

4. Corruption [43]

Commitment:

“We call for the ratification of the United Nations Convention against Corruption (UNCAC) by all countries and a strong and consistent follow-up of the Bali Conference by ensuring effective implementation of the UNCAC, including the development of a review mechanism.”

G8 Leaders Declaration on the World Economy

Assessment:

Compliance Score

Country	Lack of Compliance -1	Work in Progress 0	Full Compliance +1
Canada			+1
France			+1
Germany		0	
Italy		0	
Japan		0	
Russia			+1
United Kingdom			+1
United States			+1
European Union			+1
Average Score			+0.67

Background:

At the Evian Summit in 2003, the G8 recognized corruption as an important global issue, declaring a “determination to fight corruption and mismanagement of public resources in both revenue raising and expenditures.”³⁴³ Since then, the G8 has promoted the United Nations Convention against Corruption (UNCAC) as a key instrument for combating corruption.

The UNCAC lays out standards or legal and regulatory systems, designed to prevent and punish corruption, and to facilitate “international cooperation and technical assistance in the prevention of and fight against corruption, including asset recovery.”³⁴⁴ The following table illustrates the G8 members’ commitment to the UNCAC thus far:

³⁴³ Fighting Corruption and Improving Transparency: A G8 Declaration, G8 Information Centre (Toronto) 2 June 2003. Date of Access: 2 January 2009.

http://www.g7.utoronto.ca/summit/2003evian/corruption_en.html.

³⁴⁴ United Nations Convention Against Corruption. United Nations Office on Drugs and Crime (Vienna) Date of Access: 2 January 2009.

http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

G8 Member	Signature	Ratification, Approval (a)
Canada	21 May 2004	2 October 2007
European Community	15 September 2005	12 November 2008 (a)
France	9 December 2003	11 July 2005
Germany	9 December 2003	
Italy	9 December 2003	
Japan	9 December 2003	
Russia	9 December 2003	9 May 2006
United Kingdom	9 December 2003	9 February 2006
United States	9 December 2003	30 October 2006

Over 100 state parties of the UNCAC participated in the Bali Conference to Strengthen Integrity and Fight Corruption, held in Indonesia from 28 January to 1 February 2008.³⁴⁵ This meeting emphasized the responsibility state parties have to each other in the fight against corruption and highlighted the need for further international cooperation.³⁴⁶ During the Conference, Antonio Maria Costa, executive director of the United Nations Office on Drugs and Crime, highlighted the importance of a review mechanism, stating: “An effective review mechanism will ensure that this powerful piece of international law lives up to its potential.”³⁴⁷

The UNCAC review mechanism was proposed in 2006, at the first session of the Conference of States Parties to the UNCAC in Jordan, to help members assess their progress in implementing the treaty.³⁴⁸ The leaders established an intergovernmental working group that has since met several times, and reported back to the Second Conference of States Parties to the UNCAC early in 2008. The working group met again in September and December of 2008.³⁴⁹

Commitment Features:

The commitment calls on G8 members that have not already done so to ratify the UNCAC. Since ratifying the UNCAC is not an incremental process, but a one-off action, ratifications that took place before the Hokkaido-Toyako Summit are acceptable compliance.

The commitment also speaks of the creation of a review mechanism for the UNCAC. Work on the review mechanism has been delegated to the Open-ended Intergovernmental

³⁴⁵ Bali Conference to Strengthen Integrity and Fight Corruption (Vienna) 15 January 2008. Date of Access: 17 December 2008. <http://www.unodc.org/unodc/en/press/releases/2008-01-15.html>.

³⁴⁶ Bali Conference to Strengthen Integrity and Fight Corruption (Vienna) 15 January 2008. Date of Access: 17 December 2008. <http://www.unodc.org/unodc/en/press/releases/2008-01-15.html>.

³⁴⁷ Bali Conference to Strengthen Integrity and Fight Corruption (Vienna) 15 January 2008. Date of Access: 17 December 2008. <http://www.unodc.org/unodc/en/press/releases/2008-01-15.html>.

³⁴⁸ Open-ended Intergovernmental Working Group on the Review of the Implementation of the United Nations Convention against Corruption, United Nations Office on Drugs and Crime. Date of Access: 13 January 2009. <http://www.unodc.org/unodc/en/treaties/CAC/working-group1.html>.

³⁴⁹ Open-ended Intergovernmental Working Group on the Review of the Implementation of the United Nations Convention against Corruption, United Nations Office on Drugs and Crime. Date of Access: 13 January 2009. <http://www.unodc.org/unodc/en/treaties/CAC/working-group1.html>.

Working Group on the Review of the Implementation of the UNCAC, so the commitment is understood to compel G8 members to attend meetings of that working group. At this time, two meetings have taken place in this compliance cycle. For full compliance, G8 members must ratify (or have already ratified) the UNCAC, and attend all meetings of the intergovernmental working group this compliance cycle.

Scoring:

-1	Member does not ratify the UNCAC, before or during the compliance period. Additionally, member does not attend any meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.
0	Member ratifies, or has already, the UNCAC OR member attends at least one meeting of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.
+1	Member ratifies, or has already ratified, the UNCAC AND attends at least one meeting of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.

