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Including civil society perspectives in UNCAC: Lessons from other international treaties

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The UN Convention against Corruption (UNCAC) encourages states to include civil society organisations (CSOs) when monitoring compliance with the Convention. Yet there are barriers to inclusion, and lack of knowledge about UNCAC country reviews and outcomes. Also, countries do not have to publish their full reports. This is in stark contrast to at least seven other anti-corruption treaties, which support CSO participation and transparency in various ways. As UNCAC's second review phase ends, now is the time to decide on improvements for the future.

Main points

- UNCAC's second review cycle is coming to an end and discussions have begun about possible adjustments to its Implementation Review Mechanism (IRM). This is an opportune moment to assess the IRM's strengths and weaknesses and compare it with similar mechanisms to draw lessons for the participation of civil society organisations (CSOs). Now is the time to reflect on the previous review phase and plan for a future with a strengthened IRM.

- The barriers that exclude CSOs from meaningful participation must be lifted. For example, the lack of public information about when and where country reviews take place. States parties are responsible for inviting CSOs to participate in the review process, and it is vital that CSOs at least have access to review timetables so they can proactively request participation. The United Nations Office on Drugs and Crime (UNODC) could easily facilitate this by regularly publishing the review calendar

more prominently on their website. There are several examples of similar mechanisms cited in this report that could be used as a template.

- When considering a calendar for the next review phase, the Implementation Review Group (IRG) should set a global schedule and publish it at the beginning of the review cycle, rather than setting individual schedules for each review on a country-by-country basis.

- Much of the work needed to improve the IRM revolves around communication. The simplest measure would be to issue a press release when a review is complete and draw attention to its recommendations. There are other achievable examples to inspire UNODC, such as the Universal Periodic Review, which uses effective communication tools, such as infographics, to show review cycle trends for accepted recommendations, to help with follow-up actions.

Contents

Abbreviations

APRM ● **African Peer Review Mechanism**

AU ● **African Union**

CoE ● **Council of Europe**

CoSP ● **Conference of the States Parties**

CSOs ● **civil society organisations**

GRECO ● **Group of States against Corruption**

IACC ● **Inter-American Convention against Corruption**

ILO ● **International Labour Organization**

IRG ● **Implementation Review Group**

IRM ● **Implementation Review Mechanism**

MESICIC ● **Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption**

NGOs ● **non-governmental organisations**

OAS ● **Organization of American States**

OECD ● **Organisation for Economic Co-operation and Development**

OGP ● **Open Government Partnership**

OHCHR ● **Office of the United Nations High Commissioner for Human Rights**

SDGs ● **Sustainable Development Goals**

UNCAC ● **United Nations Convention against Corruption**

UNODC ● **United Nations Office on Drugs and Crime**

UPR ● **Universal Periodic Review**

An overview of UNCAC's review process

The UN Convention against Corruption (UNCAC) is the world's only global anti-corruption instrument with legally binding provisions,[1] having been ratified by 190 states parties to date. The Convention consists of 71 articles, spread over eight chapters, covering preventive measures, criminalisation and law enforcement, international cooperation, asset recovery, technical assistance and information exchange. Its far-reaching nature and the mandatory character of some of its provisions make it a unique tool for developing a comprehensive response to global corruption.

The main policymaking body for the Convention is the Conference of the States Parties (CoSP), which is held every two years. The CoSP gives guidance to the United Nations Office on Drugs and Crime (UNODC), which is the custodian of the Convention and acts as its Secretariat. After a lengthy negotiation process, the CoSP agreed a review process in 2010 aimed at assessing States Parties' compliance with the provisions of the Convention. UNODC is mandated to ensure the efficient functioning of this peer-review mechanism, known as the Implementation Review Mechanism (IRM). However, it is the CoSP that oversees and makes all decisions related to the IRM. A sub-group of states parties – the Implementation Review Group (IRG) – oversees the review process. The IRG identifies challenges and good practices and considers states' technical assistance requirements to ensure effective implementation of the Convention.

While not mandatory, states parties are encouraged by UNODC to involve civil society organisations (CSOs) during the completion of country reviews. CSOs are entities operating independently of the government and without commercial interest, including non-governmental organisations (NGOs), community groups, advocacy networks, professional associations, and grassroots movements.[2] The role of CSOs is recognised in the Convention: Article 13 provides a list of ways states parties should promote civil society participation. This is viewed as a way to improve transparency and accountability, and ultimately help reduce corruption. Despite the encouragement of CSO participation, several civic organisations have found it challenging to be involved in the review process. And the full findings of country reviews are not always made publicly available.

1. UNODC 2004.
2. Edwards 2004.

UNCAC is currently undergoing a second review cycle under its first review phase, which was initially expected to be completed by 2020 but has suffered a number of delays. It is now expected that approximately 70% of country reviews will have been completed by 2025. At that stage, a new phase should begin. The delays have been attributed to: the impact of the Covid-19 pandemic; length and complexity of the provisions currently under review; delays in assigning government focal points, organising in-country visits and meetings, or agreeing the executive summaries; and limited staffing at UNODC.[3]

There is a growing appetite for more transparency and civil society participation in country reviews.

Discussions have already begun about the next review phase and possible adjustments to the IRM[4] to make the reviews more effective and efficient. This includes the development of a follow-up mechanism, which the UNCAC currently lacks. Strengthening the role of CSOs in the review process is something CSOs and several governments are keen to see addressed. There is evidence of a growing appetite among some countries for more transparency and civil society participation in their country reviews. The UK IRM Initiative now has more than 60 countries signed up. These countries have specifically committed to publish country reports, develop and publish timelines for country reviews, and state how they will engage civil society in the reviews, including follow-up work. Of this group, 39 countries have also signed up to the UNCAC Coalition's Transparency Pledge.[5] The IRG has already sought the opinions of states parties, however, it has not yet provided an opportunity for CSOs to provide their perspectives on the IRM's limitations.

Therefore, it is a timely moment to assess the strengths and weaknesses of the IRM, and to compare it with similar mechanisms to learn from examples of CSO participation.

3. UNODC 2023d.
4. UNODC 2023b, 2023d.
5. UNCAC Coalition 2024.

The multilateral anti-corruption architecture

In 2003, when UNCAC was agreed, the anti-corruption community saw it as a watershed moment and the pinnacle of multilateral efforts to cooperate regionally and globally in the fight against corruption. However, UNCAC was preceded by several regional efforts. The first major regional treaty was the Inter-American Convention against Corruption (IACC) in the Americas (agreed in 1996), signed by the Organization of American States (OAS) member states. This was followed in 1997 by the agreement of the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention, designed to address the 'supply side' of corruption in international business. In 1999, the Council of Europe (CoE) adopted the Criminal and Civil Law Conventions on Corruption, and in July 2003 – five months before UNCAC was opened for signatures in Merida, Mexico – the African Union (AU) Convention on Preventing and Combating Corruption was agreed.

