



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

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Doha, 9-13 November 2009

Agenda item 2

### Review of implementation

**Algeria, Angola, Chile, China, Egypt, Iran (Islamic Republic of), Liechtenstein, Mexico, Norway, Pakistan, Peru, Russian Federation, Sweden,\*\* Switzerland and Turkey, Venezuela (Bolivarian Republic of) and Zimbabwe: draft resolution**

#### Review of mechanism\*

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Recalling* article 63, paragraph 1, of the United Nations Convention against Corruption,<sup>1</sup> which established the Conference of the States Parties to the Convention to, inter alia, promote and review the implementation of the Convention,

*Recalling also* article 63, paragraph 7, of the Convention, according to which the Conference is to establish, if it deems it necessary, any appropriate mechanism or body to assist in the effective implementation of the Convention,

1. *Takes note with appreciation* of the work of the Open-ended Intergovernmental Working Group on Review of the Implementation of the United Nations Convention against Corruption at its five intersessional meetings;

2. *Adopts*, subject to the provisions of the present resolution, the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption<sup>1</sup> as contained in the annex to the present resolution and appends the draft guidelines for governmental experts and the secretariat and the draft blueprint for country review reports, which will be finalized during the meetings of the Implementation Review Group;<sup>2</sup>

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\*\* On behalf of the States members of the United Nations that are members of the European Union.

\* The present document has not been edited.

<sup>1</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

<sup>2</sup> See section IV.C of the terms of reference.



3. *Decides* that each review phase shall be composed of two review cycles of five years each and that one fourth of the States parties will be reviewed in each of the first four years;
4. *Decides also* to review during the first cycle chapters III (Criminalization and law enforcement) and IV (International cooperation) and during the second cycle chapters II (Preventive measures) and V (Asset recovery);
5. *Requests* the Implementation Review Group to conduct an evaluation of the terms of reference as well as the challenges encountered during the country reviews at the conclusion of each review cycle and to report to the Conference of the States Parties on the outcome of those evaluations;
6. *Decides* that a comprehensive self-assessment checklist shall be used as a tool to facilitate the provision of information on implementation of the United Nations Convention against Corruption;
7. *Requests* the Secretariat to finalize a comprehensive self-assessment checklist no later than two months after the conclusion of the third session of the Conference of the States Parties, using as a model the draft comprehensive self-assessment checklist, in consultation with States parties;
8. *Also requests* the Secretariat to distribute the comprehensive self-assessment checklist to States parties as soon as possible to begin the process of information-gathering;
9. *Requests* States parties to complete and return the checklist to the Secretariat according to the time frame established in the guidelines for governmental experts and the secretariat;
10. *Decides* that the Implementation Review Group would be in charge to follow-up and continue the work undertaken previously by the open-ended intergovernmental working group on technical assistance;
11. *Underlines* that the Mechanism will require a budget which will ensure its efficient, continued and impartial functioning;
12. *Recommends* to the United Nations General Assembly to finance the staffing requirements of the Secretariat necessary to implement the Mechanism through reallocation of existing resources of the Regular Budget for the Biennium 2010-2011;
13. *Requests* the Secretary-General to propose to the Implementation Review Group for consideration and decision, at its first meeting, further means for funding the implementation of the Mechanism;
14. *Decides* that the Implementation Review Group will consider the resource requirements for the functioning of the Mechanism for the following Biennium (2012-2013);
15. *Requests* the Secretary-General to prepare for the first meeting of the Implementation Review Group a budget proposal for the Biennium 2012-2013.

## Annex 1

### **Proposal for Draft terms of reference of the mechanism for the review of implementation of the United Nations Convention against Corruption**

#### Contents

	<i>Page</i>
I. Introduction .....	4
II. Guiding principles .....	4
III. Relationship of the Review Mechanism with the Conference of the States Parties .....	5
IV. Review Process .....	5
A. Goals .....	5
B. The country review .....	6
i. Conduct of the Country Review .....	6
ii. Outcome of the country review .....	8
iii. Follow-up procedures .....	9
C. Implementation Review Group .....	9
D. The Conference of States Parties .....	9
V. Secretariat .....	10
VI. Languages .....	10
VII. Funding .....	10
VIII. Participation of Signatories in the Review Mechanism .....	11

## Preamble

1. Pursuant to article 4, paragraph 1, of the United Nations Convention against Corruption<sup>3</sup> which states that States parties shall carry out their obligations under the Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and non-intervention in the domestic affairs of other States. The Conference of the States Parties to the United Nations Convention against Corruption established the following mechanism to review implementation of the Convention.

