Global Civil Society Coalition for the UNCAC

European civil society insights and recommendations for the UNCAC Implementation Review Mechanism

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Regional Submission to the 2026 CoSP Special Session

6 October 2026

Following validation by its regional community in Europe, the Coalition makes this submission to inform States' discussions at the Special Session of CoSP 2026. It reflects on regional trends, outlines civil society experiences in first-phase UNCAC reviews, and provides recommendations for the next phase of the Implementation Review Mechanism (IRM).[1]

1. Regional trends and challenges identified in first-phase reviews

Fifteen years of country reviews reveal achievements, gaps and patterns in UNCAC implementation; the following stand out in the European region:[2]

a) **Core bribery offences are criminalized** across the region, **but non-mandatory offences are unevenly implemented. Illicit enrichment** (art. 20) remains rarely criminalized, often on the grounds of presumption of innocence. **Trading in influence** (art. 18) and **private sector bribery** (art. 21) are partly implemented, commonly obstructed by requirements of a victim's complaint, material damage or unfair competition.

b) Several States condition the **liability of legal persons** (art. 26) on the prior conviction of a natural person, and sanctions were not found proportionate and dissuasive.

[1] The submission draws on several internal and external sources. The Coalition's European network has systematically gathered CSO experiences of country visits in second cycle reviews, complemented by an annual survey to members and affiliated groups. The findings were compiled in the blog post *"20 years of UNCAC: How civil society participates in UNCAC implementation reviews"* from the Global Civil Society Coalition for the UNCAC (2023, October 31), available at: https://uncaccoalition.org/20-years-of-uncac/. Additionally, we have gathered information from our Access to Information Campaign (https://uncaccoalition.org/uncac-review/access-to-information-campaign/), Transparency Pledge (https://uncaccoalition.org/uncac-review/transparency-pledge/), parallel reports (https://uncaccoalition.org/uncac-review/cso-review-reports/), the UNCAC Review Status Tracker (https://uncaccoalition.org/uncacreviewstatustracker/). For this submission we also consulted UNODC's regional reports from 2016 and 2025 (https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/20-24June2016/V1602456e.pdf and https://docs.un.org/en/CAC/COSP/2025/8), and global thematic reports on UNCAC implementation from the first cycle (https://www.unodc.org/res/ji/import/international_standards/state_of_implementation_uncac/state_of_implementation_uncac.pdf) and second cycle (https://track.unodc.org/track/uploads/res/track/resourcehub/2025/state_of_implementation_of_the_united_nations_convention_against_corruption_preventive_measures_and_asset_recovery_html/UNODC_2025_State_of_UNCAC_-_Preventive_measures_and_asset_recovery.pdf); and checked UNODC country profile pages for 48 States Parties.

[2] Artificial intelligence (Claude) was used to support the analysis of regional trends and challenges, with a systematic review of all publicly available first and second-cycle country reports and executive summaries for European States Parties.

c) Reviews flagged the **breadth of immunities** (art. 30) enjoyed by parliamentarians, judges, prosecutors and heads of State in some countries, and the absence of clear criteria for lifting them.

d) **Whistleblower protection** (art. 33) was a **frequent subject of recommendations**; EU Member States have partly addressed these through the 2019 EU Whistleblower Directive, although the quality of transposition and the effectiveness of external reporting channels and whistleblower protection in practice remain uneven. In non-EU Member States, protections ranged from relatively comprehensive to virtually non-existent.

e) **Frameworks on international cooperation** (Chapter IV) were found **formally strong, but operationally weak.** Non-criminalization of optional offences affects cooperation in practice: where illicit enrichment or trading in influence are not offences, dual criminality requirements can block extradition and mutual legal assistance. Joint investigation teams (art. 49), special investigative techniques (art. 50) and transmission of information (art. 46) are legally available, but rarely used for corruption-related offences. Therefore, reviews recommended a greater use of the UNCAC as a legal basis.

