



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

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Agenda item 2

Review of the implementation of the United Nations Convention against Corruption: criminalization and law enforcement and international cooperation

Draft resolution submitted by the Vice-President of the Conference and Chairman of the Implementation Review Group

Mechanism for the Review of Implementation of the United Nations Convention against Corruption

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

Recalling its resolution 3/1, in which the Conference established the
Mechanism for the Review of Implementation of the United Nations Convention
against Corruption and charged the Implementation Review Group with having an
overview of the review process,

Welcoming the work undertaken by the Implementation Review Group since
the Group's first session, held from 28 June to 2 July 2010, and noting with
appreciation the commitment of States parties to the country review process in their
capacities both as States parties under review and as reviewing States parties,

Expressing concern at the unresponsiveness of several States parties with
regard to their obligations under the terms of reference and the guidelines for
governmental experts and the secretariat in the conduct of country reviews,

Recalling its decision, contained in its resolution 3/1, by which the Group was
charged with following up and continuing the work undertaken previously by the
Open-ended Intergovernmental Working Group on Technical Assistance, and taking
into account the fact that, pursuant to paragraph 11 of the terms of reference, one of
the goals of the Mechanism is to help States parties to identify and substantiate
specific needs for technical assistance and to promote and facilitate the provision of
technical assistance,



1. *Reaffirms* its resolution 3/1, in which the Conference underlined that the Mechanism for the Review of Implementation of the Convention would require a budget that ensured its efficient, continued and impartial functioning;
2. *Endorses* Implementation Review Group resolution 1/1;
3. *Also endorses* the guidelines for governmental experts and the secretariat in the conduct of country reviews and the blueprint for country review reports as finalized by the Group at its first session¹ and the practice followed by the Group with regard to the procedural issues arising from the drawing of lots;
4. *Calls upon* States parties that have not yet done so to submit their lists of governmental experts well ahead of the drawing of lots, and reminds States parties to keep their lists of governmental experts up to date, in accordance with the terms of reference;
5. *Urges* States parties participating in the country review process in a given year to adhere to the indicative timelines for review as contained in the guidelines;
6. *Also urges* States parties under review in a given year to ensure the timely nomination of their focal points in accordance with the guidelines;
7. *Requests* the secretariat, in order to ensure consistency in reporting for all States parties under review, to prepare, for consideration by the Group at its third session, an executive summary template, which is to be divided into the four sections of the executive summary identified in the blueprint — that is, (a) successes and good practices; (b) challenges in implementation, where applicable; (c) observations on the implementation of the articles under review; and (d) technical assistance needs identified to improve implementation of the Convention — and include sections summarizing the legal system of the State party under review and the conduct of the review;
8. *Takes note* of the thematic reports on the implementation of chapters III and IV of the United Nations Convention against Corruption, invites States parties to be guided by the experience that is being accumulated through those reports in their efforts to implement their obligations under the Convention, and requests the secretariat to continue its analytical work as more reviews are finalized, in order to enrich the findings contained therein;
9. *Recognizes* the functions assigned to the Group in paragraph 44 of the terms of reference, pursuant to which the Group has 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;
10. *Also recognizes* the continuing and valuable role of technical assistance provided by bilateral and multilateral donors at different levels and the importance of effectively addressing technical assistance within the Mechanism, as well as the importance of country-led and country-based, integrated and coordinated programming and delivery of technical assistance as an effective means of addressing technical assistance needs of States parties under review;

¹ CAC/COSP/IRG/2010/7, annex I.

11. *Recommends* that all States parties, where applicable, in their responses to the comprehensive self-assessment checklists and in the country reports, identify technical assistance requirements, preferably prioritized and related to the implementation of the provisions of the Convention examined during a given review cycle;
12. *Also recommends* that all States parties, where applicable, provide information on ongoing technical assistance projects related to the implementation of the Convention;
13. *Decides* that the Group should consider, on the basis of the outcome of the review process and consistent with the terms of reference of the Mechanism, priority areas for the provision of technical assistance, as well as consolidated information on trends in technical assistance required and provided;
14. *Recommends* that the secretariat take into account in the thematic and regional programmes the priority areas referred to in paragraph 13 above, including when developing technical assistance tools;
15. *Requests* the secretariat to provide the Group with information on the gaps in securing funding for projects of the United Nations Office on Drugs and Crime implemented in accordance with the priorities set out;
16. *Recommends* that, under the Group's supervision, the secretariat:
 - (a) Promote, with bilateral and multilateral partners, the use of the Convention and its Mechanism as tools for programming anti-corruption assistance;
 - (b) Establish partnerships with bilateral and multilateral partners to ensure the effective and coordinated provision of technical assistance related to the implementation of the Convention;
 - (c) Develop information on experiences and lessons learned in the provision of technical assistance in anti-corruption efforts;
 - (d) Include information on aspects of technical assistance in the periodic training courses organized pursuant to paragraph 32 of the terms of reference of the Mechanism;
17. *Reaffirms*, consistent with the terms of reference, the request contained in Conference resolution 3/4 for the United Nations Office on Drugs and Crime to continue to provide technical assistance for the implementation of the Convention, including by providing direct expertise on policy or capacity-building through the Office's thematic programme on action against corruption and economic crime and, where appropriate, regional programmes, using its range of technical assistance tools;
18. *Requests* the secretariat to continue to develop a three-tiered approach — global, regional and national — to the delivery of technical assistance in the light of the priority areas identified as a result of the review process for chapters III and IV of the Convention so as to strive towards an integrated and coordinated technical assistance programme delivery strategy, and also requests the secretariat to continue providing information on this matter to the Group;
19. *Recommends* that the secretariat prepare a report on the implementation of the recommendations above for its consideration of the issue at each session.