Table 1: Timeline of international anti-corruption agreements

Convention/treaty	Agreed	No. of states
OAS IACC	1996	34
OECD Anti-Bribery Convention	1997	46
CoE's Criminal and Civil Law Convention on Corruption	1999	47/40
AU Convention on Preventing and Combating Corruption	2003	49
Istanbul Anti-Corruption Action Plan*	2003	9
UNCAC	2003	190

* The Istanbul Anti-Corruption Action Plan is not a convention/treaty but a sub-regional peer-review programme launched in 2003 in the framework of the Anti-corruption Network for Eastern Europe and Central Asia. It supports anti-corruption reforms in Armenia, Azerbaijan, Georgia, the Kyrgyz Republic, Kazakhstan, Mongolia, Tajikistan, Ukraine and Uzbekistan through country reviews and continuous monitoring of participating countries'' implementation of recommendations to assist in the implementation of UNCAC and other international standards and best practice.

These treaties and others co-exist and, ideally, mutually support countries' commitments towards the common goal of eradicating corruption worldwide. The treaties are only as strong as their monitoring mechanisms, which track whether the states that sign up eventually incorporate their provisions into law and practice.

The IRM process is: states parties selected for review are drawn in lots, with peer reviewers assigned to each one. Typically, one peer reviewer is from the same region as the country under review, with a similar legal system. The state party designates a government focal point to oversee the review process, with up to 15 experts involved in compiling responses to the self-assessment checklist. The completed checklist and supporting materials are translated into the peer reviewers' official language before being distributed accordingly. While not mandatory, peer reviewers often conduct a country visit, meeting with designated individuals. While not obligatory, UNODC encourages states parties to involve non-state actors, such as NGOs, businesses, academics, or the media, during the completion of the checklist or during the country visit. Following the visit, peer reviewers provide an assessment report with recommendations for the state party. Negotiations take place between the state party and peer reviewers to determine the final report's language and executive summary contents. It is mandatory only to publish the executive summary on the UNODC website, translated into six official languages. The CoSP plenary discussions do not cover the report findings. The IRG holds meetings to share anonymised findings, lessons learned and best practices, but CSOs are excluded from this group.

The OAS IACC, OECD Working Group on Bribery, and Istanbul Anti-Corruption Action Plan all use a similar peer review process where states parties submit self-assessment reports which are then reviewed by other member states through an evaluation process. Compliance with the CoE's Criminal and Civil Law Convention on Corruption is assessed by the Group of States against Corruption (GRECO). Established in 1999, GRECO's signatories are expected to participate in mutual monitoring of compliance, based on written responses to a questionnaire by the states parties, and an assessment by a team of experts that GRECO appoints. The AU assesses compliance with its Convention on Preventing and Combating Corruption based on self-assessments, which are then reviewed by an Advisory Board on Corruption.

Each of these conventions has formal processes or established norms and standards, for CSO participation in the review process. This U4 Issue reviews the processes used by UNCAC for CSO inclusion and compares them with other anti-corruption treaties. It also looks at international treaties and conventions beyond the anti-

corruption space – such as the AU African Peer Review Mechanism (APRM),[6] UN human rights treaty bodies,[7] the Universal Periodic Review (UPR)[8] and International Labour Organization (ILO)[9] – to assess what examples of best practice and lessons learned could be adopted by UNCAC.

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6. The APRM is a mutually agreed instrument voluntarily used by member states of the AU as a self-monitoring initiative. Established in 2003, it now has 38 members. Its primary objective is to promote and reinforce high standards of governance across the continent through policies, standards and practices that lead to political stability, high economic growth, sustainable development, and accelerated regional and continental economic integration.

7. These are committees of independent experts that monitor implementation of the core international human rights treaties. There are ten human rights treaty bodies composed of independent experts with recognised competence in human rights, who are nominated and elected for fixed renewable terms of four years by states parties. The treaty bodies meet in Geneva, Switzerland. All the treaty bodies receive support from the Human Rights Treaties Division of the Office of the UN High Commissioner for Human Rights (OHCHR) in Geneva. For more information, see OHCHR 2024a.

8. The UPR is a mechanism of the UN Human Rights Council (HRC) that emerged from the 2005 UN reform process to periodically examine the human rights performance of all 193 UN member states. It is intended to complement, not duplicate, the work of other human rights mechanisms, including the UN human rights treaty bodies. This is the first international human rights mechanism to address all countries and all human rights. The UPR Working Group, which is composed of the HRC"s 47 member states and chaired by the HRC president, conducts country reviews. For more information, see: OHCHR 2024b.

9. Since 1919, the ILO has maintained and developed a system of international labour standards aimed at promoting opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and dignity. International labour standards are backed by a supervisory system of independent legal experts and tripartite bodies to help ensure that countries implement the conventions they ratify. According to Article 22 of the ILO Constitution, member states are obligated to report to the ILO annually, however, the frequency of the reporting cycle has been extended with the increased number of member states, with detailed reporting requirements for priority conventions and simplified requirements for others. For more information, see ILO 2024 and Van Alphen Fyfe and Fiti Sinclair 2020.

Civil society organisations face barriers to meaningful inclusion in UNCAC's review process

Civil society has long been recognised as playing an important role in reducing corruption risks. From monitoring, advocacy and oversight, whistleblower protection, and policy reform, civic-minded groups can play a pivotal role in shaping governance frameworks to be more conducive to transparency and accountability. The UNCAC text recognises the importance of CSO involvement with two mandatory provisions: Article 5 encourages participation of society in the development of anti-corruption policy; and Article 13 outlines the role that civil society and NGOs can play in the fight against corruption, such as by promoting social accountability in government decision-making processes, improving transparency, and public access to information.[10]

The UNCAC text recognises the importance of CSO involvement.

During a review process, such as UNCAC's IRM, CSOs can bring added value and offer unique insights, as they are often in a position to conduct research that governments do not. They can bring in local knowledge that peer reviewers lack, and highlight sensitive areas that otherwise would not be included in the monitoring process.[11] CSOs are independent from governments, and bring a different perspective to the monitoring process. A 2023 review of six peer review mechanisms for international conventions, conducted for UNCAC's IRG,[12] noted that '...the contributions of such stakeholders are considered to improve the quality of country reports issued by the peer review mechanisms and to help with domestic follow-up.'

UNODC supports CSO participation in the review process by delivering multi-stakeholder capacity building training on the convention, sharing examples of best practice for CSO inclusion during the reviews. The training also engages the

10. UNODC 2004.
11. UNCAC Coalition. 2023a.
12. UNODC, 2023a: 8.

government UNCAC focal point or other government representatives to support networking and relationship building. The first training was delivered in 2011, and has continued with support from the UK's Department for International Development (now called the Foreign, Commonwealth & Development Office), Austrian Development Agency (ADA), Australian Aid (AusAID), and the governments of Norway and Switzerland.[13] Training sessions were delivered in collaboration with the UNCAC Coalition, an umbrella group of anti-corruption CSOs. Evaluations of the training sessions found them to be an effective forum to support CSO capacity building and networking on UNCAC.