## I. Introduction

2. The Review Mechanism for the Implementation of the United Nations Convention against Corruption (hereinafter “the Mechanism”) includes a review process that shall be guided by the principles contained in sections II and III and be carried out in accordance with the provisions contained in section IV. The Mechanism shall be supported by a secretariat as set out in sections V and VI and be financed in accordance with section VII.

## II. Guiding principles and characteristics of the Mechanism

3. The Mechanism shall:

- (a) Be transparent, efficient, non-intrusive, inclusive and impartial;
- (b) Not produce any form of ranking;
- (c) Provide opportunities to share good practices and challenges;
- (d) Assist States parties in the effective implementation of the Convention;
- (e) Take into account a balanced geographical approach;
- (f) Be non-adversarial and non-punitive and shall promote universal adherence to the Convention;
- (g) Base its work on clear, established guidelines for the compilation, production and dissemination of information, including addressing issues of confidentiality and the submission of the outcome to the Conference, which is the competent body to take action on such outcome;
- (h) Identify, at the earliest stage possible, difficulties encountered by States parties in the fulfilment of their obligations under the Convention and good practices adopted in efforts by States parties to implement the Convention;
- (i) Be of a technical nature and promote constructive collaboration, inter alia, in preventive measures, asset recovery and international cooperation;
- (j) Complement existing international and regional review mechanisms in order that the Conference may, as appropriate, cooperate with those mechanisms and avoid duplication of effort.

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<sup>3</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

4. The Mechanism shall be an intergovernmental process.
5. In conformity with article 4 of the Convention, the Mechanism shall not serve as an instrument for interfering in the domestic affairs of States parties but shall respect the principles of equality and sovereignty of States parties, and the review process shall be conducted in a non-political and non-selective manner.
6. The Mechanism shall promote the implementation of the Convention by States parties, as well as cooperation among States parties.
7. The Mechanism shall provide opportunities to exchange views, ideas and good practices thus contributing to strengthening cooperation among States parties in preventing and fighting corruption.
8. The Mechanism shall take into account the levels of development of States parties, as well as diversities in judicial, legal, political, economic and social systems and differences in legal traditions.
9. The review of implementation of the Convention is an ongoing and gradual process. Consequently, the Mechanism shall endeavour to adopt a progressive and comprehensive approach.

### **III. Relationship of the Review Mechanism with the Conference of the States Parties**

10. The review of implementation of the Convention and the Mechanism shall be under the authority of the Conference in accordance with article 63 of the Convention.

### **IV. Review process**

#### **A. Goals**

11. Consistent with the Convention in particular article 63, the purpose of the review process shall be to assist States Parties in their implementation of the Convention. In this regard, the review process shall, inter alia:
  - (a) Promote the purposes of the Convention as set-out in its article 1;
  - (b) Provide the Conference with the information on the measures taken by States Parties in implementing UNCAC and the difficulties encountered by them in doing so;
  - (c) Help States parties to identify and substantiate specific needs for technical assistance and to promote and facilitate the provision of technical assistance;
  - (d) Promote and facilitate international cooperation in the prevention of and the fight against corruption, including in the area of asset recovery;
  - (e) Provide the Conference with information on successes, good practices and challenges of States parties in implementing and using the Convention;

(f) Promote and facilitate the exchange of information, practices and experiences gained in the implementation of the Convention.

## **B. The country review**

12. The Mechanism shall be applicable to all States parties. It shall gradually cover the implementation of the entire Convention.

13. The review of all States that are parties at the start of a review cycle should be completed before a new review cycle begins. In exceptional cases, however, the Conference may decide to launch a new review cycle before the completion of all reviews of the previous cycle. No State party shall undergo a review twice in the same review cycle, without prejudice to the right of a State party to provide new information.

14. The number of State parties from each regional group participating in the review process in a given year shall be proportionate to the size of that regional group and the number of its members that are State parties to the Convention. The selection of State parties participating in the review process in a given year of a review cycle shall be carried out by the drawing of lots at the beginning of each review cycle. A State party selected for review in a given year may defer participation to the following year of the review cycle with justifiable reason.