f) **Aligning the definition of "public official"** with article 2 was a recurring recommendation, notably for parliamentarians.[3]

g) **Public sector integrity is a regional gap:** all reviewed European States received recommendations on the implementation of article 7, 85% on preventive policies (art. 5) and 79% on codes of conduct (art. 8). Reviews flagged uneven capacity and staffing, and lack of independence among anti-corruption and law enforcement bodies. While the European Union's 1st cycle review is still ongoing, the region's most consequential reform has come from Directive (EU) 2026/1021 on combatting corruption, in force since 31 May 2026.[4]

h) **Preventive measures in the private sector remain inconsistent** (art. 12): transparency of legal entities and conflicts of interest involving former officials moving into the private sector are areas of concern; beneficial ownership registries have progressed but timeliness and verification still pose challenges.[5]

i) **Transparency and participation record the region's lowest recommendation rates.** This is a positive pattern, although 68% of Eastern European and 55% of Western

[3] UNODC, *State of Implementation of the UNCAC: Criminalization, Law Enforcement and International Cooperation*, 2017, https://track.unodc.org/track/uploads/res/track/resourcehub/state-of-implementation-of-the-uncac_-criminalization--law-enforcement-and-international-cooperation_html/UNODC_2017_State_of_Implementation_of_the_United_Nations_Convention_against_Corruption-_Criminalization_Law_Enforcement_and_International_Cooperation.pdf.

[4] The Executive Summary of the 1st cycle review was published on 7 November 2025. UNODC country profile page of the European Union: https://www.unodc.org/corruption/en/country-profiles/data/EU.html; Directive (EU) 2026/1021 of the European Parliament and of the Council of 29 April 2026 on combatting corruption: https://eur-lex.europa.eu/eli/dir/2026/1021/oj/eng.

[5] UNODC, *State of Implementation of the UNCAC: Preventive Measures and Asset Recovery*, 2025, https://track.unodc.org/track/uploads/res/track/resourcehub/2025/state_of_implementation_of_the_united_nations_convention_against_corruption_preventive_measures_and_asset_recovery_html/UNODC_2025_State_of_UNCAC_-_Preventive_measures_and_asset_recovery.pdf.

European and other States still received recommendations on public reporting (art. 10), and 75% and 38% on participation of society (art. 13).[6]

j) **Asset recovery and return remain challenging in law and in practice:** 71% of European States received recommendations on international cooperation in confiscation (art. 54) and 85% on the return and disposal of assets (art. 57).

k) **The absence of data is a cross-cutting issue in Europe:** statistical data, illustrative examples and case law are rarely available to support conclusions in UNCAC reviews about the actual effect of measures taken, and to establish whether anti-corruption measures are effectively applied and what impact they have.

2. Findings from civil society experiences in first-phase reviews in Europe

Europe offers a good picture of what the UNCAC IRM first-phase design can deliver under favourable conditions: the region[7] has **comparatively high rates of civil society involvement in country visits and of published country review reports**, and the most Transparency Pledge signatories (28 out of 47 States).[8] However, the findings are disappointing as, **even in this region, it is not possible to trace how civil society engagement contributed to review outcomes.**

The Global Civil Society Coalition for the UNCAC has created several tools to help close the transparency and accountability gap of UNCAC reviews, including the Transparency Pledge and Guide, the ATI Campaign, the UNCAC Review Status Tracker, and the parallel reports.[9] Their use shows that the IRM has, in practice, fallen short on transparency, inclusiveness, efficiency and follow-up:[10]

- Efficiency and effectiveness: Only 28 out of 48 reviews (58%) from the 2nd cycle are complete, and reviews took around 5 years. Measures taken after completion are recorded for 5 completed reviews.[11] Additionally, four 1st-cycle reviews are still ongoing.

[6] An analysis of over forty review reports, including 11 from European countries, found that article 13 assessments focused on laws and gave insufficient attention to whether civil society could operate in practice and to obstacles related to freedom of expression, civic space and protection against reprisals. Transparency International, *Missing in Action: Civic Space in UNCAC Reviews* (2025), available at https://www.transparency.org/en/publications/missing-in-action-where-is-civic-space-in-uncac-reviews.

[7] For our analysis, the European region includes 48 States Parties to the UNCAC (see UNCAC Review Status Tracker).

[8] Transparency Pledge: https://uncaccoalition.org/uncac-review/transparency-pledge/. Out of 46 States signatories to the Transparency Pledge, 28 are from the European region.

