UNCAC Coalition
Association for the Implementation of the
UN Convention against Corruption

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Discussion Paper
Strengthening the UNCAC Implementation Review Mechanism to increase transparency, inclusiveness and follow-up measures:
Good practices from anti-corruption monitoring mechanisms

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The United Nations Convention against Corruption (UNCAC) is the most comprehensive, legally binding treaty in the world to combat and prevent corruption. The UNCAC's Implementation Review Mechanism (IRM), a peer review monitoring system launched in 2010, reviews and lays out recommendations and technical assistance needs to improve countries' implementation of the Convention. The IRM is currently in its 2nd cycle to review implementation of Chapter II (preventive measures) and Chapter V (asset recovery). Launched in 2015, the 2nd cycle was extended to June 2024 due to significant, ongoing delays[1], and most likely will be extended further to December 2025.

When compared to other international and regional anti-corruption mechanisms, the UNCAC IRM falls short in three key areas: transparency, inclusiveness and follow-up measures. These shortcomings include a low level of transparency, the lack of consistent and meaningful engagement of civil society in many cases and the lack of a structured follow-up process to ensure effective implementation of legal frameworks.

Over the next year, the UNCAC's Implementation Review Group (which oversees the IRM), will deliberate on the focus and modalities for the IRM's next phase of review that can then be considered by the UNCAC's Conference of States Parties (CoSP) to be held in 2023. To inform these deliberations, the UNCAC Coalition has researched and analyzed the practices of four international and regional anti-corruption monitoring mechanisms and one multi-stakeholder initiative on open government to identify lessons learned and good practices that States Parties should adopt to strengthen the mechanism's effectiveness.[2]

The UNCAC Coalition has compiled information on how these mechanisms work in three key areas: transparency, inclusiveness and follow-up measures. While these monitoring mechanisms still have weaknesses related to civil society participation and access to information, they also offer some good

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[1] The 1st review cycle was carried out from 2010-2015 to review implementation of Chapter III (criminalization & law enforcement) and Chapter IV (international cooperation). There are still some reviews remaining for the 1st cycle, including for those States Parties that joined the UNCAC at a later stage.

[2] The four anti-corruption monitoring mechanisms reviewed in this paper are: Financial Action Task Force (FATF), Council of Europe's Group of States against Corruption (GRECO), Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) and OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Anti-Bribery Convention). The practices of the Independent Reporting Mechanism of the Open Government Partnership (OGP), a multi-stakeholder initiative, is also reviewed.

practices and experiences to draw upon. A table is provided that lays out the details on each mechanism along with links to provide more information. It is our hope that this analysis informs the UNCAC CoSP's deliberations on the next phase of the IRM, with the aim to develop a more inclusive, transparent and effective UNCAC review mechanism that will bring about impactful outcomes in the global fight against corruption.

Transparency and access to information

The UNCAC IRM has a low level of transparency when compared to other anti-corruption monitoring mechanisms. While executive summaries from IRM country reviews are published, countries are not required to disclose the full country review reports and self-assessment checklists unless they voluntarily do so.[3] In contrast, FATF and the OECD Anti-Bribery Convention publish country reports and follow-up/compliance reports from country reviews, providing detailed information in a user-friendly manner on a country's progress in complying with commitments and the status of efforts to address recommendations for improvement.[4] MESICIC not only publishes the country report but publishes a questionnaire completed by the government under review on status of implementing recommendations and written input received by civil society and other stakeholders.[5]

Transparency around other important information related to country reviews is also a common practice of anti-corruption mechanisms, which enables civil society and other stakeholders to know the status of country reviews and how they can provide input. FATF and GRECO Anti-Bribery Convention provide calendars laying out upcoming country reviews and when the country review will be discussed in plenary sessions. The OECD Anti-Bribery Convention publishes a monitoring schedule that provides information on which countries are coming under review each year and when they will be discussed by the Working Group on Bribery. MESICIC provides a calendar that lists specific dates for when each stage of the review process will take place for each group of governments being reviewed.

