academic Initiative. The efforts of the Office in the area of technical assistance were commended, in particular through the deployment of regional anti-corruption advisers. Several speakers stressed the importance of information-sharing to enhance coordination at the regional level. Speakers shared their experiences as providers of technical assistance, including through South-South cooperation. Several speakers focused on the development of national action plans based on the outcome of the review process on a voluntary basis, and on the need to deliver technical assistance only upon request.

57. Speakers highlighted the importance of securing sufficient funding and the necessary resources for the delivery of technical assistance. An example of a multi-year contribution for the sustainable and ongoing delivery of such assistance was shared with the Group. Several speakers further agreed that a workshop, similar to the one held in Montevideo in 2007, could provide impetus to coordination efforts and insight into what measures bilateral and multilateral donors and other technical assistance providers had put in place with respect to promoting the implementation of the Convention.

58. The representative of UNDP reported that technical assistance in support of the Convention was a high priority for his organization, which was implementing related programmes in approximately 135 countries. He welcomed the ongoing coordination between UNODC and UNDP and noted with appreciation the efforts of UNODC regional anti-corruption advisers. He noted UNDP work on promoting the full implementation of the Convention as described in the guidance note “Going beyond the minimum” and clarified that such efforts, in particular with regard to conducting gap analysis, would take place only at the request of the country concerned and on a voluntary basis. Such work was conducted within the framework of the UNDP mandate and in line with the guiding principles of the Mechanism, using the self-assessment checklist as the basis.

V. Financial and budgetary matters

59. The Secretary recalled that, in its resolution 4/1, the Conference of the States Parties had requested the secretariat to further examine the shortfall identified in the note by the Secretariat on resource requirements for the functioning of the Mechanism, to determine whether that shortfall could be addressed through cost efficiencies or voluntary contributions and to take that shortfall into account when submitting the budget for the biennium 2014-2015, in accordance with Implementation Review Group resolution 1/1 and section VII of the terms of reference. The Secretary emphasized the efforts made to comply with that guidance through successful mobilization of funding to cover some of the staffing requirements and through efficiencies to ensure the translation of parliamentary documents. Possible additional requirements would be communicated to States parties at the Group’s resumed third session, in November 2012. The Secretary

expressed appreciation for the voluntary contributions received from countries and organizations to support the Review Mechanism and encouraged donors to consider multi-year funding in order to ensure consistency, continuity and predictability and allow for proper planning. Although it was likely that the level of extrabudgetary contributions was sufficient to cover the needs of the Review Mechanism for the second and third years, the secretariat emphasized the unpredictability of funding, which was generally pledged on an annual basis.

60. The secretariat provided detailed information on the expenditures incurred so far for the first two years of operation of the Review Mechanism and noted that, as reviews were still ongoing for both the first and second years, no final figures could be provided.

61. Expenditures incurred under the regular budget were related to the official translation of parliamentary documents and to the funding of nine posts in the secretariat. Implementation on any additional regular budget requirements for the biennium 2014-2015 would need to be prepared by UNODC during the third quarter of 2012 for submission to and coordination by the Secretary-General.

62. It was noted that extrabudgetary expenditures for the second year would exceed those of the first year in view of the larger number of country reviews conducted. With regard to translation, the secretariat reiterated its efforts to cover the translation of official documents for the Implementation Review Group within the existing regular budget quotas assigned to the Corruption and Economic Crime Branch. The practice of outsourcing to UNODC field offices the translation of working documents for use in individual country reviews had been continued. In order to streamline the translation process and to ensure consistency, the secretariat was in the process of a global procurement action for translation services for those non-parliamentary documents. The results of the procurement action would be known in August 2012.

63. Speakers expressed their satisfaction with the clarity of the documentation provided and encouraged the secretariat to continue with its transparent approach. Some speakers highlighted the risks entailed by the unpredictability of funding for the sustainability of the Review Mechanism and expressed their concern that funds might not be sufficient to cover an increased number of country reviews in the third year.

64. Speakers recalled the commitments made when establishing the Review Mechanism to ensure adequate and sustainable funding for its continuous functioning. Several speakers stressed that the multilingualism of the implementation review process should not be jeopardized and that, in accordance with the terms of reference, it needed to be ensured that reviews could be carried out in any of the official languages of the United Nations. In this respect, speakers regretted some delays in the translation of working documents, which had had an impact on the duration of several country reviews. Some speakers recommended that the translation of working documents be included in the regular budget submission for the biennium 2014-2015.

65. Speakers underlined the importance of the Group being kept abreast of financial and budgetary matters by the secretariat and requested the secretariat to provide estimates of regular budget requirements for the biennium 2014-2015 to the Group at its resumed third session. The Secretary clarified that in the event States

parties wished to support additional regular budget requirements for unofficial translation, a decision would need to be taken at the next Conference of the States Parties. Some speakers noted that any financial and budgetary decision would fall under the mandate and competence of other United Nations bodies, in particular the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee.