15. Each State party shall provide to the secretariat the information required by the Conference on its compliance with and implementation of the Convention, using the comprehensive self-assessment checklist to be developed by the secretariat and endorsed by the Conference as an initial step for that purpose. States parties shall provide complete, up-to-date, accurate and timely responses.

16. Assistance in the preparation of the responses to the checklist shall be provided by the secretariat to States parties requesting such assistance.

17. Each State party shall appoint a focal point to coordinate its participation in the review. Each State party shall endeavour to appoint as a focal point, person or persons with substantive expertise on the provisions of the Convention under review.

### **i. Conduct of the review**

18. Each State party shall be reviewed by two other States parties. The review process shall actively involve the State Party under review.

19. One of the two reviewing States parties shall be from the same geographical region as the State party under review, and shall have if possible a legal system similar to that of the State party under review. The selection of the reviewing States parties shall be carried out by the drawing of lots at the beginning of each year of the cycle on the understanding that States parties shall not undertake mutual reviews. The State party under review may request, for a maximum of two times, that the drawing of lots be repeated. In exceptional circumstances the drawing of lots may be repeated more than twice.

20. A State party under review may defer serving as a reviewing State party in that same year. That same principle, *mutatis mutandis*, shall apply to the reviewing

States parties. Within a review cycle, each State party must have undergone its own review and performed a minimum of one review and a maximum of three reviews.

21. Each State Party shall appoint up to 15 governmental experts for the purpose of the review process. The Secretariat shall compile and circulate prior to the drawing of lots for the reviewing State Parties a list of such governmental experts, which will include information on their professional background, their current positions, other relevant offices and activities and areas of expertise required for the respective review cycle. States parties shall endeavour to provide information necessary for the secretariat to compile and keep the list up-to-date.

22. The Reviewing State Parties shall carry out, in accordance with the Guidelines for Governmental Experts and the Secretariat (hereinafter the Guidelines), a desk review of the response to the comprehensive self-assessment checklist by the State Party under review. Such desk review shall entail an analysis of the response focused on measures taken to implement the Convention, and successes in and challenges of such implementation.

23. In accordance with the guiding principles and in conformity with the Guidelines, the Reviewing States Parties, supported by the secretariat, may request the State Party under review to provide clarifications or additional information or to address supplementary questions related to the review. The ensuing constructive dialogue may be carried out, inter alia, by way of conference calls, video-conferences or email exchanges, as appropriate.

24. The schedule and requirements of for each country review shall be established by the secretariat in consultation with the reviewing States Parties and the State Party under review and shall address all issues relevant to the review. The reviews should ideally be designed to take no longer than six months.

25. The secretariat will develop a set of Guidelines for the Reviewing State Parties in consultation with States Parties. These Guidelines will be endorsed by the Implementation Review Group.

26. The country review shall lead to the elaboration of a Country report based on a blueprint to be developed by the secretariat in consultation with the States Parties and endorsed by the Conference to ensure consistency.

28. The review shall be carried out as follows:

(a) The desk review shall be based on the responses to the comprehensive self-assessment checklist and any supplementary information provided by the State Party under review.

(b) In the context of the constructive dialogue between the governmental experts, the State party under review shall facilitate the exchange of information relevant to the implementation of the Convention.

(c) Where the state party under review is a member of an organization and/or a mechanism below, the Reviewing States Parties may consider information relevant to the implementation of the UNCAC produced by:

- Competent international organizations, whose mandates cover anticorruption issues; and

- International and regional mechanisms for combating and preventing corruption.

29. The State Party under review shall endeavour to prepare their responses to the comprehensive self assessment checklist through broad consultations at the national level with all relevant stakeholders, the private sector, individuals and groups outside the public sector.

27. If agreed by the State party under review, the desk review should be complemented with any further means of direct dialogue, such as a country visit or a joint meeting at the United Nations Office in Vienna, in accordance with the Guidelines.

27 bis States parties are encouraged to facilitate engagement with all relevant national stakeholders in the course of a country visit.

30. The Reviewing State Parties and the Secretariat shall maintain confidential all information obtained in the course of, or used in the country review process.

