

Key Recommendations to make the IRM more effective in strengthening UNCAC implementation

UNCAC Coalition Discussion Paper

3 October 2024

At the [November meeting of the UNCAC Implementation Review Group](#) (IRG), States Parties will continue to discuss the modalities and format for the next phase of the UNCAC review mechanism, the Implementation Review Mechanism (IRM). Specific topics on the agenda include follow-up on recommendations made in previous country reviews, measuring the effectiveness of anti-corruption frameworks, as well as the format and content of the review outcome documents.

Below, the UNCAC Coalition has laid out specific and concrete recommendations to strengthen the IRM in **five key ways to make it more transparent, inclusive, efficient, and effective, and to ensure more useful outcome documents**. Many of these recommendations are drawn from the good practices and experiences of other anti-corruption monitoring mechanisms. Strengthening the IRM through the adoption of these reforms will improve UNCAC implementation, leading to more effective outcomes in the fight against corruption. Drawing upon the recommendations in this document, we encourage your delegation to provide a detailed statement to the IRG laying out your country's position on the next phase of the IRM.

1) Increase transparency

- **Ensure transparency of country reviews and how civil society can engage:** Publish and regularly update country review information to facilitate civil society participation in the review process. This includes a regularly updated timeline for the different stages of the country review, contact information regarding government focal points, and up-to-date information on how civil society and other stakeholders can participate in the review process.
- **Publish all essential inputs and outputs from the review process:** This includes civil society submissions, self-assessment checklists, full country reports, civil society parallel reports and other inputs submitted by non-governmental stakeholders, links to national dashboards tracking recommendations and commitments, and other key data.
- **Make all of the above information readily available on UNODC's website:** Information should be published on country profile pages in an accessible and user-friendly format that facilitates re-use. Ideally, users should be able to subscribe to receive a notification when information on a country profile page is updated.
- **Publish a press release:** UNODC should issue a press release upon completion of a national review.

2) Strengthen civil society participation

- **Engage civil society throughout country reviews and follow-up:** Require countries to actively engage civil society and other stakeholders at key stages of the review and follow-up process, including by obtaining civil society input on the self-assessment checklist, meeting with non-governmental stakeholders without the government present during

country visits, and organizing stakeholder dialogues and meetings to jointly shape a follow-up action plan to implement the review recommendations.

- **Ensure the participation of independent civil society in country reviews:** Countries should carry out an open and inclusive process to seek the input of civil society actors and other non-governmental stakeholders throughout the review process and follow-up. CSOs, academia, the media, think tanks, grassroots and community organizations, youth, women, marginalized groups with relevant focus and expertise, as well as the private sector should be engaged.
- **Allow civil society participation in the IRG:** Non-governmental stakeholders should be allowed to participate as observers in the IRG meetings and to present civil society parallel reports and submissions on UNCAC implementation in specific countries as part of IRG discussions.
- **Provide greater funding and capacity building for civil society:** Increase funding and capacity building for civil society organizations to participate in countries reviews and follow-up actions and to carry out parallel reports to analyze UNCAC implementation and its effectiveness in practice.
- **Draw upon credible sources of information:** Peer reviewers should have the discretion to decide what sources of information they draw upon for country reviews, including other UN documents such as UPR reviews, documents of other anti-corruption reviews, non-governmental reports, and research, civil society parallel reports and other credible sources of information.
- **Require diversity of review teams:** Review teams should be composed of peer reviewers who are diverse by race, ethnicity, and gender to ensure an inclusive approach.

3) Increase efficiency

- **Publish a global calendar of the review schedule:** The UNODC should publish a global calendar of all reviews that is regularly updated to help keep reviews on track. The calendar should also explain the reasons for any changes or delays and provide information on how such delays will be addressed.
- **Coordinate with other review mechanisms:** Promote stronger cooperation and coordination between the IRM and other review mechanisms, relevant UN bodies and monitoring mechanisms to increase the efficiency and effectiveness of country reviews. Peer reviewers should be able to integrate the findings of other anti-corruption review mechanisms and other relevant reviews into UNCAC country reviews.

4) Establish a structured follow-up process that evaluates implementation in practice and effectiveness of legal frameworks

- **Develop a structured follow-up process:** The follow-up process should monitor the implementation of recommendations, including technical assistance recommendations, from the first and second review cycles. Future cycles of review should take into account whether recommendations made in previous cycles have been met; issues yet to be addressed should be added to the recommendations of the current review cycle.
- **Consider new developments:** Country reviews should go beyond just looking at recommendations and observations from previous country reviews and have a major

focus on new developments that affect UNCAC implementation since the previous reviews have been carried out.

- **Complete self-assessment checklists that include a section for stakeholder views:** States should be required to complete self-assessment checklists to report on actions taken to implement recommendations from previous reviews and to demonstrate enforcement efforts. Checklists should include a section for non-governmental stakeholders to provide their views on the country's UNCAC implementation and follow-up efforts.
- **Hold country presentations at IRG Meetings:** The IRG should discuss specific country reviews during IRG meetings and publish the schedule of country presentations as part of its agenda.
- **Complete and publish annual progress reports:** Countries should submit and publish annual progress reports to provide updates on the implementation of country review recommendations and new developments and challenges.
- **Evaluate implementation and effectiveness:** Country reviews should have a central focus on evaluating the implementation and effectiveness of the UNCAC provisions by developing indicators to examine aspects such as compliance, statistics, and evidence of investigative and enforcement actions taken for non-compliance, including court cases, evidence of appropriate regulatory bodies created that are independent with adequate authority and resources to enforce and have oversight, regular audits and monitoring and evaluation programs, research, polls and surveys, and cross-checking the information that is gathered with research and monitoring done by civil society actors.
- **Consider implementation of UNCAC resolutions:** Encourage peer reviewers to consider how relevant CoSP resolutions have been implemented in a country, considering a country's specific context and corruption risks.
- **Promote transparency and stakeholder engagement in Technical Assistance:** UNODC should publish a database of all technical assistance (TA) projects and the partners involved to increase transparency of TA projects. Promote the involvement of stakeholders such as NGOs, international and regional organizations, and donors to maximize the impact of TA and capacity-building efforts and to encourage multi-stakeholder approaches.