[9] Through its tools, the Global Civil Society Coalition for the UNCAC has helped close the transparency and accountability gap. For instance, The Transparency Pledge is a commitment to publish review documents and to engage civil society meaningfully. The Access to Information Campaign has obtained unpublished review documents through freedom-of-information requests. Coalition-supported parallel civil society reports (Albania, Armenia, Bosnia & Herzegovina, Georgia, Montenegro, Serbia, Ukraine) and independent reports (North Macedonia, United Kingdom, State of Palestine) have been published in Europe on the 2nd cycle, opening direct engagement with focal points and expanding the debate around the findings and recommendations of the reviews. For the 1st cycle, nine Coalition and Transparency International-supported reports have been published (Armenia, Bulgaria, Hungary, Lithuania, Poland, Portugal, Turkey, Ukraine, United Kingdom).

[10] The numbers below are believed to be correct as of 17 August 2026.

[11] Information on measures taken after completion is only available in 5 of 28 completed reviews (18%): Greece, Slovenia, Malta, North Macedonia and Germany. Consulted in the UNCAC Review Status Tracker.

- Inclusiveness: In the 2nd cycle, involvement of "other stakeholders" was recorded in 38 of the 40 States in which a country visit or joint meeting took place[12] (although only 31 reviews identified CSO participation).[13] In the 1st cycle, some form of direct dialogue took place in all States,[14] with 41 States inviting "other stakeholders".[15]
- Transparency: Full reports were published in 22 out of 28 completed reviews in the 2nd cycle (79%), and in 36 out of 45 completed reviews in the 1st cycle (80%). Through the Coalition's Access to Information (ATI) Campaign, we obtained one more 2nd cycle report and two 1st cycle reports.[16] Self-assessment checklists were published by 14 States (29%) for the 2nd cycle, with 9 additional ones obtained through the ATI Campaign.[17] For the 1st cycle, 7 self-assessment checklists (15%) were published by European States, with 3 additional ones obtained through the ATI Campaign.[18] A few countries published information on the focal point and/or review schedule on a separate governmental website.[19]

Behind these figures, civil society's accounts of 2nd-cycle country reviews highlighted the following patterns:

- **Access to information about the review process, in particular before the country visit, is insufficient.** Advance notice of the country visit to CSOs ranged from three months to about one week – often too little to prepare substantive input. Positive examples exist: one State shared full agenda, participants' list and annotated self-assessment checklist in advance, and held a CSO briefing before the visit;[20] in another State, a coalition of NGOs prepared a joint response to the checklist which the government published.[21]

[12] This represents 95% of involvement of other stakeholders in country visits. UNODC country profile pages recorded 37 countries involving other stakeholders in the country visit, to which we added Austria from our members' direct experience in the country visit.
[13] See UNCAC Review Status Tracker, https://uncaccoalition.org/resources/review-status-tracker/. In the 2nd cycle review, in one case no stakeholders outside of government were consulted, and in 8 cases it could not be determined that any civil society organization was involved, as UNODC country profiles record "other stakeholders" without specifying who these stakeholders were - civil society organizations, academia, business associations, etc.
[14] Except San Marino for which the country visit has not taken place yet.
[15] This represents 87% of involvement of other stakeholders in 1st cycle country visits.
[16] Poland provided a draft 2nd cycle country review report; Georgia and Serbia provided their 1st cycle review reports.
[17] Second-cycle self-assessment checklists from European countries obtained through the Coalition's ATI Campaign: Armenia, Croatia, Czechia, Georgia, Montenegro, North Macedonia, Poland, Serbia, Spain.
[18] First-cycle self-assessment checklists from European countries obtained through the Coalition's ATI Campaign: Bulgaria, Czechia, Poland.
[19] Sweden: https://www.government.se/government-of-sweden/ministry-of-justice/international-judicial-co-operation/the-implementation-review-mechanism-of-the-united-nation-conventions-against-corruption-uncac/ ; Switzerland: https://www.eda.admin.ch/en/united-nations-convention-against-corruption ; Ukraine: https://nazk.gov.ua/en/uncac-implementation-and-review-/ ; Moldova: https://cna.md/ro/onu; France: https://www.diplomatie.gouv.fr/fr/le-ministere-en-action/promouvoir-les-entreprises-francaises-et-l-attractivite-de-la-france/soutenir-les-entreprises-a-l-export/les-secteurs-economiques-de-pointe-un-atout-pour-la-france-soutien-aux-secteurs-strategiques/la-convention-des-nations-unies ; Austria: https://www.bmeia.gv.at/en/european-foreign-policy/global-issues/anti-corruption/uncac-country-review/ ; Finland: https://korruptiontorjunta.fi/yk ; Montenegro: https://www.antikorupcija.me/media/documents/EN_UNCAC_za_sajt_II_ciklus.docx ; Slovakia: https://www.justice.gov.sk/agenda-ministerstva/medzinarodne-pravo/hodnotenia-slovenskej-republiky/.
[20] Switzerland.
[21] United Kingdom.