31. The secretariat shall organize periodic training courses for experts who participate in the review process, in order to familiarize them with the Guidelines and increase their capacity to participate in the review process.

**ii. Outcome of the country review process**

32. The reviewing State Parties shall in accordance with the Guidelines and the blueprint prepare a country review report with an executive summary of the report in close cooperation and coordination with the State party under review and assisted by the Secretariat. The report shall identify successes, good practices and challenges and make observations for the implementation of the Convention. Where appropriate the report shall include identification of technical assistance needs for the purposes of improving implementation of the convention.

33. The country review report including the executive summary shall be finalized upon agreement between the reviewing State Parties and the State Party under review.

34. The secretariat shall compile the most common and relevant information on successes, good practices, challenges, observations and technical assistance needs contained in the country reports and include them thematically in a “Thematic Implementation Report” and regional supplementary addenda for submission to the open-ended intergovernmental implementation review group.

35. The executive summaries from each finalised country review report shall be translated into the six official languages of the UN and made available as official documents of the Implementation Review Group only for information purposes.

[bis] The Country review report shall remain confidential,

[ter] The State Party under review is encouraged to exercise its sovereign right to publish its country review report or part of it.

[quater] In order to improve and strengthen cooperation and learning between States parties they shall endeavour to make country review reports accessible to any other



State party upon request. The requesting State party shall fully respect confidentiality of such reports.

### **iii. Follow-up procedures**

36. 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 it in relation to its country review report have been provided.

36bis The Conference through the Implementation Review Group shall assess and adapt where appropriate the procedures and requirements for follow-up to conclusions and observations emerging from the review process.

## **C. Implementation Review Group**

37. The Implementation Review Group shall be an open-ended intergovernmental group of States parties. It shall operate under the authority of and report to the Conference.

40. The Implementation Review Group shall hold meetings at least once a year in Vienna.

41. The functions of the intergovernmental review group shall be to have an overview of the review process to identify challenges and good practices as well as considering technical assistance requirements in order to ensure effective implementation of the Convention. The Thematic Implementation Report will serve as the basis for the analytical work of the Implementation Review Group. On the basis of its deliberations, the implementation review group shall submit recommendations and conclusions to the Conference of State parties for its consideration and approval.

## **D. The Conference of States Parties**

41 bis The Conference shall be responsible for establishing policies and priorities related to the review process.

42. The Conference of State Parties shall consider the recommendations and conclusions of the Implementation Review Group.

43. The Conference shall establish the phases and cycles of the review process, as well as the scope, thematic sequence and details of such review. The Review Phase will be finalized upon reviewing all the Articles of the Convention in all State Parties. Each Phase will be divided into review cycles. The Conference shall determine the duration of each review cycle and decide on the number of States parties that shall participate in each year of the review cycle, taking into account the number of States Parties to be reviewed as well as the scope applicable in the cycle. The phases and cycles of the review process, as well as the scope, thematic sequence and details of such review, shall be established by the Conference. The

Conference shall also determine the duration of each review cycle and decide on the number of States parties that shall participate in each year of the review cycle.

44. The Conference of the States Parties shall endorse the comprehensive self-assessment checklist, the Country report blueprint, the Guidelines, and any future amendments to the terms of reference of the review mechanism. Following the completion of each review cycle, the Conference will assess the performance of the Mechanism and its terms of reference.

45. The Conference shall adopt a biennial budget for the activities of the review mechanism.

## **V. Secretariat**

46. The secretariat of the Conference shall be the secretariat of the Mechanism and shall perform all tasks required for the efficient functioning of the Mechanism, including providing technical and substantive support, upon request, to States parties in the course of the functioning of the Mechanism.

## **VI. Languages**

47. Arabic, Chinese, English, French, Russian and Spanish shall be the official and working languages of the Review Mechanism, subject to the provisions of this Section.

48. The Country review process shall be conducted in any of the working languages of the mechanism. The Secretariat will be responsible for providing the required translation and interpretation into any of these languages as necessary for its efficient functioning.

49. The Secretariat shall endeavour to seek voluntary contributions to be able to provide interpretation and translation to other non-official languages, if requested by the State Party under review.

50. The Executive Summaries of the country review reports as well as the Thematic Implementation Report will be official documents of the Conference and therefore translated to the six official languages.