VI. Other matters

Briefing for non-governmental organizations

66. Speakers expressed their satisfaction at the convening of the first briefing for NGOs and considered it to be a positive first step. In particular, the manner in which the briefing had been conducted by the Chair was commended, as was the introduction given by the secretariat on the work of the Group, which was based on official documentation, in accordance with resolution 4/6. Speakers noted that the briefing was a first occasion to start a dialogue with NGOs and that future briefings could be improved in terms of modalities, facilities and timing in the margins of the sessions of the Group. Some speakers expressed the view that in future, the briefing could be held prior to, concurrently with or after the session of the Group, and others stressed that the provision of interpretation at the current session should not be seen as a precedent for future sessions. One speaker recommended that future briefings be structured according to a list of speakers that would give NGOs the opportunity to speak first, before the floor was opened to States. It was recommended that measures could be taken to move away from the delivery of statements and towards a more constructive dialogue between NGOs and States in future briefings. Several speakers noted that the briefing had been received positively by NGOs and that valuable recommendations had been made.

67. Several speakers stressed the usefulness of the briefing as an opportunity to receive information on the experiences and contributions of NGOs, and as a confidence-building measure, in accordance with resolution 4/6. They welcomed the information provided by NGOs on their contributions to the fight against corruption. Several speakers recommended that action be taken to fully implement Conference resolution 4/6 and the guiding principles of the Mechanism. In particular, several speakers noted with concern that specific country situations had been mentioned during the briefing. Several speakers stated that in future briefings they would welcome the provision of more concrete information by NGOs on their activities contributing to the review process, technical assistance activities and the implementation of the Convention. Information on input for legislative drafting, support for the implementation of national anti-corruption action plans and strategies, training, awareness-raising and outreach was provided.

68. The Group was to consider how best to structure the briefing and allow for constructive dialogue at its resumed third session. Some speakers recommended that measures be taken to encourage the participation of a more diverse range of organizations, particularly from developing countries.

VII. Provisional agenda for the fourth session

69. At its 8th meeting, on 22 June 2012, the Implementation Review Group adopted the provisional agenda for its fourth session (see annex I).

VIII. Adoption of the report

70. Also at its 8th meeting, the Implementation Review Group adopted the report on its third session.

Annex I

Provisional agenda for the fourth session of the Implementation Review Group

1. Organizational matters:
 - (a) Opening of the session;
 - (b) Adoption of the agenda and organization of work.
2. Review of implementation of the United Nations Convention against Corruption.
3. Technical assistance.
4. Financial and budgetary matters.
5. Other matters.
6. Provisional agenda for the fifth session of the Implementation Review Group.
7. Adoption of the report of the Implementation Review Group on its fourth session.

Annex II

States parties selected for review and as reviewers for the first review cycle

Tables 1 to 4 reflect the pairings of States to be reviewed and reviewing States as selected for the four years of the first review cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption.

Table 1

Selection of States under review and reviewing States: year one

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
Group of African States	Zambia	Zimbabwe	Italy
	Uganda	Ghana	Romania
	Togo	United Republic of Tanzania	Uganda
	Morocco	South Africa	Slovakia
	Sao Tome and Principe	Ethiopia	Mongolia
	Rwanda	Senegal	Lebanon
	Niger	Mauritius	Russian Federation
	Burundi	Egypt	Bolivarian Republic of Venezuela
Group of Asian States	Jordan	Maldives	Nigeria
	Bangladesh	Islamic Republic of Iran	Paraguay
	Mongolia	Yemen	Kenya
	Fiji	Bangladesh	United States
	Papua New Guinea	Tajikistan	Malawi
	Indonesia	Uzbekistan	United Kingdom
Group of Eastern European States	Lithuania	Russian Federation	Egypt
	Croatia	Montenegro	Lao People's Democratic Republic
	Bulgaria	Albania	Sweden
	Ukraine	Slovenia	Poland

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
Group of Latin American and Caribbean States	Chile	El Salvador	Ukraine
	Brazil	Mexico	Haiti
	Dominican Republic	Nicaragua	Uruguay
	Argentina	Panama	Singapore
	Peru	Plurinational State of Bolivia	Ecuador
Group of Western European and other States	United States	Sweden	The former Yugoslav Republic of Macedonia
	Finland	Greece	Tunisia
	Spain	Belgium	Lithuania
	France	Denmark	Cape Verde

Table 2
Selection of States under review and reviewing States: year two

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
Group of African States	Seychelles	Democratic Republic of the Congo	Sao Tome and Principe
	Mauritius	Guinea-Bissau	Lesotho
	Benin	Zimbabwe	Finland
	Mozambique	Burkina Faso	Dominican Republic
	Congo	Morocco	Serbia
	Cape Verde	Malawi	Costa Rica
	Central African Republic	Tunisia	Ghana
	Sierra Leone	Benin	Thailand
	South Africa ^a	Senegal	Mali
	Zimbabwe ^a	Madagascar	Malawi
	Cameroon ^a	Angola	The former Yugoslav Republic of Macedonia
Group of Asian States	Brunei Darussalam	Yemen	Liechtenstein
	Iraq	Malaysia	Jordan
	Lao People's Democratic Republic	Mongolia	Luxembourg
	Kazakhstan	Pakistan	Qatar
	Philippines	Bangladesh	Egypt
	Viet Nam	Lebanon	Italy

