

UNCAC Coalition statement on UNCAC review process

The creation of the UNCAC Review Mechanism was a great achievement and its value is confirmed by the considerable success to date of the first review cycle – thus far 127 executive summaries and 61 full review reports have been published on the UNODC website and the reports contain valuable findings and recommendations. During country reviews, States Parties have exchanged useful information and experiences. In the majority of country reviews, the review has included a country visit and civil society groups have had the opportunity to make inputs.

In view of these positive outcomes, it is timely for States Parties and the Implementation Review Group to consider how to ensure the further success and impact of the UNCAC review process as the first cycle comes to a close and the second cycle begins.

The UNCAC Coalition draws attention in particular to three areas for States Parties to consider:

1. Transparency and civil society participation in the review process

The right to civil society participation and the need for transparency in UNCAC processes is recognised by the UNCAC and is necessary for the accountability and legitimacy of review process outcomes. Collaboration and trust between governments and civil society is essential for anti-corruption efforts worldwide to succeed.

In the context of the UNCAC review process, there have been encouraging results in terms of transparency and participation, although much more could be done to align practices with UNCAC Article 13.

The UNCAC Coalition therefore recommends that States Parties should:

- Sign up to the UNCAC Review Transparency Pledge proposed by the UNCAC Coalition for the 2nd cycle of UNCAC reviews and implement its six principles. Seventeen States Parties have already done so.

UNCAC Review Transparency Pledge

As UNCAC State Parties, we hereby reaffirm the importance of transparency and public consultation in addressing corruption. We believe civil society can play a crucial role to prevent and combat corruption in our country. We believe civil society can contribute to successful implementation of UNCAC provisions, therefore we commit ourselves to follow the six Principles of Transparency during the second cycle of the UNCAC review process.

Six principles

1. We will publish updated review schedules for our country review
2. We will share information about the review institution or the coordinator (focal point)
3. We will announce the completion of the country review indicating where the report can be found
4. We will promptly post online the self-assessment and the full country report in a UN language, together with the executive summary in local languages
5. We will organise civil society briefings and public debates about the findings of the report
6. We will publicly support participation of civil society observers in UNCAC subsidiary bodies

2. Adequate and appropriate follow-up on review recommendations

Resolution 6/1 encourages States Parties to follow-up on their country reviews, including sharing good practices and experiences and developing strategies and action plans to address their recommendations.

However, in the absence of a robust follow-up mechanism and given the current focus on the second review cycle, there is a danger that the recommendations from the first review cycle reviews may never be addressed.¹

The UNCAC Coalition therefore recommends that States Parties should:

- promptly prepare and publish on the UNODC website action plans in response to the recommendations of their country reviews.
- where appropriate, include information on technical assistance needs in the plan.
- publish on the UNODC website updates on progress in implementing these plans and on whether technical assistance needs have been met.

3. Technical assistance for addressing review recommendations

An entire chapter of the UNCAC is devoted to technical assistance and information exchange: Article 62(1) promotes technical assistance “particularly for the benefit of developing countries,” and in Article 62(2) calls for the provision of “financial and material assistance.”

Resolution 6/1 also underscores the importance of technical assistance in addressing review recommendations and encourages States Parties to ask for assistance when needed and for providers to offer assistance where appropriate.

It is unclear whether the technical assistance needs identified in UNCAC reviews are being adequately met. More information should be collected and published on this subject. If lack of availability of full country reports presents an obstacle to provision of technical assistance, this is information that should be collected and reported as well.

The UNCAC Coalition recommends that States Parties should:

- ensure that technical and financial assistance is provided to developing countries to help them to develop, publish and implement action plans aimed at addressing recommendations made in the first cycle of the UNCAC review process.
- ensure that sufficient technical and financial assistance is provided to developing countries to help them to prepare for and participate in the second cycle of UNCAC reviews on prevention and asset recovery.
- report annually on the technical and financial assistance they provide to developing countries for UNCAC implementation and publish this information on the UNODC website.

¹ Transparency International, UNCAC Progress Report 2013, Berlin: TI, 2013.