> **A survey of 37 CSO representatives found various challenges to their involvement in the UNCAC review process.**

Despite broad recognition of the importance of CSO perspectives for improving the quality and accuracy of the review reports, several studies found that civic organisations face barriers to being included in the review process. A survey of 37 CSO representatives, conducted as part of the research for this U4 Issue, found that many had experienced or perceived various challenges to their involvement in the review process (Table 2). Lack of awareness (62%) and knowledge (62%) about the UNCAC reviews were the most commonly cited barriers to participation, as well as resource constraints within the CSO, due to lack of time or staff for participation (49%). Several CSOs also noted governmental barriers to their participation, such as a lack of government interest in the review process (46%) or government distrust of CSOs (43%). Over half of those surveyed (51%) mentioned an inherent structural challenge as a substantial hindrance – namely, few official opportunities for CSOs to be formally engaged. More than one-third (35%) also felt that UNODC does not provide sufficient encouragement for CSO participation.

13. Dummar Frahi 2015.

Table 2: In your view, what are the main barriers to an inclusive process for the UNCAC review in your country?

Lack of CSO awareness that the review was taking place	62%
Lack of CSO knowledge about the UNCAC	62%
Few official opportunities for CSOs to be formally engaged	51%
CSOs lack the time, staffing or financial resources	49%
Lack of government interest in the review process	46%
A government or focal point that distrusts/dislikes CSOs	43%
Lack of focal point awareness that they can consult CSOs	38%
Lack of encouragement from UNODC about the role CSOs can play in the review	35%
A poorly organised peer review in-country visit	24%
Delays to the UNCAC 2nd review cycle timeline	24%
Focal point too busy/not having time to consult CSOs	24%
Only pro-government CSOs invited to participate	22%
UNCAC perceived as not relevant/not important by CSOs	22%
Government or focal point is uninterested and disengaged	3%
Nothing – no barriers	3%
Don't know	0%

Base: 37 Civil society representatives

CSOs cited their lack of information and knowledge about UNCAC and the IRM as a major barrier to their engagement. CSOs mentioned several supports that they felt could help improve this situation, including continuing with UNODC's in-person multi-stakeholder training (62%). Other possible modes of support that would be appreciated include digital resources – online self-paced courses (41%), online

webinars (38%), short, pre-recorded information videos (32%) – and sharing information via infographics and visual communications (41%).

Surveyed CSO representatives who were from a country with a review process that was either completed or ongoing tended to be divided as to how inclusive the process had been so far. They were also pessimistic about the transparency they could expect from their government about the outcomes of the IRM (Table 3). More than half (51%) felt the process had not been inclusive so far. Just over two in five (42%) felt that the self-assessment checklist was inclusive; one-third reported that their country had either already published, or intends to publish, the full country report and recommendations; and less than two in five (38%) felt their government would discuss the full findings with civil society (Table 4). Similar challenges were found by the UNCAC Coalition,[14] whose members reported difficulties accessing information before the country visit, participating during the country visits, and in any follow-up afterwards.

Table 3: Perceived inclusivity of the review cycle by CSOs in countries with completed or ongoing reviews

Very inclusive	13%
Fairly inclusive	33%
Not very inclusive	38%
Not at all inclusive	13%
Don't know	4%

Q. How inclusive of civil society perspectives, if at all, has the second UNCAC review cycle in your country been so far?

Base: 24 CSOs from countries where the review process was complete or ongoing

14. 2023a.

Table 4: Perceptions of the inclusivity and transparency of the review process

	Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Don't know
Consultations with CSOs during the completion of the self-assessment checklist by my government focal point were meaningfully inclusive	21%	21%	13%	4%	33%	8%
My country has already published or intends to publish the full country report findings and recommendations from the review	21%	13%	13%	17%	29%	8%
My country is unlikely to discuss the findings of the UNCAC review with CSOs	25%	25%	13%	17%	21%	0%

Q. To what extent do you agree or disagree with the following statements?

Base: 24 CSOs from countries where the review process was complete or ongoing

Civil society participation in the UNCAC review process: Pathways and pitfalls

With current barriers preventing CSOs' involvement in the IRM, it is important to consider how they might be more meaningfully included in the monitoring of UNCAC implementation. Considering the various steps and potential opportunities for CSO involvement in the review process, we looked at the IRM alongside other comparable instruments. We examined how the IRM fares on CSO inclusion, and where lessons might be learned to improve the process for the future.

This comparative assessment finds that the IRM provides for limited CSO involvement in country reviews. The findings show several examples of best practice from treaties in and beyond the anti-corruption space, which could inform revisions to the IRM. According to CSOs surveyed, the greatest weaknesses in the IRM process regarding CSO engagement are: lack of consultation from governments while completing the self-assessment checklist; lack of mandatory inclusion of CSOs across the whole review process; and lack of information on how CSOs can be involved (Table 5).

Table 5: Thinking about the drafting of your country's UNCAC second review cycle report…

Government not consulting CSOs for the self-assessment checklist	70%
Lack of mandatory inclusion of CSOs during the review process	59%
Accessibility of information on how CSOs can be involved	57%
Government not inviting critical CSOs for the peer reviewer CSO consultation meeting	46%
Accessibility of answers to the self-assessment checklist completed by my government	41%
Availability of information on timeline for the review process	41%
Accessibility of contact details for government focal point	38%
Government not inviting any CSOs for the peer reviewer CSO consultation meeting	27%
Accessibility of self-assessment checklist questions	24%
CSOs lacking the ability to provide written information to the peer reviewers	24%
Government present during the peer reviewer CSO consultation meeting	11%
Government invitations to peer reviewer CSO consultation meeting sent too late/with no agenda	8%
No comprehensive information was shared by the government prior to meeting	3%
Peer reviewer consultation meeting was useless: time, no agenda, translation problems, lack of attention, etc.	3%
Nothing – there are no weaknesses	5%
Don't know	5%

In your view, what are the biggest weaknesses or risks for CSO engagement in the process?

Base: 37 Civil society representatives

Review topics and assessment questionnaires

The scope of a country review is an important factor in how effective it will be. Decisions on scope could include CSOs that have the expertise to share what is

important in a specific country context. Generally, reviews that go beyond assessing legislative compliance to look further at the *de facto* situation offer more meaningful opportunities for CSO and other non-state actors to participate and have input, based on their specific fields of expertise and communities they represent.Under UNCAC's review process, the chapters under review are decided by the CoSP in plenary and voted on by consensus.[15] When balancing assessing the *de jure* or *de facto* compliance of a state party with UNCAC, the IRM has tended to look in more detail at the legislative *de jure* compliance of a state party of the Convention text. Understanding legislative gaps and the Convention is important, but knowing how the legislation is implemented in practice is crucial for assessing countries' efforts to fight corruption.