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
	Timor Leste ^a	Fiji	Namibia
	United Arab Emirates ^a	Maldives	Portugal
	Islamic Republic of Iran ^a	Indonesia	Belarus
	Kuwait ^a	Sri Lanka	Ethiopia
Group of Eastern European States	Slovakia	Poland	Malta
	Serbia	Romania	Ukraine
	Montenegro	Armenia	United Kingdom
	Estonia	Albania	Burundi
	Azerbaijan	Bosnia and Herzegovina	Guatemala
	Russian Federation	Ukraine	Ecuador
	Georgia ^a	Hungary	Cyprus
Group of Latin American and Caribbean States	Cuba	Brazil	Guatemala
	Uruguay	Argentina	Brazil
	El Salvador	Plurinational State of Bolivia	Singapore
	Nicaragua	Cuba	Nepal
	Colombia	Honduras	Slovenia
	Panama	Bahamas	Estonia
	Dominica ^a	Chile	Paraguay
	Jamaica ^a	Trinidad and Tobago	Netherlands
Group of Western European and other States	Australia	United States	Turkey
	Norway	Sweden	Kuwait
	United Kingdom	Israel	Greece
	Portugal	Spain	Morocco
	Switzerland ^a	Finland	Algeria

^a Deferred from previous year of the cycle.

Table 3
Selection of States under review and reviewing States: year three

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
Group of African States	Mali	Sierra Leone	Marshall Islands
	Lesotho	Botswana	Gabon
	Djibouti	Libya	Peru
	Algeria	Niger	Latvia
	Ghana	Rwanda	Saint Lucia
	United Republic of Tanzania	Mozambique	Australia
	Burkina Faso	Congo	Rwanda
	Tunisia	Seychelles	Guyana
	Guinea-Bissau	Togo	Djibouti
	Angola	Liberia	Timor Leste
	Mauritania ^a	Central African Republic	Antigua and Barbuda
Group of Asian States	Republic of Korea	India	Bulgaria
	Cyprus	Turkmenistan	Austria
	Malaysia	Philippines	Kenya
	Pakistan	Solomon Islands	Norway
	Qatar	Micronesia (Fed. States of)	Dominica
	Afghanistan	China	Brunei Darussalam
	Sri Lanka ^a	Papua New Guinea	China
Group of Eastern European States	Hungary	Republic of Moldova	Jamaica
	Slovenia	Latvia	Cameroon
	Latvia	Georgia	Ireland
	Romania	Estonia	France
	The former Yugoslav Republic of Macedonia	Croatia	Iceland
	Armenia	Lithuania	Kyrgyzstan
Group of Latin American and Caribbean States	Mexico	Peru	Azerbaijan
	Paraguay	Colombia	Philippines
	Plurinational State of Bolivia	Costa Rica	Zambia
	Trinidad and Tobago	Argentina	Palau
	Guyana	Cuba	Vanuatu

<i>Regional group</i>	<i>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
	Bolivarian Republic of Venezuela	Chile	United Arab Emirates
Group of Western European and other States	Sweden	France	Canada
	Canada	Switzerland	Iraq
	Luxembourg	Austria	Switzerland
	Italy	Liechtenstein	Kazakhstan
	Netherlands	Australia	Uruguay
	Austria	Israel	Viet Nam
	Malta ^a	Spain	Cambodia

^a Deferred from previous year of the cycle.

Table 4
Selection of States under review and reviewing States: year four

<i>Regional group</i>	<i>State party under review</i>
Group of African States	Senegal
	Liberia
	Kenya
	Nigeria
	Gabon
	Malawi
	Libya
	Madagascar
	Namibia
	Ethiopia
	Democratic Republic of the Congo ^a
	Botswana ^a
	Egypt ^b
Group of Asian States	Kyrgyzstan
	Maldives
	Lebanon
	Uzbekistan
	Palau
	Turkmenistan

<i>Regional group</i>	<i>State party under review</i>
	Singapore
	China
	Tajikistan
	Bahrain ^a
	Thailand ^a
	India ^a
	Nepal ^a
	Vanuatu ^a
	Cook Islands ^a
	Marshall Islands ^a
	Micronesia (Federated States of) ^a
	Nauru ^a
	Yemen ^b
	Cambodia ^b
Group of Eastern European States	Poland
	Belarus
	Bosnia and Herzegovina
	Albania
	Republic of Moldova
Group of Latin American and Caribbean States	Ecuador
	Haiti
	Costa Rica
	Honduras
	Guatemala
	Antigua and Barbuda
	Bahamas
	Saint Lucia ^a
Group of Western European and other States	Turkey
	Greece
	Belgium
	Denmark
	Israel
	Liechtenstein ^a

<i>Regional group</i>	<i>State party under review</i>
	Iceland ^a
	Ireland ^a

^a States party that ratified or acceded to United Nations Convention against Corruption after the drawing of lots at the first session of the Implementation Review Group.

^b Deferred from previous year of the cycle.