Inclusiveness and civil society participation

The five anti-corruption mechanisms examined have clearer approaches to promote civil society consultation in their review processes than the UNCAC IRM. MESICIC, OECD Anti-Bribery Convention and GRECO systematically consult with civil society and other stakeholders during country review visits and provide information in country reports on stakeholder engagement.[6] MESICIC takes a more proactive approach and has a section on its website concretely outlining how civil society can engage at key stages of the review process.[7] Ways of engagement include submitting written statements for country reviews that are published on the website, meeting with review teams during site visits and

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[3] Ninety-seven States Parties voluntarily have published their country reports from the 1st review cycle and merely 27 States Parties have published them so far for the 2nd review cycle. See UNODC country profile page: Country Profiles (unodc.org).

[4] GRECO publishes the majority of country reports and compliance reports, following its established practice.

[5] For example, see Argentina's response and civil society contributions for the MESICIC Round 6: OAS :: Anticorruption Portal of the Americas.

[6] MESICIC's methodology for on-site visits includes having meetings with CSOs that have made submissions as well as other CSOs and stakeholders; its country reports include an annex listing meetings, the meeting agendas and participating organizations. The OECD Anti-Bribery Convention typically issues calls for written submissions from stakeholders when a country evaluation phase is launched and calls for expressions of interest from relevant civil society and private sector representatives to participate in on-site visits.

[7] See: http://www.oas.org/en/sla/dlc/mesicic/sociedad-civil.html.

participating in meetings of MESICIC's Committee of Experts to present recommendations related to a country under review in advance of the Committee's plenary session.

By comparison, the UNCAC IRM does not require civil society participation at key stages of its review process. Consultation with civil society and other non-governmental stakeholders in country visits is only encouraged and not mandatory, resulting in varying levels of stakeholder engagement from one country to another. In addition, little to no information on stakeholder engagement is disclosed in most country review documents. Other important information about the status of country reviews and the timing of review visits is often not made publicly available, making it difficult for stakeholders to know how to meaningfully contribute to the review process.

It is important to recognize that the four monitoring mechanisms studied still have weaknesses related to civil society participation and access to information that should be strengthened to ensure the full and active engagement of non-governmental stakeholders.[8] The Open Government Partnership, a multi-stakeholder initiative, takes a more participatory, collaborative approach with a high level of transparency around the process and documents: governments and civil society co-create actions plans, independent experts evaluate progress and civil society and governments review and comment on draft reports.

Follow-up measures and effectiveness
A major weakness of the UNCAC IRM is the lack of formal follow-up process to determine whether countries have implemented recommendations from country reviews and to evaluate the effectiveness of a country's framework in reducing corruption. Other monitoring mechanisms typically have more structured follow-up procedures, leading to some degree of accountability to ensure governments follow through on commitments within specific timeframes.

- **FATF's** well-structured follow-up procedure requires countries to report back on the status of implementing recommendations 3 years after the mutual evaluation report (MER) is adopted. FATF evaluations look not just at compliance but also at assessing effectiveness by applying a methodology to measure whether a set of defined outcomes are achieved.
- In each round of review, **MESICIC** assesses the status of implementing recommendations from a previous review round. Governments under review must complete a questionnaire that includes providing information on how recommendations from a previous review round have been implemented.
- The **OECD Anti-Bribery Convention** can take 12 possible actions if a member fails to adequately implement the Convention, including carrying out a repeat evaluation (known as a bis" report) to further examine compliance, requiring additional reporting on an expedited basis, organizing a high-level mission to the country under evaluation, requiring an action plan and even suspending the country from advancing to the next monitoring phase.

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[8] One major gap is that civil society organizations and other non-governmental stakeholders are not allowed to participate as observers in the meetings of the bodies that oversee many of these monitoring mechanisms. There are also other limitations, including access to information. See Transparency International (2017), Transparency and and Participation. An Evaluation of Anti-Corruption Mechanisms, https://www.transparency.org/en/publications/transparency-participation-an-evaluation-anti-corruption-review-mechanisms.