When looking at review processes for other treaties and conventions, it is not unusual for the initial focus to be on legislative compliance. However, many reviews have adapted to examine concrete policies and practices, as a meaningful development to support improved compliance with their respective convention text. One such example is GRECO's recent focus on anti-corruption and integrity policies for the police, as well improving the management of conflicts of interest and recruitment, promotion and dismissal processes.[16] This has been the experience in the GRECO process, Istanbul Anti-Corruption Action Plan,[17] OAS IACC, OECD Anti-Bribery Convention, and the ILO review of labour standards.[18]

The more recent AU APRM consistently reviewed the legislative and in-practice situation for good governance in member states. Human rights treaty bodies and UPR also assess countries' legislative and in-practice compliance. Among the treaties and conventions assessed, only the review process for the AU Convention on Preventing and Combating Corruption (which has only been completed by 13 member states), solely assesses legislative compliance rather than including the in-practice situation.[19]

In an example of best practice, the OAS Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) conducts its work in thematic cycles which are determined by their Committee of Experts (representatives from the member states who are parties to the IACC). The committee develops and publishes a draft questionnaire, which is open to the public, so CSOs may provide input.[20] For the Istanbul Anti-Corruption Action Plan, while

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15. UNODC 2023d.
16. CoE, 2024.
17. OECD 2023a.
18. van Alphen Fyfe and Fiti Sinclair 2020.
19. Senja 2018.
20. OAS 2014.

CSOs do not have a formal role in the design and decision-making around each review cycle, they are routinely consulted by the Anti-Corruption Network secretariat on the review design.

Feedback on the UNCAC review process finds that the future focus should be on the effectiveness of measures and practical implementation.

Recent feedback on the UNCAC review process from states parties to the IRG also finds general agreement that the future focus should be on the effectiveness of measures and practical implementation.[21] This also aligns with feedback received by the IRG from secretariats of other treaties on areas for improvement in the UNCAC review process.[22]

Accessibility of information about the review process

The IRM has been criticised for not providing clear and up-to-date public schedules. This would enable CSOs to understand if and when their country will be reviewed, including country visits, who the reviewers and focal points in-country are, and so on. A key challenge seems to be that there is no overarching UNCAC calendar that maps out in advance all the review dates for the current cycle. At present, country review schedules are worked out on a country-by-country basis. Of the CSOs surveyed for this U4 Issue, only 16% reported that information was easily accessible on timing for the country visit (Table 6). UNCAC states parties want a clearer schedule set from the beginning of the review cycle, rather than setting schedules for each review on a country-by-country basis. According to UNODC[23] '62 per cent of the respondents were in favour of predetermining the timelines for all reviews at the start of the review cycle, while 26 per cent preferred to keep the process as it is.'

Such a clear roadmap would also support greater CSO participation.

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21. UNODC 2023d.
22. UNODC 2023c.
23. 2023c, p.9.

Table 6: Accessibility of information on the review process

	Easily accessible	Not easily accessible	Not accessible at all	Not applicable	Don't know
Information on how CSOs can become involved in the review process	30%	38%	24%	3%	5%
The self-assessment checklist questionnaire	24%	41%	27%	3%	5%
Your government focal point's contact information	30%	35%	24%	3%	8%
Your country's peer reviewer contact information	19%	30%	35%	5%	11%
The details on the review timeline for your country	24%	43%	19%	3%	11%
The meeting information for the peer reviewer CSO consultation meeting	22%	35%	22%	3%	19%
The details of the timing for the country visit	16%	43%	19%	5%	16%

Q. Thinking about official sources such as the UNODC or your own government… how accessible would you say the following information is/was from official sources for you for the 2nd UNCAC review cycle?

Base. 37 Civil society representatives

Many of the processes used by other treaties and conventions also do not have a publicly available schedule. GRECO, AU Convention on Preventing and Combating Corruption, APRM, and Istanbul Anti-Corruption Action Plan do not provide published schedules. Neither does the ILO, although it has no in-country visits. The OECD Anti-Bribery Convention does have a calendar for the whole review cycle (indicating the month that a country visit is scheduled to take place) which is set a decade in advance and published online.[24] Similarly, OAS IACC provides a detailed schedule spanning five years, including each MESICIC review round and the indicative month when on-site visits are scheduled.

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24. OECD 2023b.

Human rights treaty bodies which provide a clear schedule mapped out in advance for the four-year review cycle.

Best practice examples are found from the human rights treaty bodies which provide a clear schedule mapped out in advance for the four-year review cycle. The UN Treaty Body Database provides up-to-date information on the status of each country's review process for human rights treaties, and upcoming submission deadlines for stakeholders and the states under review. For the UPR, the process is similarly transparent with a public calendar including key dates for CSOs to contribute, plus contact details of all Permanent Missions in Geneva to enable advocacy.[25]

UNCAC's IRM publishes the names and ministries of the governmental experts working on the reviews. However, the names or ministries of the peer reviewers are not published on the website, nor in the executive summary. Across all the other assessed conventions and treaties, none were found to publish the contact details of the government representatives or expert reviewers. However, the ILO and Office of the UN High Commissioner for Human Rights (OHCHR) provide details on how to contact the secretariates for information.

Completion of self-assessment checklist

The IRM's self-assessment checklist is a desktop exercise, completed by up to 15 governmental experts from the state party under review.[26] According to the Terms of Reference for the review, UNODC encourages CSO participation in completion of the checklist, along with consultation of other relevant stakeholders, such as the private sector. In practice, because CSO involvement is not mandatory, few CSOs report being consulted in the preparation of the self-assessment checklist. Lack of CSOs' involvement in completing the self-assessment checklist was most commonly cited by survey respondents as the biggest weakness or risk for CSO engagement in the review process (in the steps prior to a report having been compiled) – seven in ten (70%) surveyed CSO representatives mentioned this as one of the biggest challenges.

Most of the other comparable mechanisms (GRECO, Istanbul Anti-Corruption Action Plan, OAS IACC and the OECD Working Group on Bribery) also do not require CSO consultation by the member state during the completion of the self-assessment questionnaires. However, OAS IACC and the Istanbul Anti-Corruption

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25. OHCHR 2022.
26. UNODC 2011.

Action Plan explicitly invite other stakeholders (civil society, business organisations and international partners) to provide input by completing the questionnaire in parallel (OAS IACC) or via a separate stakeholder survey (Istanbul Anti-Corruption Action Plan).

As an example of best practice, the AU APRM requires that the country under review independently completes the African Peer Review (APR) self-assessment questionnaire, and also gathers input from civil society. The review country must also draft a paper outlining the nation's issues and a National Programme of Action, with clear steps and deadlines on how it plans to conform to APRM codes and standards, the African Union Charter, and UN obligations.

