



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

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**Report of the Implementation Review Group on its second  
session, held in Vienna from 30 May to 2 June 2011**

Contents

	<i>Page</i>
I. Introduction . . . . .	2
II. Organization of the session . . . . .	2
A. Opening of the session . . . . .	2
B. Adoption of the agenda and organization of work . . . . .	3
C. Attendance . . . . .	4
III. Review of implementation of the United Nations Convention against Corruption . . . . .	5
A. Drawing of lots to select States under review and reviewing States . . . . .	5
B. Lessons learned . . . . .	6
IV. Technical assistance . . . . .	9
V. Financial and budgetary matters . . . . .	12
VI. Other matters . . . . .	13
VII. Provisional agenda for the resumed second session of the Implementation Review Group . . . . .	15
VIII. Adoption of the report of the Implementation Review Group on its second session . . . . .	15
 Annexes	
I. Provisional agenda for the resumed second session of the Implementation Review Group . . . . .	16
II. States parties selected for review and as reviewers for the second review cycle . . . . .	17



## **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 its resolution 3/1, the Conference adopted the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption (contained in the annex to that resolution), as well as the draft guidelines for governmental experts and the secretariat in the conduct of country reviews and the draft blueprint for country review reports (contained in the appendix to the annex to resolution 3/1), which were finalized by the Implementation Review Group at its first session, held in Vienna from 28 June to 2 July 2010.

3. Pursuant to paragraph 42 of the terms of reference of the Review Mechanism, the Implementation Review Group was established as an open-ended intergovernmental group of States parties, operating under the authority of and reporting to the Conference. Pursuant to paragraph 44 of the terms of reference, the functions of the Group are 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. Pursuant to paragraph 43 of the terms of reference, the Group shall hold meetings at least once a year in Vienna.

4. Also in its resolution 3/1, the Conference decided that the Implementation Review Group should be in charge of following up and continuing the work undertaken previously by the Open-ended Intergovernmental Working Group on 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 held its second session in Vienna from 30 May to 2 June 2011.

7. The 1st to 6th meetings of the session were chaired by John Brandolino (United States of America), and the 7th to 8th meetings were chaired by Eugenio Curia (Argentina). In his introductory remarks, the Chair recalled the achievements of the Group’s first session, held from 28 June to 2 July 2010, at which the Group finalized the guidelines for governmental experts and the secretariat, adopted its resolution 1/1, on resource requirements for the functioning

of the Review Mechanism for the biennium 2012-2013, and proceeded with the drawing of lots to select States parties under review for the first cycle and reviewing States parties for the first year of the cycle. He also recalled that at the resumed first session, held from 29 November to 1 December 2010, the Group continued to discuss issues concerning the review process and adopted recommendations on technical assistance.

8. At the invitation of the Chair, the Executive Director of the United Nations Office on Drugs and Crime made a statement in which he highlighted the growing commitment of States to fight corruption and the Office's work to support them in their efforts and stressed the innovative nature of the Review Mechanism. He thanked States parties involved in the country reviews conducted in the first year of the cycle for their work and urged States to continue to strongly support the Mechanism and to work towards the full implementation of the Convention. He considered that the upcoming fourth session of the Conference, to be held in Marrakech from 24 to 28 October 2011, would provide a key opportunity to take stock of global progress in preventing and combating corruption in relation to the achievement of the Millennium Development Goals.

9. The representative of Egypt made a statement in the context of the recent events in the country leading up to and since 25 January 2011. He reported on the efforts made by his country in the field of asset recovery and referred to the cooperation that investigative and prosecutorial teams had received from other States. He stressed that such efforts were not easy and required more cooperation and understanding among States, including between judicial authorities, in order to fully implement the Convention against Corruption and enable countries to make full use of the Convention's provisions.

## **B. Adoption of the agenda and organization of work**

10. On 30 May, 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 resumed second session of the Implementation Review Group.
  7. Adoption of the report of the Implementation Review Group on its second session.

### C. Attendance

11. The session was attended by representatives of the following States parties to the Convention: 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, Costa Rica, Croatia, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Greece, Guatemala, Guinea-Bissau, Haiti, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Montenegro, Morocco, Mozambique, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, 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.

12. The European Union, a regional economic integration organization that is a party to the Convention, was also represented at the session.

