CSO PARTICIPATION & TRANSPARENCY IN THE UNCAC REVIEW PROCESS

GILLIAN DELL - TRANSPARENCY INTERNATIONAL

Laxenburg, 25 June 2014

TRANSPARENCY

WHY CSO INVOLVEMENT IN UNCAC REVIEW?

- Enhance accuracy of assessment
- Help public awareness-raising about UNCAC obligations
- Communicate expectations about performance

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AREAS FOR NGO INVOLVEMENT

CSO INVOLVEMENT IN UNCAC REVIEW

Process issues
- Transparency
- CSO participation

Content issues
- Access to information
- Implementation of laws and regulations
- Enforcement of laws and regulations

NATIONAL-LEVEL STAGES & ENTRY POINTS

FOUR KEY STAGES AND ENTRY POINTS FOR CSO

Self-assessment (input and publish)

Country visit or otherwise review team assessment and CSO input

Publication of the review report

FOLLOW-UP TO REVIEW REPORT

- Transparency & participation are optional
- A proxy measure of the situation in the country
- How the process runs in your country contributes to overall precedents about the review process
RAISING ISSUES AT THE NATIONAL LEVEL

STAGE ONE

- Government appointment of focal point
- Government self-assessment

Optimal results
- Access to focal point
- Consultation on self-assessment
- Prompt publication of self-assessment

Recommended actions for CSOs
- Inform government that you will publish a report on process
- Advocate access, consultation, prompt publication
- Prepare inputs for self-assessment phase
STAGE TWO

Peer review and dialogue phase

Optimal results
- Country visit
- CSO & other stakeholder inputs to review team

Recommended actions for CSOs
- Provide information on other governments that allow country visits and CSO inputs, including in other review systems
- Prepare report on implementation and submit to government & review team

STAGE THREE

Publication of results of review: executive summary or full report

Optimal results
- Publication of full report

Recommended actions for CSOs
- Prepare a CSO report on the review process and on country compliance with UNCAC and publish it online
- Prepare CSO analysis of published review results
TRACKING PROCESS ISSUES

<table>
<thead>
<tr>
<th>Transparency of the Government’s Undertaking of the Review Process</th>
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<tbody>
<tr>
<td>Did the government disclose information about the country focal point?</td>
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<td>Yes/No</td>
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<td>Comments</td>
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<td>Is the review schedule known?</td>
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<td>Comments</td>
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<td>Was civil society consulted in the preparation of the self-assessment?</td>
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<td>Comments</td>
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<td>If yes, who? (please tick)</td>
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<td>Women’s groups</td>
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<td>Access to information groups</td>
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<tr>
<td>Trade unions</td>
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<td>Academic networks</td>
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<td>Anti-corruption groups</td>
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<td>Other (please list)</td>
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<td>Was the self-assessment published on line or provided to civil society?</td>
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<td>Did the government agree to a country visit by the review team?</td>
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<td>Was a country visit undertaken?</td>
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<td>Was civil society invited to provide input to the official reviewers?</td>
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<td>Was the private sector invited to provide input to the official reviewers?</td>
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<td>Has the government committed to publishing the full country report</td>
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<td>Yes/No/Unknown</td>
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COMMENTING ON REVIEW RESULTS

- Quality of information and access to information
- Report findings on legal framework and on system for enforcing or applying rules and policies
  - Statistics and cases
  - Resourcing, independence and skills of responsible agencies
  - Other institutional issues

- Other institutional issues
- Technical assistance needs

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STAGE FOUR

- Follow-up on review recommendations

Optimal results
- Government develops action plan in consultation with stakeholders; if follow-up committee, include CSOs
- Technical & financial assistance is provided

Recommended actions for CSOs
- Advocate for and contribute to action plan & monitor
- Advocate for transparent technical and financial assistance
- Provide technical assistance
INTERNATIONAL-LEVEL ENTRY POINTS FOR UNCAC FOLLOW-UP

➤ Several international UNCAC bodies
  - Conference of States Parties: every 2 years
  - Implementation Review Group: 2 x year, briefing
  - Working Group on Asset Recovery: 1 x year
  - Working Group on Prevention: 1 x year

➤ Observer status: two types of communication
  - Written submissions
  - Oral statements
  - Dispute about status in subsidiary bodies

INTERNATIONAL-LEVEL ENTRY POINTS FOR UNCAC FOLLOW-UP

➤ Regional forums?

➤ Other international forums?
RAISE ISSUES REQUIRING ATTENTION

- Make oral statements to COSP. Also to IRG & Working Groups?
- Make written submissions to COSP. Also to IRG and Working Groups?

Restrictions on:
- Attendance
- Written submissions

CONTRIBUTE TO AGGREGATED RESULTS

- 83 countries surveyed—Coalition NGOs
- Focal point public: 43 (+ 8 on request or indirectly)
- Review schedule known: 29
- Consultation in self-assessment: 28
- Self-assessment published: 23 (+ 2 provided to CSO, + 4 planned)
- Onsite visit (known to CSOs): 62
- CSO inputs to review team: 44
- Private sector inputs to review team: 23
- Full report published: 11 (+ 8 planned)
IN SUM

OPTIONS FOR RAISING ISSUES: PROCESS AND SUBSTANCE

When?
• During review process
• After review process

Where?
• National level: To Government and to wider public
• International level: To COSP, to Implementation Review Group, to Working Groups. Also to other forums.

How?
• Be active! Advocate for the right review process
• Monitor! Check implementation and contribute to review
• Join forces! National and international coalitions
JOIN THE UNCAC COALITION

For organisations and individuals
Membership mailing list
Quarterly Newsletter
Website, Facebook, Twitter
Joint advocacy actions
Mutual support
Information sharing
Coordination committee
International Secretariat

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