The Universal Periodic Review (UPR) encourages broad consultation by countries submitting their self-assessments. The template for the country report suggests inclusion of information on any consultations held, including with National Human Rights Institutions and civil society.

As part of its regular supervision system, the ILO also requires that member states consult employer and worker organisations when writing reports on ratified conventions. The draft reports must also be sent to employers and workers' organisations for their review and feedback. These groups either provide their feedback within the report itself or send their comments to the ILO directly.[27]

Reviewers' consultations with CSOs during the country visit

Under UNCAC's IRM, in-person country visits are optional, but they are included in most reviews. Several review mechanisms – GRECO, Istanbul Anti-Corruption Action Plan, MESICIC and the OECD Working Group on Bribery – include *mandatory* country visits. Country visits allow reviewers more access to facts on the ground and would seem a necessary, (albeit not sufficient), condition to facilitate non-governmental input into the process.

During a country visit, it is not mandatory that the peer reviewers meet with CSOs, but this is encouraged by UNODC.

27. van Alphen Fyfe and Fiti Sinclair 2020.

During a country visit, it is not mandatory that the peer reviewers meet with CSOs, but this is *encouraged* by UNODC. The UNODC's suggested agenda template for country visits includes a meeting with CSOs. The UNCAC review guidelines say that 'the schedule and requirements of each country review shall be established by the secretariat in consultation with the reviewing States parties' but that 'States parties are encouraged to facilitate engagement with all relevant national stakeholders in the course of a country visit'.[28] In practice, UNODC does not recommend which CSOs should be included in the review process.

Where country visits do take place, UNODC affirms that peer-reviewers usually meet with non-state actors – UNODC[29] cites 95% country visits involving non-state actors, which can involve civil society, the private sector, and academia. In reality, UNODC provides no information on the format, quality and outcomes of these consultations. The UNODC website states whether non-state actors were consulted as part of the review, but they do not publish how many CSOs were consulted compared with the number of other groups such as private sector stakeholders, academics, or media representatives who were consulted. Providing disaggregated data in the country's executive summary report would allow readers to understand whether the consultation was merely a 'tick-box exercise' or a comprehensive consultation. Just over a quarter (27%) of the CSOs surveyed for this report said that one of the major challenges of the review process was that the government could decide not to invite any CSOs.

Another limitation is that, rather than allowing peer reviewers or UNODC to request the participation of specific CSOs with relevant expertise, the state party under review is responsible for deciding which CSOs should be invited to the meetings with peer reviewers. In contexts that repress free speech or are distrustful of civil society, this is a weakness that limits the peer review team's access to critical views. Just under half of the surveyed CSOs (46%) reported that a major challenge to the UNCAC review process was that their government would not invite critical CSOs to the meeting.

Also, UNODC does not mandate specific requirements for the format and modes for CSO consultations and their locations. Some CSOs interviewed for this study reported that the meetings took place in government offices with government officials present. One in nine of the surveyed CSOs (11%) reported that the government focal point presence during the meeting with peer reviewers was one of the major challenges to the review process.

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28. UNODC 2011.
29. 2023b.

Other review mechanisms handle this more sensitively. For example, during the OAS IACC on-site visits, the review teams engage with CSOs as standard practice (although not explicitly required). The review team typically meets with government officials, institutions responsible for anti-corruption measures, and other stakeholders. CSO panels are held without government representatives present to allow for open and frank discussions.

The OECD Anti-Bribery Convention's compulsory on-site visit includes panels with CSOs to obtain their views on awareness, implementation, and enforcement of the Convention's provisions. Prior to any visit, the OECD publishes a call for expressions of interest from relevant civil society and private sector representatives to participate in the on-site visit in the evaluated country. However, it remains at the authorities' discretion which parties are invited to participate, and whether or not government representatives remain present throughout the sessions. The monitoring guidelines specify that 'the evaluated country may attend, but should not intervene during the course of non-government panels'.[30]

During their in-country missions, the AU APRM country review teams also conduct broad-based consultations with government, officials, political parties, parliamentarians, the private sector, and CSO representatives (for example, media, academia, trade unions, professional bodies).

For GRECO's review process, the country visit is undertaken by the evaluation team. The country under review is responsible for proposing interlocutors. However, and as an example of best practice, the evaluation teams first undertake an extensive desk review and propose additional stakeholders to speak with if the country does not include them on their proposed list.

The Istanbul Anti-Corruption Action Plan includes compulsory country visits where CSO panels are held openly and frankly without government representatives present. The Anti-Corruption Network secretariat is responsible for organising special panels with NGO representatives, and business and international partners engaged in anti-corruption and good governance activities in the country. The national coordinator may suggest to the secretariat to invite relevant NGOs, experts, academia, business, or foreign partners to these sessions. Government officials *cannot take part* in these special panels.

Human rights treaty bodies also engage with CSOs during on-site visits as part of their review process. Most often these meetings are held without government representatives. The treaty bodies also use another important mechanism for CSO inclusion – pre-sessional working groups. These are confidential, interactive

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30. OECD 2023.

meetings between the expert committee and UN bodies and specialised agencies, NGOs and National Human Rights Institutions. The pre-sessional working group provides an opportunity for dialogue with non-state partners regarding implementation of the convention in question.

The UPR process does not involve on-site visits by reviewers, as the entire review process takes place in Geneva, Switzerland, during the UPR Working Group sessions. The ILO also does not include country visits it its regular supervision system. However, Commissions of Inquiry which are investigative in nature do involve fact-finding missions that are completely independent from state cooperation and involve witness examinations and on-site visits.

Submission of information by CSOs

In the UNCAC review process, peer reviewers can only consider information provided to them by the state party under review. While the state can provide CSO reports as sources, CSOs are not allowed to directly provide written submissions to the peer reviewers. Also, peer reviewers cannot directly request information from CSOs.

This is in stark contrast to the processes used by the OAS IACC, OECD Anti-Bribery Convention, GRECO, Istanbul Anti-Corruption Action Plan, human rights treaty bodies, UPR, and ILO, which all welcome written CSO submissions. In an example of best practice, when launching a new evaluation, the OECD publishes a call for written submissions on the evaluated country. Any submissions received from interested parties are shared with the OECD Working Group on Bribery. The submitted reports are used to inform the evaluation process, and are subsequently published on the OECD website, (subject to agreement from the evaluated country).

GRECO's expert reviewers consult with a wide range of literature during their desk review, including reports from CSOs. As a norm, peer reviewers make specific requests to meet with identified CSOs during the country visits. Outside the country visit, these CSOs may also send confidential written reports to the reviewers.

The human rights treaty bodies also expressly invite direct written submissions from CSOs to the expert country report committee. CSOs can ask for their inputs to be confidential or public. Those designated as public are published directly on the treaty bodies' database alongside country reports. For the UPR, NGOs can submit information that can be added to the 'other stakeholders' report. These submissions are also published on the OHCHR website. At the working group meeting to consider the country review, information provided by NGOs can be referred to by any of the states taking part in the review discussion.