13. At its resumed first session, the Implementation Review Group decided that signatories and observer States would be invited to attend the deliberations on the agenda items on technical assistance and on financial and budgetary matters, scheduled for 1 June and 2 June 2011, respectively.

14. The following States signatories to the Convention were represented by observers: Côte d'Ivoire, Czech Republic, Germany, Ireland, Japan and Syrian Arab Republic.

15. The following State was also represented by an observer: Oman.

16. Palestine, an entity maintaining a permanent observer mission to the United Nations, was also represented by an observer.

17. At its resumed first session, the Implementation Review Group had decided that 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 would be invited to attend the deliberations on the agenda item on technical assistance, scheduled for 1 June and the morning of 2 June 2011.

18. 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 had been invited by the secretariat to attend the session with observer status: International Narcotics Control Board, United Nations

Development Programme (UNDP), United Nations Commission on International Trade Law, United Nations Relief and Works Agency for Palestine Refugees in the Near East, World Bank and Basel Institute on Governance.

19. The following intergovernmental organizations were represented by observers: Asian-African Legal Consultative Organization, International Anti-Corruption Academy, International Criminal Police Organization (INTERPOL) and the Organization for Security and Cooperation in Europe.

20. The Sovereign Military Order of Malta, an entity maintaining a permanent observer office at Headquarters, was represented at the session by an observer.

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

#### **A. Drawing of lots to select States under review and reviewing States**

21. Under the item on the review of implementation of the United Nations Convention against Corruption, the Chair provided an overview of the procedure of the drawing of lots in accordance with paragraphs 14 and 19 of the terms of reference. He reported that the lots bearing the names of States parties had been placed in the appropriate boxes in the presence of the Bureau in order to save time during the meeting. The Chair recalled that each State party must have performed a minimum of one review and a maximum of three reviews by the end of each review cycle. He also recalled that States parties selected for review in the second year could make use of their right to defer serving as a reviewing State party that same year.

22. With a view to establishing a consistent practice for the drawing of lots at future sessions, the Group agreed that the name of a State party drawn as a reviewing State would be put back in the box to be drawn again only if the State party expressly requested it. The Group further agreed that a State party whose name was drawn to perform more than one review in the same year would be asked whether it was in a position to do so before considering the result of the draw to be final. Furthermore, the Group agreed that if a State party was selected as a reviewer for more than one review, it had the possibility of opting out of the second or subsequent selections as a reviewer.

23. While conducting the drawing of lots for the reviewing States parties in the second year, each State party under review was first asked whether it wished to exercise its right to defer its review to the following year. States parties selected to undergo review were also reminded that they could request that the drawing of lots be repeated a maximum of two times, with no justification required. It was agreed that for each redraw, States parties undergoing review had the possibility of drawing lots again to reselect either one or both of their reviewing States.

24. In the case that a State to undergo review in the second year chose to defer that review, a State in the same regional group scheduled to undergo review in the third year could volunteer to take its place.

25. It was also foreseen that the Group could conduct a second drawing of lots at its 6th meeting of the session, on Wednesday, 1 June, and a third drawing on the last day of the session, in order to give States under review sufficient time for consultations on whether they were ready to confirm their readiness to undergo the review or on whether they wished to request a redrawing of lots to select their reviewing States.

26. Three States parties that had exercised their right to defer their review in the first year of the review cycle had requested further deferrals. Those States parties subsequently withdrew those requests.

27. The Executive Director of the United Nations Office on Drugs and Crime (UNODC) drew the lots to select the first set of reviewers. Representatives of the regional groups and the secretariat drew the lots to select the rest of the reviewing States parties. The Group agreed to a request by the Russian Federation to mix the boxes containing the lots of the Group of Asian States and the Group of Eastern European States in drawing its reviewing State party from the same geographical region.