- **GRECO's** evaluation reports contain specific recommendations to improve compliance and a deadline for when countries must report back on their implementation. A separate [compliance procedure](#) assesses whether partial, full or no compliance has been achieved for each recommendation, re-formulates recommendations as needed and produces the findings in a compliance report with specific deadlines for reporting back on progress.
- The **Open Government Partnership (OGP)** is a multi-stakeholder process that has an [Independent Reporting Mechanism](#) overseen by an International Experts Panel. The mechanism assesses whether a country has implemented its action plan commitments, the results of these efforts and the level of engagement with stakeholders in the country. The Panel also carries out an action plan review in the early stages of the implementation of a country's action plan to provide targeted recommendations to ensure effective implementation and results.

Recommendations to strengthen the UNCAC IRM

The UNCAC Coalition proposes the following measures to strengthen the UNCAC IRM on inclusiveness, transparency and follow-up to bring about more impactful outcomes in the global fight against corruption. These recommendations are relevant for the country reviews remaining for the 2nd cycle and should be considered when developing modalities for the next phase of review. We urge States Parties to lead by example through adopting these recommendations in their country reviews and by explicitly supporting their adoption during the IRG and UNCAC CoSP's deliberations on the next phase of review.

Civil society participation:
- Carry out inclusive and transparent reviews that meaningfully engage civil society organizations and other non-governmental stakeholders at key stages of the review process, including by meeting with stakeholders during country visits and consulting with stakeholders in the development of self-assessment checklists and draft country reports.
- States Parties should include an overview in executive summaries and country reports of stakeholder engagement in the review and the outcomes of such participation and provide more details on stakeholder engagement on their United Nations Office of Drugs and Crime (UNODC) country profile page, rather than merely the Yes/No option that currently exists.
- Allow civil society and other non-governmental stakeholders to participate as observers in the IRG as well as other subsidiary bodies of the UNCAC CoSP and enable civil society to present its findings on UNCAC implementation to the IRG.

Transparency:
- Publish self-assessment checklists, country reports, country focal points and their contact information and a regularly updated schedule of the review, including of country visits.
- States Parties under review should publicly announce in advance when country visits will be held and issue calls for civil society and other non-governmental stakeholders to make submissions on the country under review by a specific deadline. All submissions should be made publicly available on the UNODC website along with other country review documents, especially civil society parallel reports that assess UNCAC implementation.[9]

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[9] See parallel civil society reports: https://uncaccoalition.org/uncac-review/cso-review-reports/.

- UNODC should publish a press release when country reviews are completed and documents are published and provide more useful, up-to-date and detailed information on its website.

Follow-up and effectiveness:
- Launch the next phase of the review mechanism even before the 2nd cycle is completed to ensure that country review recommendations from the first two cycles are addressed in a timely manner, as was the case when States Parties decided to launch the 2nd cycle of the IRM before the 1st cycle was concluded.
- Adopt a formal, transparent and periodic follow-up process done in consultation with civil society and other non-governmental stakeholders, to assess States Parties' progress on implementing country review recommendations from the two review cycles, including status of implementing UNGASS commitments.
- Develop a template for States Parties to publicly report on follow-up actions by specific deadlines to ensure a consistent and comparable standard.
- Place greater emphasis on evaluating the implementation and enforcement of UNCAC provisions and their effectiveness in practice, examining evidence including available statistics, results of audits and other measures that demonstrate compliance and outcomes.

International and Regional Anti-Corruption Monitoring Mechanisms:
Practices on transparency, civil society participation and accountability

Anti-Corruption Agreement	Aim of Agreement, Membership and Monitoring Mechanism	Inclusiveness/ Civil society participation	Transparency and access to information	Follow-up process	Assessment of implementation and effectiveness
Financial Action Task Force (FATF)	An inter-governmental body aimed at combating money laundering and terrorist financing, with 37 member jurisdictions and 2 regional organizations. Global FATF Network includes over 200 countries and jurisdictions. Mutual evaluations are carried out through a peer review process to assess a country's implementation of FATF's 40 recommendations.	CSOs and non-profit organizations can provide input to assessment teams no less than two months ahead of a country on-site visit which is published on the Global Assessment calendar. (see the FATF website for more details). It is stated that feedback is not provided on whether or how submissions were taken into account. Assessment teams speak to both governmental and non-governmental representatives during on-site visits, including non-profit organizations.[10] Mutual evaluation reports	The Global Assessment calendar is a regularly-updated draft calendar of tentative dates for possible on-site visits and plenary discussions of country evaluations. MERs and follow-up reports are published online.	Countries that fall under regular follow-up must report back on progress three years after the MER is adopted. All countries have comprehensive follow-up assessment 5 years after adoption of MERs.[11] FATF issues calls for action and carries out increased monitoring for those countries that have "strategic deficiencies".	Mutual evaluations examine technical compliance and effectiveness. On-site visits focus on examining effectiveness, requiring "evidence that demonstrates that the assessed country's measures are working and deliver the right results."[12] FATF has developed a methodology for assessing effectiveness through measuring whether a set of defined outcomes are achieved.