## **VII. Funding**

51. The requirements of the Mechanism and its secretariat shall be funded from the regular budget of the United Nations.

52. The requirements set in paragraph 27 and 31 relating, inter alia, to the requested country visits, the joint meetings at the United Nations Office in Vienna, and the training of experts shall be funded through voluntary contributions which shall be free of conditions and influence.

53. The secretariat shall be responsible for preparing a biennial budget proposal for the activities of the Review Mechanism.

54. The Conference of State Parties shall consider the budget for the Mechanism biennially. The budget shall ensure the efficient, continued and impartial functioning of the Mechanism.

55. Adequate financial and human resources must be provided to the Secretariat to enable it to perform the functions assigned to it in the present terms of reference.

### **VIII. Participation of Signatories in the Review Mechanism**

54. Signatory states can participate as a state under review in the review mechanism on a voluntary basis and the costs associated with such participation shall be paid from available voluntary contributions.

## Appendix

### **Guidelines for governmental experts and the secretariat in the conduct of country reviews**

#### **I. General guidance**

1. Throughout the review process, governmental experts and the secretariat shall be guided by the relevant provisions of the United Nations Convention against Corruption and the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption.
2. In particular, governmental experts shall bear in mind article 4, paragraph 1, of the Convention, which states that States parties shall carry out their obligations under the Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and of non-intervention in the domestic affairs of other States.
3. Furthermore, governmental experts shall carry out the reviews in full recognition of the purpose of the review process as specified in paragraph 11 of the terms of reference.
4. During all interactions within the review process, governmental experts shall respect the collective approach. Governmental experts are expected to act with courtesy and diplomacy, and shall remain objective and impartial. Governmental experts need to be flexible in their approach and ready to adapt to changes in schedules.
5. Governmental experts and the secretariat shall maintain the confidentiality of all information obtained in the course of, or used in, the country review process, as well as the outcome documents, as stipulated in the terms of reference. If there are serious grounds for believing that a governmental expert or a member of the secretariat has violated the obligation of confidentiality, the secretariat shall inform the Implementation Review Group.
6. It is also expected that governmental experts are not to be influenced in their assessment of the implementation of the Convention. While information generated through competent international organizations whose mandates cover anti-corruption issues and international and regional mechanisms for combating and preventing corruption is to be taken into account, governmental experts shall make their own analysis of the facts provided by the State party under review in order to present findings that are in line with all the specific requirements of the Convention provisions under review.
7. Throughout the review process, governmental experts are encouraged to contact the secretariat for any assistance required.

#### **II. Specific guidance**

##### **Preparatory stage**

8. The governmental experts shall prepare themselves by:

- (a) Studying thoroughly the Convention;
- (b) Reading the *Legislative Guide for the Implementation of the United Nations Convention against Corruption*,<sup>4</sup> particularly those parts pertaining to the articles that are the subject of the relevant review cycle;
- (c) Familiarizing themselves with the substantive background information contained in annex A to the present guidelines;
- (d) Reviewing the responses provided by the State party under review in its self-assessment checklist and supplementary documentation;
- (e) Informing the secretariat if additional information and material are required;
- (f) Highlighting issues requiring further clarification;
- (g) Familiarizing themselves with the issues addressed by the State party under review, and formulating questions and comments.

### **Constructive dialogue**

9. Constructive dialogue is key to the efficiency and effectiveness of the review process. In order to ensure the timely completion of the review, the time frame for the constructive dialogue is set for a period of three months as from the initial telephone conference or videoconference. During this period, various means of dialogue shall be employed and facilitated by the secretariat, including, inter alia, e-mail communications, telephone conferences or videoconferences, and meetings to be conducted upon request by the State party under review.
10. While governmental experts shall establish open lines of communication with the other members of the review team and governmental experts of the State party under review, experts shall keep the secretariat abreast of all these communications.
11. Within one month of the establishment of the review teams or of the receipt of the self-assessment checklist, governmental experts shall actively participate in a telephone conference or videoconference, to be organized by the secretariat, for the purpose of an initial introduction of the reviewing States parties, the State party under review and the staff of the secretariat assigned to the particular country review team and for general orientation, including a review of the schedule and requirements established for the review.
12. During this conference call, governmental experts shall discuss the initial analysis of the self-assessment checklist, as well as areas identified requiring further clarifications and information.
13. Governmental experts from reviewing States parties shall take a decision on how to divide tasks and issues among themselves, taking into account their respective fields of competence.
14. Within two weeks after the telephone conference or videoconference, governmental experts shall supply the secretariat, in writing, with requests for additional information sought and specific questions to be forwarded to the State party under review, if necessary.