## **B. Lessons learned**

28. In its consideration of agenda item 2, on the review of implementation of the United Nations Convention against Corruption, the Group had before it a note by the secretariat entitled “Country reviews: lessons learned from the first year of the current review cycle” (CAC/COSP/IRG/2011/2), and a note on average time required for country reviews conducted in the first year of the current cycle of the Review Mechanism (CAC/COSP/IRG/2011/CRP.3). The Secretary of the Conference provided an update on process issues related to the first year of the work of the Mechanism. He reported that of the initially selected 34 States parties under review, after deferrals and voluntary moving forward of other country reviews within regional groups, 26 States parties had confirmed their readiness to undergo review in the first year, 25 States parties had submitted their self-assessment checklist by the date of the review, and 46 reviewing States parties had submitted the outcome of their desk review to the secretariat for transmission to the State party under review. Twenty States parties under review had indicated that they would request or consider requesting further means of direct dialogue. Thirteen country visits and one joint meeting in Vienna had been held. In seven cases, dates were being finalized for the holding of a country visit after the second session of the Implementation Review Group. The Secretary highlighted that the indicative timelines contained in the guidelines for governmental experts and the secretariat in the conduct of country reviews had been frequently extended. States parties under review submitted complete responses to the self-assessment checklist in an average of 4.5 months (and not 2 months), and their desk reviews in an average of 1.5 months (and not 1 month).

29. Representatives of States parties involved in the work of the Mechanism in its first year applauded the constructive cooperation among States parties in the country reviews. It was noted that while there was room for improvement, the work of the Review Mechanism had gotten off to a good start. The need for flexibility in adhering to the indicative timelines contained in the guidelines for country

reviews, in particular with respect to translation requirements, was noted. Noting that one State party selected in the first year had not yet communicated its readiness to undergo review, despite the repeated efforts from the President of the Conference and the secretariat to obtain such communication, speakers underlined the importance of responsiveness and cooperation and expressed the hope that such cases would be avoided in future. Speakers also called upon the States parties that had not yet done so to submit their lists of governmental experts.

30. Speakers underscored the crucial role, at the initial stages of the review process, of the focal points to be appointed pursuant to paragraph 17 of the terms of reference in order to coordinate the review process, both in terms of preparation of responses to the self-assessment checklist and for communications with the experts and the secretariat. Representatives of reviewing States reported that their countries had set up teams with a broad range of expertise to comment on the review. Some speakers regretted that not all experts could participate in the review process because financial constraints in covering the costs of the participation of countries in the country visits and training had obliged the Secretariat to limit relevant support to two participants per country. A proposal was made to increase that number and finance the participation of four participants per country. Speakers welcomed the assistance provided by the secretariat throughout the review process, starting with the training opportunities provided to focal points and reviewing experts, which were viewed as crucial to their work in the reviews.

31. A representative of the Secretariat presented the updated version of the self-assessment checklist software, which sought to address the challenges faced by States under review in the first year by enhancing the technological user-friendliness of the software and by streamlining questions, while preserving the substantive content of the tool as endorsed by the Conference. Speakers noted the usefulness of the self-assessment checklist as an information-gathering tool and advocated for its wide use and dissemination, especially for the analysis of technical assistance needs. Speakers referred to their experiences in completing or analysing the responses to the self-assessment checklist and reported on areas for both technical and substantive improvement. While noting that the wealth of information provided could pose a challenge, speakers also highlighted the need to maintain a certain level of detail allowing for a substantive review. Where translation was required, speakers emphasized the need to ensure high quality throughout the process. Some speakers reported on their efforts to involve relevant stakeholders by posting or circulating the responses online. Speakers called upon the States under review in subsequent years to initiate preparations for completing the self-assessment checklist at an early stage. Early completion of the self-assessment checklist was deemed generally advisable, including for the purposes of identifying technical assistance needs.

32. Speakers highlighted the importance of working to achieve the outcome of the desk review, including with a view to preparing country visits or joint meetings in Vienna, where requested. The organization of teleconferences and videoconferences and e-mail exchanges at that stage was seen as valuable. Technical challenges were noted, in particular the issue of clarity of communication in some conference calls.