[10]See: Mutual Evaluations - Financial Action Task Force (FATF) (fatf-gafi.org).

[11] See: https://www.fatf-gafi.org/media/fatf/documents/methodology/FATF-4th-Round-Procedures.pdf, p. 21 on follow-up process.

[12] See: https://www.fatf-gafi.org/publications/mutualevaluations/documents/more-about-mutual-evaluations.html.

		(MER) do not clearly indicate stakeholder contributions and who they met with at on-site visits. CSOs cannot participate in FATF plenary or working group meetings.			
Group of States against Corruption (GRECO) under the Council of Europe	An inter-governmental body with an evaluation and monitoring mechanism to review and improve compliance of the anti-corruption provisions of the Council of Europe's member countries (50 members). Five evaluation rounds have been carried out to date that include on-site visits, with each round focusing on assessing selected themes from GRECO's Twenty Guiding principles.	Civil society and other stakeholders are consulted during on-site visits. Country reports include a section on the methodology for the evaluation with information on civil society and other stakeholders that were consulted on-site visits as well as any written submissions from stakeholders.	Country and compliance reports are published online (countries need to give permission for publication but the vast majority are published through established practice. GRECO has a calendar that lists the dates of on-site visits for the year and when plenary sessions will consider country evaluation and compliance reports.	Evaluation reports lay out observations and recommendations on specific themes assessed. Countries can comment on the draft but the GRECO Plenary decides and adopts the final report.[13] A separate compliance procedure evaluates whether recommendations have been implemented. Countries have **18 months** to report on the status of implementing recommendations; GRECO experts further assess whether all	Subsequent rounds focus not just on legal frameworks but on implementation and enforcement. The fourth and fifth evaluation rounds have included examination of enforcement of conflict of interest rules.

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[13] See Q&A on GRECO's evaluation and compliance procedure: https://www.coe.int/en/web/greco/faq.

				recommendations are met or whether to re-examine outstanding recommendations within 18 months, with a special procedure for dealing with those countries that are found to be "globally unsatisfactory".[14]	
MESICIC - Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption	A peer review process that reviews the legal framework and institutions related to the Inter-American Convention Against Corruption (IACC), with 34 member countries. Currently in its sixth evaluation round. Countries must complete self-assessments based on a questionnaire. The Committee of Experts oversees reviews and identifies provisions to be reviewed in each round and reviews implementation of recommendations from	The MESICIC website clearly lays out how civil society can engage in different stages of review. The methodology for on-site visits includes having meetings with CSOs that have made submissions as well as other CSOs and stakeholders. Country reports include an annex listing meetings, the meeting agendas and participating organizations. CSOs can prepare their own submissions to respond to questionnaires and can participate in	Rules of procedures stipulate that country reports be published online once approved by the Committee of Experts, national progress reports and completed questionnaires are also published online. Written inputs by civil society and other non-governmental stakeholders are published online (as example, see submissions for Argentina's Round 6).	Each review round follows up on the recommendations made in a previous round to assess progress - the 6th round currently underway is reviewing follow-up on recommendations from the 3rd round (see methodology). Questionnaires completed by the government under review include a section on "Follow up on Recommendations" section to report on progress with implementing	Reviews look at application and enforcement of measures adopted.

