

UNCAC CoSP 8

Statement in the plenary session on the UNCAC review mechanism by Gillian Dell, Transparency International

Mr. President, distinguished delegates,

My name is Gillian Dell and I represent Transparency International. I am also a member of the UNCAC Coalition Coordination Committee.

Thank you for the opportunity to speak on the agenda item on review of implementation.

At the outset, I would like to commend the dedication and expertise of the UNODC staff supporting the UNCAC review process – their work ensures that the process produces reports that are good and useful. The reports may sometimes be uneven in the quality of recommendations but they are still valuable outputs, as is the process of their preparation.

We also greatly appreciate the work of the UNODC Civil Society team which has collaborated in an excellent way with the UNCAC Coalition to provide trainings for civil society organisations on the UNCAC review process.

On follow-up to the reviews

Mr. President, in 2009 the UNCAC Conference of States Parties (CoSP) adopted the landmark resolution creating the UNCAC Implementation Review Mechanism and next year it will have reached its tenth year of operation. As we all know, its 2nd cycle is very delayed.

To date there has been no follow-up to the review recommendations even though experience with the other anti-corruption convention review mechanisms shows that follow-up is crucial to ensure that the reviews are worth the great time and expense of their preparation.

The CoSP's decision in 2009 to postpone its discussion of follow-up to the end of the first two cycles of reviews was based on the assumption that the first and second cycles would be completed within ten years. However, that is far from the case – the second cycle is taking much longer. Meanwhile, many of the reports produced by the mechanism are neglected and becoming stale.

We urge acceleration of the conduct of an assessment of the existing review mechanism and of agreement on a follow-up process. We suggest that a proposal for follow-up to the first two review cycles should be presented to the 9th CoSP together with plans for further cycles.

Pending that necessary work, we urge States Parties to voluntarily conduct follow-up to the UNCAC reviews, including public announcement of their action plans for the recommendations and multi-stakeholder discussions of follow-up. We commend the countries that have already done this.

Transparency and participation

Mr. President, transparency and inclusion is also crucial in the UNCAC review process to ensure quality reviews as well as accountability and consistency of the review process. We commend the 84 countries that have published on the UNODC website their full 1st cycle UNCAC review reports and the 12 countries that have done this so far for the 2nd cycle. We commend also the increasing number of countries that have publicly announced the reviews and review team visits via press statements and twitter posts, that have civil society in the country visits and that have been inclusive in other ways.

We join the UNCAC Coalition in urging States Parties to conduct their UNCAC review process in line with the principles of the UNCAC Coalition's Transparency Pledge and the very practical suggestions in the UNCAC Coalition Guidance document for UNCAC reviews.

Implementation Review Group

Mr. President, in 2010, a few countries objected to inclusion of civil society observers in the IRM's brand new Implementation Review Group, a CoSP subsidiary body. This was a sad day for building trust and collaboration among stakeholders in the fight against corruption. The Marrakech compromise that followed was intended to create a temporary trust-building arrangement and it is time for it to be revisited. We urge that it be replaced now with an agreement to admit civil society observers to the IRG in line with the CoSP Rules of Procedure 2 and 17, and the recommendations of the 2010 opinion of the Office of the Legal Counsel.

Thank you for the opportunity to speak.