33. Positive experiences were also reported with regard to the dialogue phase, including the exchange of views by telephone or videoconference and further means of direct dialogue. Several speakers reported that country visits had shown great

potential for deepening understanding of the submitted information and allowing for the development of accurate and comprehensive country reports. Some speakers reported on the involvement of relevant national stakeholders, such as civil society organizations, the private sector and academia, in the dialogue phase and the drafting of the report. Some speakers mentioned that the review process might have financial implications for reviewing countries. Speakers noted the need to prepare well in advance of country visits or joint meetings in Vienna in order to maximize their usefulness for elaborating the country review report. Sending questions or comments from reviewers to the stakeholders before they met was seen as useful as it allowed the stakeholders to prepare. It was also highlighted that country visits provided an opportunity to engage in the meaningful exchange of experience and discussion of good practices with the reviewers. Speakers also highlighted the usefulness of debriefings during the country visits, both among the reviewing experts and with the focal points of the States under review, in order to take full advantage of the opportunities of direct dialogue. Noting that a country visit provided an excellent opportunity not only to engage with the country under review but also for the reviewing States parties to agree on findings and observations, one speaker proposed extending country visits beyond the current length of two or three days. One speaker reported on the positive experience of a joint meeting held in Vienna as part of one of the country reviews and noted that it was important to engage a wider spectrum of national stakeholders, as was possible during a country visit.

34. Several speakers recalled that, under the terms of reference, country visits were voluntary, and one speaker expressed the view that the requests of the State party under review with respect to conducting a country visit should be explicitly expressed and conveyed to the secretariat and the reviewing States parties in advance, through diplomatic channels.

35. Some speakers specifically mentioned that before the country visit was conducted, the State party under review, the reviewing States parties and the secretariat should reach a common understanding of the goals, tasks and programme of the country visit.

36. One delegation stressed that a clear distinction should be made between the identification, in the course of a country review, of the needs of the State party under review in terms of anti-corruption technical assistance and the provision of technical assistance, and expressed the view that the issue of the content and amount of technical assistance provided and its funding should be considered subsequent to the country review.

37. One speaker sought information from the secretariat on the legal arrangements made for country visits, in particular the exchanges of letters between the State party under review and the United Nations. The Secretary provided the information requested and noted that the legal arrangements put in place for organizing country visits were still being reviewed and that the secretariat was inclined to discontinue the practice of exchanges of letters for future visits.

38. It was reported that language barriers had posed challenges in some reviews. The importance of flexibility, cooperation and sufficient funding for translation and interpretation was highlighted. The importance of ensuring quality translation and interpretation services throughout the review process was noted, and speakers



welcomed the efforts of the secretariat to provide accurate and timely translations of written materials. One proposed solution was to include a standard set of relevant domestic laws in the UNODC legal library, thus ensuring their availability during the reviews.

39. With regard to the outcome of the reviews, some speakers referred to the observations made in the country review reports or during the dialogue phase and reported that some of those observations had since been addressed within the domestic systems of their countries. Speakers stressed that the review process would enable them to enhance the implementation of the Convention. One speaker raised the question of how country review reports should, apart from mandatory provisions of the Convention, also take non-mandatory provisions and evolving good practices as reference points for recommendations. While it was recognized that the reports were agreed between the country under review and the reviewing States, some speakers noted the importance of ensuring consistency among the executive summaries, as they were public documents. One speaker stressed that while the self-assessment checklist provided for a certain level of detail that could be useful in the analysis and full understanding of the information, there was a need to summarize information in the course of the review in order to develop readable reports. Several speakers informed the Group of the intention of their country to publish their final country review reports.

#### **IV. Technical assistance**

40. The Chair invited the Implementation Review Group to reflect on the lessons learned with regard to technical assistance from the first year of operation of the Review Mechanism. The Secretary welcomed the participation of signatories and intergovernmental organizations in the consideration of the agenda item on technical assistance and recalled the recommendations made by the Group at its resumed first session and Conference resolution 3/1, in which the Conference charged the Group with the work previously undertaken by the Open-ended Intergovernmental Working Group on Technical Assistance. In that resolution, the Conference had identified the review process as a means to help States parties identify and substantiate specific needs for technical assistance, and to promote and facilitate the provision of technical assistance. In its resolution 3/4, the Conference urged States parties and signatories to the Convention to exchange expertise, experiences and lessons learned with respect to providing technical assistance in the area of combating and preventing corruption. In that regard, the Secretary commended the recent initiative by Kenya of organizing and hosting the South-South Anti-Corruption Conference held in Mombasa in May 2011. The Group was also encouraged to make full use of the UNODC database of anti-corruption expertise for the delivery of technical assistance.