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<sup>4</sup> United Nations publication, Sales No. E.06.IV.16.

15. Throughout the process, governmental experts shall take note of the information and material provided by the State party under review, through the different means of communication mentioned above.

16. Within one month after the completion of the dialogue stage, governmental experts shall provide their analysis, in writing, to the secretariat. When preparing the analysis, governmental experts shall avoid duplicating texts already contained in the self-assessment checklist. They are further requested to be concise and factual and to substantiate the analysis. Objective and impersonal language will aid understanding. When abbreviations and acronyms are used, these shall be defined upon their first use.

17. In line with the structure of the country review report, as contained in the blueprint, the analysis is to include governmental experts' findings and observations.

18. The analysis is to be concise and factual and is to include solid reasoning for the conclusions drawn and observations made for each article of the Convention assessed.

19. Depending on the scope of the review cycle, governmental experts shall include findings with respect to the domestication in national law of each article of the Convention, as well as its implementation in practice.

20. Governmental experts shall further identify successful measures and good practices, as well as challenges, implementation gaps and areas where technical assistance may be required.

21. At the request of the State party under review and as required, governmental experts may also be asked to provide the State party under review with explanations on how to bridge the gaps identified so as to allow the country to fully and effectively implement the relevant articles of the Convention.

22. As required, the secretariat will organize a telephone conference or videoconference bringing together the governmental experts of the reviewing States parties and the State party under review. During the conference call, governmental experts from the reviewing States parties shall introduce their parts of the draft report and explain the findings and observations.

23. Once governmental experts' contributions from the reviewing States parties have been received, the secretariat will prepare a first draft of the country review report, based on the blueprint format. Governmental experts from the reviewing States parties will be invited to comment on the first draft report within two weeks after receiving it. The secretariat will prepare an amended version of the draft report reflecting those comments. This draft report will then be sent to the State party under review.

24. Following comments from the State party under review, the secretariat will provide governmental experts of the reviewing States parties with the draft report incorporating these comments.

#### **Finalizing the country review report**

25. Governmental experts shall thoroughly read the updated draft country review report reflecting the comments by the State party under review, in order to agree on

final language to be used in the report and prepare an executive summary of the report.

26. The secretariat shall send this report and its executive summary to the State party under review for approval. In case of disagreement, there shall be a constructive dialogue between the State party under review and the governmental experts to arrive at a consensual final report and its executive summary.

**[Optional: Country visit or joint meeting in Vienna**

27. A country visit or joint meeting in Vienna shall be planned and organized by the requesting State party under review. While the Secretariat will facilitate all practical arrangements, governmental experts shall take all necessary measures from their side to participate in the country visit.

28. During the country visit or joint meeting in Vienna, governmental experts shall uphold the principles and standards outlined in the general guidance above. In particular, governmental experts shall keep in mind the following points throughout the country visit.

29. When seeking additional information and asking for clarification, governmental experts shall bear in mind the non-adversarial, non-intrusive and non-punitive character of the review and the overall goal of assisting the State party under review to reach full implantation of the United Nations Convention against Corruption.

30. Governmental experts are expected to actively and constructively participate in all meetings, including at internal debriefings at the end of each working day, or at the end of the country visit or joint meeting in Vienna.

31. Governmental experts are expected to be respectful and courteous in meetings, respecting time frames set in the programme and allowing time for all members to participate. At the same time, governmental experts are expected to be flexible, as the programme may change during the visit.

32. Questions should seek to complement information already provided by the State party under review and relate only to the review process. Governmental experts shall therefore remain neutral and not voice personal opinions during the meetings.

33. Governmental experts are expected to take notes during all meetings, which can be referred to when producing the final report. They shall share their opinions and preliminary findings during debriefings, as well as in writing within two weeks after the country visit.

34. Once comments from governmental experts of the reviewing States parties have been received, the secretariat will prepare an amended draft country review report, taking into account the additional information received during the meetings. Governmental experts shall comment on this draft report within two weeks after receiving it.