As an example of best practice, MESICIC explicitly encourages CSOs to prepare an alternative report using the same self-assessment questionnaire that is completed by the state under review. If deemed relevant by MESICIC's Committee of Experts, comments contained in reports submitted by CSOs are incorporated in the review reports.[31] Since the fifth review round,[32] the Istanbul Anti-Corruption monitoring guidance explicitly prescribes how CSO perspectives are to be included in each country report. Each of the nine thematic chapters of the report include a section analysing non-governmental stakeholders' opinions about the country's performance under a range of areas. In practice, our review found that the NGO part of each chapter tends to be a short summary and is not referenced to particular organisations.

As part of the ILO's regular system of supervision, employers' and workers' organisations may comment on draft reports. If not included directly in the report, comments can be sent to either of the two main ILO bodies: the Committee of Experts on the Application of Conventions and Recommendations; and the International Labour Conference Tripartite Committee on the Application of Standards. Concerns are generally included anonymously in feedback from the Committee of Experts to the member state as either observational comments or direct requests.

31. OAS 2020.
32. 2022.

Transparency of UNCAC review outcomes

Information on the outcomes of the IRM are critical for the effectiveness and usefulness of the review. This also encourages dialogue and in-country policy debate on needed anti-corruption reforms. The IRM is more restrictive than other treaties and conventions about what information is shared, and CSOs have identified barriers to accessing information after reviews are complete (Table 7).

Table 7: Thinking about once the country report has been drafted…

Lack of follow-up mechanism in place to monitor implementation of recommendations	62%
Self-assessment checklist not published	57%
Lack of publication of CSO shadow reports on UNODC website	51%
No official forum to discuss the UNCAC country report findings	51%
No mechanism for CSOs to submit complaints regarding the content of the country report	46%
Lack of announcement that the country report executive summary has been published	43%
Lack of requirement for the full report to be published	43%
Accessibility of information on which CSOs were consulted	38%
Delays in publishing the country report executive summary	32%
Lack of CSO participation in the Conference of the States Parties	32%
Accessibility of information on whether CSOs were consulted or not	22%
Don't know	5%

In your view, what are the biggest weaknesses or risks for CSO engagement in the process?

Base. 37 Civil society representatives

Publication of reports, summaries and recommendations

Publishing country reports creates transparency around implementation of international standards. It is also an opportunity for public stakeholder involvement and better local follow-up.[33] Under the Terms of Reference for UNCAC's review mechanism, country reports remain confidential unless the state under review decides to publish the report. However, executive summaries must be published after translation into the six official UN languages.[34]

> **Publishing country reports creates transparency and is an opportunity for public stakeholder involvement and better local follow-up.**

According to UNODC,[35] for the first review cycle, 185 states parties submitted their responses to the self-assessment checklist to the secretariat, 163 country visits were held, and 175 executive summaries and 164 country reports were completed. According to one UNODC interviewee, 91 country reports were published under the first round. While difficult to verify (no tabular data is presented on UNODC's website, only individual country pages), this aligns with information collated by the UNCAC Coalition in their UNCAC Review Status Tracker.[36] Meanwhile, according to UNODC, by September 2023 (for the second cycle), 158 states parties submitted their self-assessment checklist responses to the secretariat. Also, 114 direct dialogues were held (including 107 country visits, online visits or hybrid formats, and seven joint meetings), and approximately 95% involved other stakeholders. One UNODC interviewee reported that 73 executive summaries and 47 country review reports were completed and 34 full reports have been published to date.

This contrasts with the process used by most other treaties and conventions assessed. The OAS IACC, OECD, GRECO, APRM, UPR, Istanbul Anti-Corruption Action Plan, and human rights treaties bodies all publish the full reports. The ILO publishes the Committee of Experts' direct and observational comments, which include the most critical and concerning issues found.

33. UNODC 2023a.
34. UNODC 2011.
35. 2023b.
36. UNCAC Coalition 2022b.

On publication of each country report, the OECD Working Group issues a press release to draw attention to the recommendations.

As an example of best practice, on publication of each country report, the OECD Working Group issues a press release to draw attention to the recommendations. These press releases serve as a tool for transparency and public accountability, encouraging the reviewed countries, civil society, and the international community to support and monitor the implementation of anti-bribery measures.

The AU APRM requires that, within six months after the peer review, the published country review report must be tabled in sub-regional institutions such as the Pan-African Parliament, African Commission on Human and Peoples' Rights, AU Peace & Security Council, or the Economic, Social & Cultural Council of the African Union. The report is then made publicly available.

Publication of information on involvement of non-state actors

UNCAC's IRM does not publish which non-state actors were involved in a country review. The UNODC website merely says whether a review involved non-state actors, but neither the number, type of non-state actor, nor their names are mentioned on the website or in the executive summary report.

This is mostly at odds with the common practice of the other treaty bodies. The OAS, OECD, GRECO, APRM (mostly), UPR and ILO all include the names of those organisations that contributed to the review process, typically in an annex to the full report (which is also published). The APRM's reports do not appear to use a standard format, so this information is not always consistently included. For the Istanbul Anti-Corruption Action Plan, it is optional whether the number and names of the CSOs consulted are included or not. The human rights treaty bodies do not include the list of CSOs in the annex, but their submissions are included in a searchable and public database. This allows interested parties to identify the scope and depth of non-state actor involvement.

Discussion of review findings in plenary with CSOs present

Civil society is prohibited from participating in CoSP subsidiary bodies, including UNCAC's IRG. The CoSP plenary is the only UNCAC formal platform that civil society can apply for and be granted observer status to attend meetings of states parties. These take place every two years. While states parties can object to the

participation of specific CSOs, in the latest CoSP10, the plenary held a landmark vote on the participation of two NGOs that Azerbaijan objected to.[37] During the Conference, states parties provide updates on the progress of their country reviews, including the involvement of civil society and other stakeholders. Under each CoSP plenary agenda item, CSOs can only speak 'following member states, entities and intergovernmental organizations'. Side events are held where civil society can present and speak. The findings of the country review reports are not discussed in plenary.

The annual NGO briefing is the only formal opportunity for civil society representatives to engage with the UNCAC secretariat (UNODC) and representatives of states parties in-between sessions of the UNCAC CoSPs. NGO representatives can pose questions to the UNCAC Secretariat, highlight their UNCAC-related work, general findings and concerns, and engage with participating states parties' representatives. The secretariat briefs participants on the UNCAC review mechanism and on thematic reports on the implementation of the Convention. No country-specific information is discussed.