41. The Group had before it for its consideration of the item a note by the Secretariat on integrating technical assistance in the review process (CAC/COSP/IRG/2011/3), containing the identified technical assistance needs of 16 States parties under review that had submitted their responses to the self-assessment checklist prior to March 2011. That information was preliminary, and it was hoped that the ongoing review process would provide a sharper and more complete picture of technical assistance needs. The analysis contained in the note

was organized thematically and geographically. Certain priority areas had already emerged, for example, the protection of witnesses and persons reporting cases of corruption and their cooperation with law enforcement authorities, as well as mutual legal assistance. The most frequent types of requests were for a summary of good practices and lessons learned and models of how to implement the provisions under review, supported through the guidance of an anti-corruption expert and legal advice, as well as an action plan for implementation. Speakers appreciated the preliminary analysis provided and acknowledged that the Group, at its resumed second session, would have a more accurate picture of the needs being identified through the review process. Further detailed analysis of technical assistance needs identified through the review process was essential to enable the Group to make concrete recommendations to the Conference on policy and operational issues related to technical assistance. That would allow for common needs to be addressed collectively in an effective manner, including in a broader, programmatic context.

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

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

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

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

46. Several speakers highlighted the important role played by signatories and intergovernmental organizations in supporting the provision of technical assistance and in furthering the implementation of the Convention. It was emphasized that, in order to effectively address the needs identified, cooperation among technical assistance providers in delivering such assistance was important. Speakers welcomed joint activities carried out by UNODC and UNDP and through other partnerships. The efforts of the secretariat to develop tools, such as the anti-corruption expert database, were appreciated.

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

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

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

50. Bilateral and multilateral technical assistance providers were requested to share, at the resumed second session, information on technical assistance that had already been provided, in order for the Group to begin to have an overall picture of the type of assistance delivered.

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

## V. Financial and budgetary matters

52. For its consideration of agenda item 4, on financial and budgetary matters, the Group was provided with preliminary information on actual expenditures incurred as at the end of April 2011 for the first year of the functioning of the Review Mechanism (taking into consideration that most of the country reviews of the first year had not yet been finalized) and indications with respect to estimated costs for the biennium 2012-2013 (CAC/COSP/IRG/2011/CRP.1).

53. The Secretary recalled Conference resolution 3/1, in which the Conference underlined that the Review Mechanism would require a budget that ensured its efficient, continued and impartial functioning. He also recalled General Assembly resolution 64/237, through which the staffing requirements and costs of the meetings of the Implementation Review Group were included in the programme budget for the biennium 2010-2011. He also expressed appreciation for the voluntary contributions made by States to support the Implementation Review Mechanism.

54. The Secretary provided more detailed information on expenditures made to date, in particular with regard to the participation of least developed countries in the meetings of the Implementation Review Group, the training of governmental experts, translation of documentation during the review process, country visits and other means of active dialogue, as well as videoconference and telephone conference costs. The Secretary also provided explanations for differences between initial estimates and the actual expenditures with regard to particular items. Such variations were the result of, in particular, additional requests to fund the participation of governmental experts in training sessions and country reviews as well as an increased number of countries requesting a country visit. In addition, a greater number of documents had to be translated throughout the review process in order to fully support the active dialogue. However, measures had been implemented by the Secretariat to keep translation costs within the limits of available voluntary contributions.

55. The speaker highlighted that, in the light of the initial lessons learned, additional funding would be needed for the biennium 2012-2013, for staffing in particular, and to cover the increased costs of training of governmental experts, country visits and joint meetings, as well as for the different tools supporting the Review Mechanism, in line with the mandates received from the Conference.

56. The Secretary informed the Group that detailed expenditures for the complete first year of the Review Mechanism, as well as more accurate estimates for the biennium 2012-2013, would be provided at the resumed second session of the Implementation Review Group, in September 2011, and at the fourth session of the Conference, in October 2011.

57. Speakers expressed their satisfaction for the work of the secretariat and suggested that a more reader-friendly presentation of the various figures would facilitate the discussions at future meetings. The Secretary welcomed that suggestion and confirmed that, in accordance with article 72 of the rules of procedure of the Conference, a comprehensive document on expenditures for the first year of the Review Mechanism and additional requirements for the

biennium 2012-2013 would be provided to States parties at least 60 days before the fourth session of the Conference.