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[14] See: https://www.coe.int/en/web/greco/about-greco/how-does-greco-work.

	previous rounds. On-site visits are carried out.	meetings in advance of the Committee of Experts' plenary sessions to present their previously-submitted written submissions for a country under review.	A schedule is provided for the 6th round of review, including a specific timeline for the sequence of countries to go through the review.	recommendations from previous rounds.	
The OECD Anti-Bribery Convention	A legally-binding convention established in 1997 that criminalizes bribery of foreign public officials. Thirty eight OECD countries and 6 non-OECD countries are members. A peer-review monitoring mechanism to ensure the effective implementation of the Anti-Bribery Convention. Self-assessments and on-site visits are carried out. Overseen by the OECD Working Group on Bribery (WGB).	The OECD typically issues calls for written submissions from stakeholders when a country evaluation is launched and calls for expressions of interest from relevant civil society and private sector representatives to express interest in participating in on-site visits (governments have the discretion to decide whether to invite participants or not). The website states that submissions inform evaluations and are published on the OECD website with the permission of the country	Country monitoring report, follow-up reports and bis' evaluations are published online. The government under review cannot veto the final report and recommendations. A monitoring schedule lists countries to be monitored each year and the countries of focus for each WGB meeting. Calls of interest are issued for participation in site visits. Annual reports provide an overview of the status of monitoring	After adoption of the evaluation report, countries must report back to the Working Group on the status of implementation of all recommendations within 24 months. There can be lengthy intervals between each phase of review. Country reports include a section assessing follow-up on recommendations from the previous phase and whether they are partially or fully complete or not. A bis" evaluation may be carried out if a country is inadequately	The second phase of review assessed how legal frameworks work in practice. Phase 4 includes focus on enforcement efforts and results. There is a major focus on assessing compliance and evidence of investigations into foreign bribery and prosecutions of companies that violate anti-bribery laws. Recommendation 21 was adopted in December 2021 to reinforce existing recommendations, including strengthening enforcement of anti-bribery laws.

		under review, see example. Country reports include an annex that lists the participants in on-site visits or virtual visits.	efforts in countries. Summaries of the Working Group on Bribery meetings are published online, which include discussions of country review reports and follow-ups.	implementing the Convention or the review team is prevented from assessing implementation at the site visit. Specific measures can be taken to address inadequate implementation of the Convention, including repeat evaluations, additional reporting, the development of an action plan as well as suspension from advancing to the next monitoring phase.	
Open Government Partnership's Independent Reporting Mechanism	A multi-stakeholder, voluntary initiative to promote open government, citizen empowerment and anti-corruption, 77 countries, 106 local jurisdictions and thousands of civil society organizations have joined. Governments and civil society co-create action plans on commitments to	Action plans, results reports, implementation reports and other reports are all published online under country profiles. Governments, civil society and the public have the opportunity to provide input on draft reviews and reports. An in-country local researcher carries out the review, interviewing	The IRM shares the action plan review with the government, the multi-stakeholder forum and other stakeholders involved in the research process. Civil society and governments review draft country reports and provide feedback (see Guidance on	Revised their review process in 2020 to focus on learning and reflection, in addition to accountability. An action plan review assesses strengths and weaknesses of plan, identifies promising commitments and provides recommendations to inform implementation.	Action plans' commitments must be verifiable, assess potential impact and go beyond measuring deliverables to see whether government practices have changed. Implementation reports assess whether commitments are completed and whether they have opened

