

DRAFTING A COMMENTARY ON A COUNTRY REVIEW REPORT: GUIDELINES AND REPORT TEMPLATE

This document is intended to assist CSOs in preparing a commentary on the official review report for your country (the executive summary or the full report if available). It includes:

- A set of guidelines, addressing key issues
- A proposed report template with guidance at the end of each section

GUIDELINES (*Find further guidelines for the preparation of this report in the guidelines to produce an UNCAC parallel country review report*)

A commentary on a country review report targets the government, public officials and professionals in the field. You should prepare a thorough analysis, if possible, of the executive summary and/or full report if available.

If you have already prepared a CSO parallel report or any other analysis of the implementation then you can compare your findings and recommendations with the official report.

If you have not already conducted any analysis of the implementation of the UNCAC, then you will need to do the analytical work at this stage. You may go through the findings of the executive summary/ full report article by article and comment on them.

You may highlight the findings and recommendations you agree with and consider important. You should also call attention to any inaccuracies, omissions, contradictions or mistakes. If you point to weaknesses, you should take into account that this may create doubt either about the value of the report or your own positions.

COMMENTARY ON A COUNTRY REVIEW REPORT TEMPLATE

The present template is comparable to the template in Annex 3 with a significant difference; it should be used only when a cycle of the review process is over and UNCAC implementation review reports of your country are available.

Specific instructions and guidance are provided for each section in blue.

Introduction

Please use the following structure:

[Country name] signed the United Nations Convention against Corruption (UNCAC) on [date] and ratified it on [date].

This report comments on the findings of [Country name]'s UNCAC implementation review report/ executive summary/ self-assessment report and analyses the implementation and enforcement of selected articles in chapter(s) II (preventive measures)/ III (criminalisation and law enforcement)/ IV (international cooperation)/ V (asset recovery)/ VI (technical assistance and information exchange) of the United Nations Convention against Corruption.

Scope. The UNCAC articles that receive particular attention in this report are [title and number of each article].

Methodology. The report was prepared by [Name of the CSO] with funding from [name] (where appropriate). The [Name of the CSO] took part in the review process by [describe your participation] (if applicable).

The report was prepared using guidelines and a report template designed by Transparency International for use by CSOs.

In preparing this report, the authors also took into account the recent review of [Country name] carried out by [refer to other review mechanisms] (if applicable).

I. Executive summary

1. The most important findings and recommendations in the report that you agree with
2. The most important areas you disagree with and reasons why
3. Overall assessment of the quality of the review process and report
4. Recommendations for follow-up on the review report

II. Assessment of Review Process for [country name] (approx. 1–2 pages)

Please assess the adequacy of the transparency and inclusiveness of the review process. Please also include comments on the information provided about the process in the executive summary or full review report. You can use the table provided in Annex 3 to ensure a thorough review of the issues.

III. Quality of information and access to information

Please assess the quality of the information provided in the executive summary or full review report. Please also comment on the accessibility of such information to the public. (See Annex 3 for guiding questions.)

IV. Report findings on legal framework and on system for enforcing or applying rules and policies

Please assess the quality and adequacy of the findings about your country in the executive summary or full review report. Are all important areas covered? Are important good practices or deficiencies left out?

A. Legal framework

Does the UNCAC review report cover all important issues relating to the implementation of the reviewed articles? Do you agree with the interpretation and assessment of the legal provisions as given in the review report? If not, please give the reasons why not (see Annex 3 for guiding questions on some articles from UNCAC chapters III and IV).

You may wish to look at the report findings on all the articles covered by the review or to focus only on some.

B. System for enforcing or applying rules and policies

Do the observations in the UNCAC review report cover all the issues relating to the system for enforcing or applying rules and policies? Do you agree with the findings? If not, please give the reasons why not.

1. Statistics and cases

Are relevant statistics included concerning the implementation of the articles under review e.g., statistics on criminal, civil and administrative sanctions and mutual legal assistance requests; or statistics on prevention work such as code of conduct training, asset declarations, procurement appeals, access to information requests received and responded to, etc.? Are they up-to-date and accurate?

Is information about case examples included in the UNCAC review reports? Are there major, recent cases missing?

2. Resourcing, independence and skills of responsible agencies

Do the observations in the UNCAC review report cover all relevant issues of resourcing independence and skills to the system for enforcing or applying rules and policies?

3. Other institutional issues

Do the observations in the UNCAC review report cover all other relevant institutional issues relating to the implementation of the articles under review?

V. Report recommendations

Please assess the quality and adequacy of the recommendations made. Are all important areas covered? Are important recommendations left out?

Please add your own recommendations on priority issues if they are missing from the review report.

VI. Technical assistance needs

Please assess the recommendations, if any, on technical assistance needs. Please also indicate whether some of those needs could be met by the CSO community.