58. Speakers asked for clarification on the process leading to the establishment of the regular budget of the United Nations for the biennium 2012-2013, including the procedures through which the requirements for the Implementation Review Mechanism would be addressed in the new budget, and recommended a more active involvement of the States parties to the Convention against Corruption in such a process. Clarifications in that respect were provided by the Chief of the Financial Resources Management Service of the United Nations Office at Vienna.

59. Speakers also expressed their views on the role of the Implementation Review Group and that of the Conference in taking decisions on the budgetary aspects of the Review Mechanism, and some recommended that consideration be given to the possibility of delegating to the Implementation Review Group parts of the decision-making role of the Conference with regard to budgetary matters.

60. With regard to the balance between regular budget and voluntary contributions, the Secretary reiterated that if insufficient resources were made available from the regular budget of the United Nations, and if the additional requirements of the Review Mechanism and its secretariat for the biennium 2012-2013 were to be funded through voluntary contributions, there could be no guarantee that a sufficient level of voluntary contributions would be received to ensure that the requirements of the Review Mechanism were met. As experience to date in trying to raise funds for the Review Mechanism had demonstrated, voluntary contributions were unpredictable, and if a minimum level of funding were not provided, it might not be possible to ensure successful reviews.

61. The mobilization of funds for technical assistance to meet the needs identified by countries through the Review Mechanism was then addressed and confirmed by speakers, who affirmed that it was an issue separate from that of the resource requirements for the functioning of the Mechanism, although several speakers highlighted that the identification of technical assistance requirements was an important part of the Mechanism.

62. Speakers expressed their understanding of the need to ensure that the growing demands of States parties under review were met and that a broad set of technical assistance responses and activities would be made available to those States parties requesting them.

63. In order to facilitate a more strategic alignment of donor activities and assistance requests, the Chair proposed that that donors and international organizations share information with the Implementation Review Group regarding ongoing technical assistance projects implemented by relevant donors in areas related to the prevention of and fight against corruption.

## **VI. Other matters**

64. The Minister Delegate to the Prime Minister, in charge of modernization of the public sector, of Morocco commended the Group on the constructive exchange of views, at its second session, on how best to implement the Convention and move forward with the review process. He informed the Group that the fourth session of

the Conference, to be held in Marrakech from 24 to 28 October 2011, would be organized under the high patronage of His Majesty Mohammed VI, King of Morocco. Morocco was honoured to have been entrusted with hosting the fourth session of the Conference, which had further encouraged various national initiatives to counter corruption, ranging from the inclusion of a broad range of stakeholders at the national level to hosting international conferences in the run-up to the fourth session. He welcomed the review of Morocco in the first year of operation of the Review Mechanism as an opportunity to further enhance implementation of the Convention.

65. In relation to the participation of observers, the Group recalled that at its first session, it agreed that the Conference had to reach the final decision on the question of participation of observers in the Group's sessions and that in the interim, invitations to attend its second session would be extended as set out in the provisional agenda and annotations (CAC/COSP/IRG/2011/1), under the item on organizational matters. It was the understanding of the Implementation Review Group that that decision would not set a precedent, and at its second session the Group noted that efforts had been made before and during the second session to explore appropriate and practical solutions in that respect, to be submitted to the Conference at its fourth session for its consideration. Because the Group had not reached a consensus on all matters relating to that issue, the matter would be considered again at the Group's resumed second session so that an understanding could be reached on an appropriate proposal to be submitted to the Conference for its consideration. Furthermore, in the interim period before the Group's resumed second session, every effort would be made to continue to address the issue through informal consultations in order to come up with practical solutions. The Group also decided that invitations to the resumed session would be extended in the manner set out in the provisional agenda and annotations under organizational matters, as indicated above. Moreover, it was agreed that an explanatory note would be included under the agenda item on other matters to indicate that consideration of the item on other matters would include deliberations on the issue of participation of observers.

66. The Group also considered the issue of one State party selected for review in the first year of the Mechanism that had not yet informed the Secretariat whether it was ready to undergo the review or to defer review to the second year. It was noted that, as decided by the Group at its resumed first session, a letter signed by the President of the Conference and the other members of the Bureau had been hand-delivered to the unresponsive State via its Permanent Mission to the United Nations in New York and copied to the chair of the regional group. The letter expressed the Group's concern, but also its confidence as to the State's readiness to fulfil the procedural requirements of the review process, and outlined those requirements. Speakers expressed concern over the lack of responsiveness, noting that a failure to respond should not become a way for States to circumvent reviews. It was decided that the Group had the responsibility to report on the matter to the Conference, identifying the State party concerned and seeking guidance on this matter and, more generally, on the issue of unresponsive States being selected as reviewing States.