35. The secretariat will then follow the same procedure as outlined in paragraphs 22 to 26 above.]

## **Annex A**

### **Substantive background information relevant to the articles subject to the review cycle**

*Relevant parts of the Legislative Guide for the Implementation of the United Nations Convention against Corruption and other relevant United Nations tools.*

[...]

## **Annex B**

### **Blueprint for country review reports**

**Review by [names of reviewing States] of the implementation by [name of State under review] of article[s] [number(s) of articles] of the United Nations Convention against Corruption for the review cycle [time frame]**

#### **I. Introduction**

1. The Conference of the States Parties to the United Nations Convention against Corruption was established pursuant to article 63 of the Convention to, inter alia, promote and review the implementation of the Convention.
2. In accordance with article 63, paragraph 7, of the Convention, the Conference established at its third session, held in Doha from 9 to 13 November 2009, the Mechanism for the Review of Implementation of the Convention. The Mechanism was established also pursuant to article 4, paragraph 1, of the Convention, which states that States parties shall carry out their obligations under the Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and of non-intervention in the domestic affairs of other States.
3. The Review Mechanism, of which this report forms part, is an intergovernmental process with the overall goal of assisting States parties in implementing the Convention.
4. The review process is based on the terms of reference of the Mechanism (*United Nations document symbol*).

#### **II. Process**

5. The following review of the implementation by [name of State under review] of the Convention is based on the self-assessment checklist [omnibus survey] received from [name of State under review] and the outcome of the constructive dialogue between the experts from [names of the two reviewing States and the State under review], by means of [communication media, such as telephone conferences, videoconferences, e-mail exchanges, face-to-face meetings] and involving [names of experts involved].

[Optional: 6. A voluntary country visit, requested by [name of State under review] was conducted from [date] to [date].]

OR

[A joint meeting between [name of State under review] and [names of reviewing States] was held in Vienna from [date] to [date].]



### III. Executive summary

7. *[Summary of the following:*

*(a) Findings and observations on the implementation of the articles under review by the State under review;*

*(b) Successful experiences and good practices;*

*(c) Gaps in implementation, where applicable;*

*(d) Priorities and actions, as well as technical assistance needs, identified by the State under review to improve its implementation of the Convention.]*

### IV. Implementation of the Convention

#### A. Ratification of the Convention

8. *[Name of State under review]* signed the Convention on *[date]* and ratified it on *[date]*. *[Name of State under review]* deposited its instrument of ratification with the Secretary-General on *[date]*.

9. The implementing legislation – in other words, the *[title of act ratifying the Convention]* – was adopted by *[name of national legislative body]* on *[date]*, entered into force on *[date]* and was published in *[name, number and date of official publication communicating adoption of the act]*. The implementing legislation includes *[summary of ratification legislation and overview of methods used to implement the Convention]*.

#### B. Legal system of *[name of State under review]*

10. Article *[number of article]* of the Constitution states that *[discuss whether treaties are self-executing or require implementing legislation, where the Convention fits into the hierarchy of law, etc.]*.

#### C. Implementation of selected articles

**Article** *[number of article]*

*[title of article]*

*[Text of the article, block indented]*

11. *[Reference to the relevant part of the Legislative Guide for the Implementation of the United Nations Convention against Corruption]*

#### **(a) Summary of information relevant to reviewing the implementation of the article**

12. *[Information provided by the State under review through the self-assessment checklist [omnibus survey] and in the context of the constructive dialogue, as well as information available from other existing anti-corruption review mechanisms in which the State under review participates]*

**(b) Findings and observations on the implementation of the article**

13. *[Findings of the review team with regard to the implementation of the article. Depending on the scope of the review cycle, findings with respect to the way in which national law has been brought into line with the article, as well as to the implementation of the article in practice]*

14. *[Findings on the status of implementation of the article, including successful implementation and gaps in implementation]*

**(c) Successful experiences and good practices**

15. *[Successful experiences and good practices in implementing the article, where applicable]*

**(d) Identification of gaps in implementation, where applicable**

16. *[Any gaps in implementation and relevant observations]*

**(e) Priorities and actions identified by [name of State under review]**

17. *[Where applicable, priorities and actions, as well as technical assistance needs, identified by the State under review to improve implementation of the Convention]*

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