	enhance transparency, accountability and public participation in government. Independent Reporting Mechanism (IRM) is overseen by the International Experts Panel and reviews implementation of action plans: see overview.	government and civil society organizations to inform assessment of whether commitments were achieved.	commenting); draft is further revised based on feedback received. Draft report is published for public comments. Final reports and IRM reports are published on the OGP website.	Produces annual independent assessments to assess action plan implementation, puts forward technical recommendations and steps to improve performance, follow-up on recommendations made in previous reports. Countries with negative reports for 3 years or that have undermined the values of OGP can be expelled.	government. IRM provides targeted recommendations on how to "achieve good and effective results" in the early stages of action plan implementation. The results report is an evidence-based analysis that assesses level of completion of commitments, early results, supports learning and accountability. See: https://www.opengovpartnership.org/irm-products-and-process/
UN Convention Against Corruption's Implementation Review Mechanism	The most comprehensive, legally binding treaty to combat and prevent corruption, with 189 States Parties. The IRM is a peer-review process that carries out country reviews, predominantly through country visits, to assess	Consultation with civil society and other non-governmental stakeholders during country visits is encouraged but not mandatory. Executive summaries and published country reports do not consistently provide	Executive summaries are automatically published on the UNODC website. Publication of country reports and self-assessment checklists are optional. The country profile page	No formal follow-up process to assess whether recommendations from both review cycles have been implemented. Section 3 of the UNCAC IRM's Terms of Reference focuses on follow-up procedures, stipulating	States Parties complete self-assessment checklists that ask for information on whether steps have been taken to ensure full compliance with each UNCAC Article and to provide examples of implementation. Country reports also examine this to a limited extent but

	implementation, identify technical assistance needs and lay out recommendations for improvement. Overseen by the Implementation Review Group (IRG), a subsidiary body of the UNCAC.	information on whether and which stakeholders were consulted in country reviews. Non-governmental stakeholders are not allowed to participate as observers in the IRG meetings where the IRM and status of country reviews are discussed.	provides information about country reviews, including dates when country visits were held, whether other stakeholders were involved in reviews (a yes/no answer, with no other information provided) and links to country review documents. However, information often is not timely and dates of review visits are often put up after review visits are held, making it difficult for civil society to know in advance when a review visit will be held.[15]	that each State Party report on progress achieved related to observations from the previous country review report as part of its responses in the self-assessment checklist for the subsequent country review.[16] Countries can voluntarily publish follow-up actions but very few have done so in practice (39 countries have published follow-up plans from the 1st review cycle and only 2 countries have published for the 2nd review cycle).	there is limited analysis of the effectiveness of legal frameworks in curbing corruption. See Guidance note on filling out self-assessment checklist.

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[15] Given the inadequacies of the UNCAC IRM's country profile page, The UNCAC Coalition has developed the "UNCAC Review Status Tracker" which provides details on the status of the country review process, country focal points and their contact details, and actions taken after the completion of reviews drawing from what is publicly available and on information obtained by UNCAC Coalition.

[16] According to the UNCAC IRM TOR, "The Conference, through the Implementation Review Group, shall assess and adapt, where appropriate, the procedures and requirements for the follow-up to the conclusions and observations emerging from the review process."
See:https://www.unodc.org/documents/treaties/UNCAC/Publications/ReviewMechanism-BasicDocuments/Mechanism_for_the_Review_of_Implementation_-_Basic_Documents_-_E.pdf.

Additional Resources

UNCAC Coalition (August 2022, updated) "The Way Forward: Ensuring an Inclusive, Transparent and Effective UNCAC Implementation Review Mechanism", Final-IRM-Report-September-2022.pdf (uncaccoalition.org).

UNCAC Coalition, UNCAC Review Status Tracker | UNCAC Coalition.

UNCAC Coalition (April 2021), "A Guide to Transparency and Participation in the UNCAC Review Mechanism", https://uncaccoalition.org/wp-content/uploads/UNCAC-Coalition-%E2%80%93-Guide-to-Transparency-and-Participation-in-the-IRM-1.pdf.

U4 Anti-Corruption Resource Centre (2008) "Comparative assessment of anti-corruptions review mechanisms", https://www.u4.no/publications/comparative-assessment-of-anti-corruption-conventions-review-mechanisms.

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International Foundation for Electoral Systems, Department of State and CEELI Institute (2021), "Piercing the veil: Using Peer Reviews in the Fight against Corruption", Piercing the Veil: Using Peer Reviews in the Fight Against Corruption | IFES - The International Foundation for Electoral Systems.

Hortense Jongen, Cambridge University Press (2021) "Peer review and compliance with international anti-corrupton norms: Insights from the OECD Working Group on Bribery", https://www.cambridge.org/core/journals/review-of-international-studies/article/peer-review-and-compliance-with-international-anticorruption-norms-insights-from-the-oecd-working-group-on-bribery/8444E6C1D3A30BBB8AAA76BF45AF357E.