- **Engagement of civil society representatives during the review process and the country visit is improving, but access remains narrow.** Closed-door sessions between CSOs and peer reviewers, without the government under review present, are increasingly the norm in Europe – a good practice[22] CSOs consider essential. Engagement with governmental peer reviewers was often deemed satisfactory with reviewers asking questions and openly listening to comments and concerns raised by CSOs.[23] However, meetings were often short (45 minutes to two hours), and the selection of participating CSOs frequently opaque.
- **Follow-up is the weakest stage**: Where CSOs could provide written contributions to peer reviewers, it was unclear how these were taken into account. The timeline for the report's completion remained unknown in most cases, and structured follow-up is extremely rare.

3. Recommendations for the next phase of the IRM

Drawing on these findings, on Resolution 11/2[24] and on commitments many European States have made under the Transparency Pledge, we recommend the following steps towards a more transparent, inclusive, efficient and effective IRM in its next phase:[25]

a) **Making civil society engagement a standard element of reviews** and establishing good practices such as publishing the review calendar and focal point, providing sufficient advance notice of the country visit, sharing the self-assessment checklist, and systematically inviting a wide range of civil society representatives to a session with reviewers held without government officials;

b) **Publishing self-assessments and full country reports** by default and communicating review outcomes widely;

c) **Indicating which non-governmental stakeholders were consulted and in what capacity** in country review reports and self-assessment checklists,[26] and **adding an annex to the country review report** that includes input provided by other stakeholders.[27]

d) **Incorporating the independent contributions of civil society**, including parallel reports and other written contributions in the annex of country reports;[28]

e) **Putting more emphasis on the practical implementation of the Convention, follow-up of the recommendations received, findings of other review mechanisms,[29] and**

[22] For instance, in Bulgaria, Bosnia and Herzegovina, Portugal, Switzerland, and partly Poland and Spain.
[23] For instance, in Austria, Bosnia and Herzegovina, Bulgaria, Germany, Iceland, North Macedonia, Poland, Portugal, Romania, Spain, Switzerland.
[24] UNODC, Resolution 11/2, https://www.unodc.org/corruption/en/cosp/conference/session11-resolutions.html#Res.11-2.
[25] Please also consult our Open Letter on Enhancing anti-corruption efforts globally by adopting a stronger UNCAC implementation review mechanism, which outlines steps States Parties can take in the lead-up of the next IRM phase: https://uncaccoalition.org/wp-content/uploads/2026/10/Final---Open-Letter-on-Enhancing-anti-corruption-efforts-globally-by-adopting-a-stronger-UNCAC-implementation-review-mechanism_CoSP-Special-Session_as-of-16-October-2026.pdf.
[26] In line with resolution 11/2, operative paragraph (OP) 12.
[27] In line with resolution 11/2, operative paragraph (OP) 12.
[28] In line with resolution 11/2, operative paragraph (OP) 12.
[29] Such as GRECO, EU Rule of Law reports, OECD Anti-Bribery Convention and UPR.

other developments since completing the review: Invest in producing and publishing statistical data, examples and cases, and in identifying the impact of technical assistance (TA) received and new TA needs;

f) **Institutionalizing a follow-up phase with structured, periodic reporting** on the implementation of recommendations ahead of CoSP sessions, including a monitoring mechanism for civil society to track and comment on progress between review cycles;

g) **Engage with CSOs in longer-term** UNCAC implementation and anti-corruption efforts.

The Coalition and its European community stand ready to support the Implementation Review Group and UNCAC States Parties in applying these recommendations and look forward to continued dialogue.