Other relevant discussions on implementation of the Convention, (which civil society are excluded from), include the Expert Meeting on International Cooperation, Working Group on Prevention and the Asset Recovery Working Group. These subsidiary bodies are responsible for assisting and advising the CoSP in the implementation of its mandates on specific chapters of the Convention. Participants can exchange information on current good practices, and existing and emerging challenges related to the implementation of Chapter V of the Convention. Their recommendations are presented to the Conference. Reports analysing the information gathered from states parties are published on the UNODC website.

Unlike other treaties, such as the APRM, GRECO, the OAS IACC, OECD Anti-Bribery Convention, Istanbul Anti-Corruption Action Plan, human rights treaty bodies, and the UPR, the findings of the UNCAC country reports or executive summaries are not discussed in plenary or a group setting before the reports are finalised. Reports are finalised based only on negotiation between the state party and the peer reviewers. However, many of the other treaties and conventions do not make plenary discussions accessible to CSOs to share their views and comment. When CSOs are permitted in these meetings, it is only as observers.

In an example of best practice, CSOs registered with OAS IACC may attend a pre-sessional meeting held in advance of the Committee's plenary session. CSOs can table documents that they have previously submitted for the preparation of the

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37. UNCAC Coalition 2023b.

country review report. They can also participate in bilateral consultations among the monitoring team and the country's delegation. However, plenary sessions of the Committee of Experts are primarily attended by the experts (review teams) themselves, who are representatives appointed by the OAS member states.[38] At these sessions, draft reports are discussed and finalised. Accredited CSOs can be granted observer status, which allows them to attend the plenary sessions. This status does not include the right to speak or directly participate in the discussions.

For the Istanbul Anti-Corruption Action Plan, CSOs are able to participate in plenary discussions about the report findings. And, since the third-round monitoring methodology (2012 onwards), representatives of civil society may participate in these bilateral consultations, unless the experts and delegation of the monitored country make a relevant objection. CSO representatives can also take part in the plenary meeting, including presenting their opinions and proposing amendments to the draft monitoring report.

For human rights treaty bodies, CSOs cannot speak during plenary discussions, but are able to speak during the pre-sessional working group: a confidential meeting between the Committee, UN bodies and specialised agencies, NGOs, National Human Rights Institutions, and children's rights organisations, which is an important way for CSOs to have their voices heard. Treaty bodies' public sessions, including interactive dialogues with states, and contributions from non-state actors, are webcast and archived on the UN Web TV and the OHCHR website.

For UPR Working Group sessions where the country's report is discussed, only UN member states can take the floor. However, CSOs with UN Economic and Social Council status can be present in the room. UPR NGOs can also attend the UPR Working Group sessions as observers. They can make statements at the regular session of the Human Rights Council when the final report and outcomes of the state reviews are considered. An empirical study[39] analysing the extent of CSO influence on UPR recommendations concluded that official UPR state recommendations strongly reflect perspectives and themes contained in CSOs' recommendations.

The ILO has several opportunities for advocates for employers and workers to discuss and comment on findings. The Committee of Experts compiles the findings from its assessments in an annual report, which is submitted to the International Labour Conference, where it is examined by the Conference Committee on the Application of Standards. This Committee includes delegates from government, employers', and workers' groups. The Committee makes recommendations and

38. UNODC 2023a.
39. McMahon et al, 2013.

advises on options for technical support or further investigations. Discussions on the general survey findings also allow time for initial remarks from the employer and worker spokespersons. The Committee of Experts provides a list of cases for discussion by the Committee on the Application of Standards, with the possibility of further investigation. The list of cases is discussed and adopted at a meeting of the employers' and workers' groups.

Making the reviews more meaningful: Follow-up on review recommendations

Currently, the IRM does not contain a follow-up mechanism to establish a process for states parties to provide an update on the status of recommendations from the previous review cycle. The IRG has begun to discuss procedures and requirements for any follow-up mechanism,[40] as this comes with states parties' perceptions that follow-up is one of the IRM's main weaknesses. Forty-six states responded to UNODC's 2023 survey of states parties on lessons learned and potential areas for improving the IRM. The survey states that 'many States Parties found that the main weakness of the Mechanism was the lack of a clearly defined follow-up procedure, as contemplated in paragraph 40 of the Terms of Reference, which refers to a subsequent review phase. Several States parties also found detrimental the non-enforceable nature of the recommendations and the lack of tools to engage unresponsive countries in their reviews'.[41] Many of the CSOs that were surveyed for this U4 Issue felt that the lack of structured follow-up on recommendations in country reviews weakens the IRM and UNCAC compliance. Seven in ten (70%) said it was one of the main limitations of the IRM for supporting CSO participation and engagement with the finalised reports.

> **Many CSOs felt that the lack of structured follow-up weakens UNCAC compliance.**

As pointed out in a UNCAC Coalition[42] submission to the IRG, the IRM is comparatively weak on follow-up processes compared to other similar mechanisms.

In each round of the OAS IACC review, the MESICIC follows up recommendations made to each state in previous rounds. The aim is to assess the review country's implementation of recommendations and progress in combating corruption. States are also required to submit annual progress reports to the secretariat. Similarly, GRECO evaluation reports contain specific recommendations to improve compliance. They also include a deadline for countries to report back on

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40. UNODC 2023e.
41. UNODC 2023c: p.4
42. 2023.

implementation. The Open Government Partnership (OGP) Independent Reporting Mechanism also has good practices for evaluating whether countries are meeting their OGP national action plans, including focus on learning, assessing the level and quality of stakeholder collaboration, and producing a results report.

The OECD Working Group on Bribery is well recognised for its robust follow-up on recommendations. This is achieved in various ways, including revisiting recommendations from earlier phases during the subsequent review cycle. A list of 'additional measures' is at the Working Group's disposal to put sustained pressure on states and penalise lack of follow-up. The additional measures include publicly pointing out insufficient follow-up activities, sending high-level letters to the State party under review, undertaking high-level, technical missions to the capital if the implementation record does not improve, and ultimately suspending the country from the next phase of the monitoring process. Interviewees noted that countries do feel pressure to implement recommendations and tend to take follow-up actions seriously. The OECD Anti-Bribery Convention plans to publish a live dashboard showing the status of recommendations, which would put further pressure on countries to take action.

The Istanbul Anti-Corruption Action Plan has historically provided for follow-up on recommendations, as countries are required to present progress updates at each subsequent plenary meeting. CSOs are invited to contribute to discussions about these updates or to present their own reports on implementation of recommendations. After the plenary discussion, the CSO updates are published on the Anti-Corruption Network website.[43] It is not clear if these progress updates will continue now that the Istanbul Anti-Corruption Action Plan has adopted a revised methodology and moved to a new cycle, where each country is reviewed annually.