5) Produce meaningful outcome documents

The outcome documents from country reviews, including the executive summary and country reports, should be structured in a way that is clear and substantive to ensure their widespread and effective use in promoting government accountability in meeting UNCAC commitments. Below are the key characteristics and proposed structure for the country report. Executive summaries should provide a substantial and meaningful summary for each section of the country report (as outlined below) and include the full observations, recommendations, good practices, challenges and technical assistance needs. **It is insufficient for countries to only publish the executive summary; all countries should publish their full country reports to ensure that a complete picture of a country's UNCAC implementation is publicly available.**¹

¹ See the UNCAC [Terms of Reference for the IRM](#), "38. The State party under review is encouraged to exercise its sovereign right to publish its country review report or part thereof"

Characteristics of country reports:

- **Produce concise and substantive country reports:** Country reports should be shorter and more concise than many of the country reports from the first phase and include a table of contents to provide a clear overview of the report's contents and organization. Legal provisions, comprehensive statistics, and other relevant detailed information could be annexed and made available through the UNODC website, as well as by providing relevant website links.
- **Summarize and reflect non-governmental stakeholder input:** The reports should lay out how civil society and non-governmental stakeholders were engaged in the country review process, and summarize stakeholder views (as reflected in the self-assessment checklist section on stakeholder views and through other ways), and how their input was taken into account in the analysis, findings and recommendations.
- **Place greater focus on analysis:** Reports should have a strong analytical element rather than solely being descriptive and should focus on legal, institutional, and practical efforts that contribute to (or hinder) effective UNCAC implementation (e.g., GRECO evaluations can provide a useful reference for such an analytical approach). For example, the reports should not provide a comprehensive description of the entire legal framework but rather analyze what is working well and where there are challenges.
- **Assess follow-up from previous reviews and new developments:** Assess whether follow-up measures agreed to in previous reviews have been implemented and also consider new developments that affect UNCAC implementation since the previous reviews have been carried out. Relevant recommendations for a country in other anti-corruption reviews should also be considered.
- **Evaluate implementation and effectiveness:** Reports should focus on effective UNCAC implementation and, in particular, detail efforts to implement and enforce the legal and policy framework; identify possible loopholes and gaps in the legal and policy framework; assess the set-up of relevant bodies and institutions, including if their resourcing, independence, mandates, transparency, and activities are adequate to promote effective UNCAC implementation; detail activities to promote measures (preventive activities, awareness raising, oversight mechanisms, etc.) as well as investigative and enforcement actions.
- **Make reports accessible for analysis and re-use:** Reports should be made accessible as PDFs, but also in more accessible formats to facilitate analysis and re-use.
- **Publish all relevant supporting documents:** All relevant documents, such as laws, policy documents, reports from anti-corruption bodies, etc., as well as statistics and other information and inputs that informed the review process, should be published on the UNODC Track Portal, ideally in easily re-usable formats, and be linked on the UNODC Country Profile page.

Structure for country reports:

- I. **Stakeholder engagement in review:** A section up front laying out how the review was carried out, how civil society and other non-governmental stakeholders were engaged in
-

the review process, the specific stakeholders that were engaged (which could be included as an annex), documents and other input received by stakeholders, and how stakeholder views were taken into account in the review.

- II. **Country context and operating environment for civil society:** A section on the country context that lays out the major corruption challenges in the country, the political/economic context, and the operating environment for civil society to actively participate in efforts to combat and prevent corruption (consistent with UNCAC Article 13 and the UNGASS political declaration). This section should consider the human rights situation in the country, taking into account relevant reports, including the most recent human rights report under the Universal Periodic Review.
- III. **Major new developments:** A section laying out new developments, including major changes in the legal and institutional framework since the previous reviews were carried out, and factors that are affecting UNCAC implementation and should be addressed to ensure an up-to-date anti-corruption framework.
- IV. **Analysis of follow-up to recommendations from previous reviews:** Analysis assessing the extent to which the country has met the recommendations from previous reviews (broken down article by article), identifying areas of successes and challenges, including considering efforts made in other review mechanisms to address related recommendations.
- V. **Analysis of technical assistance recommendations from previous reviews:** This section should address the status of technical assistance delivered following the first phase reviews, assessing the quality of delivery and impact and the partners involved.
- VI. **Analysis of implementation and effectiveness:** Drawing upon the responses to the self-assessment checklist, analysis of the level of implementation and effectiveness of the articles under review, using specific indicators and statistics, as well as practical examples. This should include an analysis of good practices and challenges. States should provide more detailed information on good practices to promote their widespread dissemination and use (for example, MESICIC asks countries to provide specific information on best practices that includes the importance, the approach taken, the level of implementation, and outcomes).
- VII. **Specific and actionable recommendations:** A section laying out specific and actionable recommendations (with the aim of more detail than recommendations issued in the 1st phase) to address unimplemented recommendations from the previous reviews and new recommendations to strengthen implementation and increase effectiveness in meeting UNCAC commitments. The section should also lay out requests for new and specific technical assistance projects to help address the challenges and needs identified in the review.
- VIII. **Next steps:** A section highlighting the next steps to follow up on the review recommendations, inviting the government to report back by a specific date to outline the follow-up plan, and how non-governmental stakeholders will be engaged in the process.