## **VII. Provisional agenda for the resumed second session of the Implementation Review Group**

67. At its 8th meeting, on 2 June 2011, the Implementation Review Group adopted the provisional agenda for its resumed second session (CAC/COSP/IRG/2011/L.2).

## **VIII. Adoption of the report of the Implementation Review Group on its second session**

68. On 2 June 2011, the Implementation Review Group adopted the report on its second session (CAC/COSP/IRG/2011/L.1 and Add.1-3).

## **Annex I**

### **Provisional agenda for the resumed second 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 third session of the Implementation Review Group.
7. Adoption of the report of the Implementation Review Group on its resumed second session.



## Annex II

### States parties selected for review and as reviewers for the second review cycle

The tables below reflect the country pairings of States to be reviewed and reviewing States as selected for the second review cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption (see tables 1-4).

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>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	Senegal	Mali
	Zimbabwe <sup>a</sup>	Madagascar	Malawi
	Cameroon <sup>a</sup>	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>State party under review</i>	<i>Reviewing State party from same regional group</i>	<i>Other reviewing State party</i>
	Timor Leste <sup>a</sup>	Fiji	Namibia
	United Arab Emirates <sup>a</sup>	Maldives	Portugal
	Islamic Republic of Iran <sup>a</sup>	Indonesia	Belarus
	Kuwait <sup>a</sup>	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	Gabon
	Russian Federation	Ukraine	Ecuador
	Georgia <sup>a</sup>	Hungary	Cyprus
Group of Latin American and Caribbean States	Cuba	Brazil	Guatemala
	Uruguay	Antigua and Barbuda	Brazil
	El Salvador	Plurinational State of Bolivia	Singapore
	Nicaragua	Cuba	Nepal
	Colombia	Nicaragua	Slovenia
	Panama	Bahamas	Estonia
	Dominica <sup>a</sup>	Chile	Paraguay
	Jamaica <sup>a</sup>	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 <sup>a</sup>	Finland	Algeria

<sup>a</sup> Deferred from previous year of the cycle.

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

	<i>State party under review</i>
Group of African States	Egypt
	Mali
	Lesotho
	Djibouti
	Algeria
	Ghana
	United Republic of Tanzania
	Burkina Faso
	Tunisia
	Guinea-Bissau
	Angola
	Mauritania <sup>a</sup>
	Group of Asian States
Yemen	
Cyprus	
Cambodia	
Malaysia	
Pakistan	
Qatar	
Afghanistan	
Sri Lanka <sup>a</sup>	
Group of Eastern European States	Hungary
	Slovenia
	Latvia
	Romania
	The former Yugoslav Republic of Macedonia
	Armenia
Group of Latin American and Caribbean States	Mexico
	Paraguay
	Plurinational State of Bolivia
	Trinidad and Tobago

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<i>State party under review</i>	
	Guyana
	Bolivarian Republic of Venezuela
Group of Western European and Other States	Sweden
	Canada
	Luxembourg
	Italy
	Netherlands
	Austria
	Malta <sup>a</sup>

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<sup>a</sup> Deferred from previous year of the cycle.

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

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<i>State party under review</i>	
Group of African States	Senegal
	Liberia
	Kenya
	Nigeria
	Gabon
	Malawi
	Libyan Arab Jamahiriya
	Madagascar
	Namibia
	Ethiopia
	Democratic Republic of Congo <sup>b</sup>
Group of Asian States	Kyrgyzstan
	Maldives
	Lebanon
	Uzbekistan
	Palau
	Turkmenistan
	Singapore
	China
	Tajikistan

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	<i>State party under review</i>
	Bahrain <sup>b</sup>
	Thailand <sup>b</sup>
	India <sup>b</sup>
	Nepal <sup>b</sup>
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
Group of Western European and Other States	Turkey
	Greece
	Belgium
	Denmark
	Israel
	Liechtenstein <sup>b</sup>
	Iceland <sup>b</sup>

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<sup>b</sup> 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.