The AU Convention on Preventing and Combating Corruption also includes provisions for a follow-up mechanism by an advisory board of 11 members elected by the AU Executive Council. The advisory board is responsible for promoting anti-corruption work. It collects information on corruption and on the behaviour of multinational corporations operating in Africa. It also advises government, builds partnerships, and develops methodologies and codes of conduct for public officials. Each state party must also submit an annual progress report to the AU Executive Council.[44]

The APRM has formalised follow-up via the second-generation review process, which appraises progress made since the base review. The National Programme of

43. OECD 2023.
44. Dell 2006.

Action is divided into short-, medium- and long-term goals, and is continuously monitored by the National Governance Commission, the Governing Council, or a smaller body of state and non-state representatives. Annual progress reports on recommendation implementation are presented to the APR Forum. The APR secretariat follows up on commitments made, holds regional workshops to share best practices identified in the reviews, and offers technical support to fulfil APRM plans.

For human rights treaty bodies, most committees do not have a formal follow-up procedure to allow for periodic assessment of recommendation implementation. Rather, the Committee expects that state parties' subsequent reports will outline follow-up measures that address issues identified in the previous report. Some treaty bodies are more proactive on than others – for example, the Committee against Torture requests follow-up information from states parties within one year for urgent recommendations. The Committee on Economic, Social and Cultural Rights also asks states parties to report back on priority recommendations within a specified period, typically 18 months. A rapporteur is usually appointed to review recommendations and follow-up submissions.

The UPR follow-up process contains several examples of best practice.

For the UPR, the follow-up process contains several examples of best practice. Halfway through the cycle, the state under review is expected to submit a midterm report on UPR implementation. Since 2017, to facilitate engagement with states in the UPR, OHCHR uses its website to make available for each reviewed country: 1) a letter by the High Commissioner for Human Rights to the Minister of Foreign Affairs with an annex containing ten to 15 areas that the High Commissioner requires the state to action over the next four-and-a-half to five years, and before the next UPR cycle; 2) a matrix of thematically clustered accepted and noted recommendations, which detail what the state has agreed to act on following the review (immediately or at a later stage); and 3) an infographic showing trends between the second and third cycle in terms of received and accepted recommendations, linking recommendations to specific Sustainable Development Goals (SDGs), most notably SDG 16, SDG 10, SDG 8, SDG 5 and SDG 4. These country-specific infographics are a simple visualisation of how far a country has come in implementing the recommendations from the previous cycle.[45] These documents are helpful for advocacy on human rights policies and actions. In 2022, OHCHR launched a National Recommendations

45. For an example of such an infographic, see OHCHR 2019.

Tracking Database, a free online application designed to help states plan and track progress on their human rights obligations and SDGs. The database covers all recommendations from UN human rights mechanisms (treaty bodies, special procedures and the UPR) for the relevant country.[46]

ILO has extended member states' reporting requirements to include recommendations and non-ratified conventions as requested by the governing body, and also details of any difficulties that prevented ratification. Annual reports from the Committee of Experts provide updates on what new information was submitted by the member states and which states failed to report or provide updates to the required schedule.

46. See https://nrtd.ohchr.org/en

How to make UNCAC's review mechanism more inclusive

Recommendations to the Conference of the States Parties (CoSP) and Implementation Review Group (IRG):

1. **Focus on practical implementation**
   In the next review cycle, shift from evaluating legislative frameworks to examining the practical implementation of anti-corruption measures. Civil society can play a crucial role by contributing its expertise and on-the-ground experience to identify challenges and highlight impactful practices.

2. **Midterm evaluation of terms of reference**
   Conduct a midterm review of the Implementation Review Mechanism's (IRM) Terms of Reference. This evaluation should address delays in the review process and assess challenges in engaging civil society, ensuring that these lessons inform the design of the next review phase.

3. **Set a global review schedule**
   Establish and regularly update a global review schedule at the beginning of the review cycle. This approach will ensure transparency, consistency, and predictability compared to the current country-by-country scheduling process.

4. **Increase visibility of country reports**
   Add the discussion of UNCAC country report executive summaries to the IRG agenda to promote transparency and the sharing of best practices. The agenda should list the reports to be discussed and consider regional plenaries to manage the large number of states parties. This will improve accessibility and facilitate targeted discussions.

5. **Enable NGO participation**
   Allow non-governmental organisations (NGOs) to present their findings on countries under review directly to the IRG. Such participation will enhance the comprehensiveness of reviews.

6. **Establish follow-up mechanisms**
   CoSP should establish robust mechanisms to monitor the implementation of recommendations from previous review cycles. States parties should regularly report on actions taken to address these recommendations, ensuring that reviews

drive meaningful reforms.

Recommendations to UNODC:

1. **Ensure CSO access to review timetables**
   Since states parties are responsible for inviting civil society organisations (CSOs) to participate in the review process, UNODC should support this by publishing and regularly updating review calendars prominently on its website. UNODC should also issue public notifications about upcoming country visits to give CSOs the opportunity to engage.

2. **Revise executive summary templates**
   Update the executive summary template to include a section listing NGOs consulted during the review process (with their consent) and detailing how they contributed. This will increase transparency and demonstrate the value of civil society engagement.

3. **Encourage inclusive CSO engagement**
   Provide specific guidance to states parties on how to involve diverse CSOs, including those representing women and marginalised communities. Ensure that meetings with peer reviewers are private, held in neutral locations, and scheduled with sufficient notice to allow CSOs to prepare effectively.

4. **Raise awareness of review findings**
   Issue press releases whenever a country's review report or executive summary is published. This simple communication tool can raise awareness, encourage public discussion, and generate momentum for implementing the recommendations.

5. **Facilitate NGO written submissions**
   Actively encourage NGOs to submit written inputs by forwarding these submissions to peer reviewers via the UNODC secretariat. This streamlined process will ensure that NGOs can confidentially contribute to the review process.

6. **Adopt better communication tools**
   Develop visual tools, such as infographics or dashboards, to track progress on recommendations and make information accessible and actionable.

7. **Promote full report publication**
   Encourage states parties to publish their full review reports by making this the default ("opt-out") approach rather than optional ("opt-in"). This shift will promote greater transparency and accountability.

8. **Support CSO capacity building**
   Continue efforts to strengthen CSO engagement in the review process through training programmes, both in person and online. Expand the use of webinars, short videos, and visual resources to improve accessibility and understanding.

Collaboration with the UNCAC Coalition should be maintained to maximise support for civil society participation.

9. **Enhance knowledge-sharing across treaties**
   Facilitate cross-learning between UNCAC and other treaties or conventions to promote consistent civil society engagement. This can lead to stronger accountability mechanisms and more effective anti-corruption outcomes across frameworks.

Recommendations to CSOs:

1. **Advocate for realistic improvements to the IRM**
   Ensure that advocacy requests to UNODC and IRG are reflective of their specific mandates and the challenges in gaining consensus support from the CoSP when several signatories do not support civic engagement.

2. **Build alliance of states parties to support transparency asks**
   Call on states parties who value civic space to set new norms for transparency and openness for the review process. Request that these states parties call on the IRG and UNODC to support improvements to the IRM which do not need to be voted on by the CoSP.

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