Lead Analyst: Shiva Logarajah

Canada: +1

Canada has fully complied with its commitment to ratify the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism. The Canadian Government ratified the UNCAC in October 2007.³⁵⁰

Moreover, Canada has attended all recent meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC. On 22-24 September 2008, five representatives from the Canadian government attended the Second Intersessional Meeting on the Review of the Implementation of the UNCAC held in Vienna.³⁵¹ Four officials attended the Third Intersessional Meeting, also held in Vienna, 15-17 December 2008.³⁵² Canada also sent a delegation to the Fourth and final Intersessional meeting held in Vienna from 11-13 May 2009.³⁵³

³⁵⁰ Canada Ratifies the United Nations Convention Against Corruption. Transparency International (Toronto) 2 October 2007. Date of Access: 2 January 2009.
<http://www.transparency.ca/Reports/Press/20071007-TI%20Canada%20Ratifies%20the%20United%20Nations%20Convention%20Against%20Corruption.pdf>.

³⁵¹ Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Second Meeting (Vienna) 24 September 2008 . Date of Access: 2 January 2009.
<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

³⁵² Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Third Meeting (Vienna) 17

Thus, Canada has been awarded a score of +1 for having already ratified UNCAC, and for continuing to participate in Working Group meetings on the review mechanism.

Analyst: Kabilan Kanagalingam

France: +1

France has fully complied with its commitment to ratify the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism. France was the first G8 member to ratify the UNCAC, on 11 July 2005.³⁵⁴

Further, the French government has attended all the meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC. On 22-24 September 2008, French representatives attended the Second Intersessional Meeting on the Review of the Implementation of the UNCAC held in Vienna, Austria, as well as the Third Intersessional Meeting held in Vienna again on 15-17 December 2008.³⁵⁵ France also sent a three person delegation to the Fourth and Final Intersessional Meeting on the Review of the Implementation of the UNCAC held in Vienna from 11-13 May 2009.³⁵⁶

At the Second Intersessional Meeting, one French representative stated that France “favours the establishment of a strong and effective mechanism to assist the Conference in promoting and monitoring the implementation of the Convention.”³⁵⁷ Following up on

December 2008. Date of Access: 2 January 2009.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/15-17December/2008-12-17 - FINAL LoP - Review of Implementation.pdf>.

³⁵³ Official List of Participants in Open-Ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Fourth Intersessional meeting (Vienna) 13 May 2009. Date of Access: 19 May 2009.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/2009-May-11-13/LOP.pdf>

³⁵⁴ Signatories to the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 9 December 2008. Date of Access: 9 December 2008.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

³⁵⁵ Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Second Meeting (Vienna) 24 September 2008 . Date of Access: 2 January 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Third Meeting (Vienna) 17 December 2008. Date of Access: 2 January 2009 <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/15-17December/2008-12-17 - FINAL LoP - Review of Implementation.pdf>.

³⁵⁶ Official List of Participants in Open-Ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Fourth Intersessional meeting (Vienna) 13 May 2009. Date of Access: 19 May 2009.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/2009-May-11-13/LOP.pdf>

³⁵⁷ Proposals and contributions received from Governments for the terms of Reference of a Mechanism for Reviewing the Implementation of the UNCAC, United Nations (Vienna) 24 September 2008. Date of Access: 10 December 2008.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0855575e.pdf>.

that statement, France submitted a proposal for the creation of an UNCAC review mechanism, based on a current self-assessment checklist, subject to verification by a panel of experts.³⁵⁸

Thus, France has been awarded a score of +1 for ratifying and implementing the UNCAC, for attending all the meetings of the Open-ended Intergovernmental Working Group held in the current compliance cycle, and for actively pursuing an effective review mechanism for the UNCAC.

Analyst: Hélène Smertnik

Germany: 0

Germany has partially complied with its commitment to ratify the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism. The German government signed the UNCAC on 9 December 2003, but it has yet to take any action towards its ratification.³⁵⁹

Germany has, however, attended all the meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC. From 22-24 September 2008, Germany attended the Second Intersessional Meeting on the Review of the Implementation of the UNCAC as an observer state.³⁶⁰ At the meeting, Germany submitted a proposal for the design of the review mechanism based on its experience with the OECD Working Group on Corruption and the Group of States Against Corruption.³⁶¹

German delegates also attended the Third Intersessional Meeting on the Review of the Implementation of the UNCAC held in Vienna on 15-17 December 2008.³⁶² Finally,

³⁵⁸ Proposals and contributions received from Governments for the terms of Reference of a Mechanism for Reviewing the Implementation of the UNCAC, United Nations (Vienna) 24 September 2008. Date of Access: 10 December 2008.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0855575e.pdf>.

³⁵⁹ Signatories to the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 9 December 2008. Date of Access: 9 December 2008.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

³⁶⁰ Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Second Meeting (Vienna) 24 September 2008. Date of Access: 2 January 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

³⁶¹ Proposals and contributions received from Governments for the terms of Reference of a Mechanism for Reviewing the Implementation of the United Nations Convention Against Corruption, United Nations (Vienna) 24 September 2008. Date of Access: 10 December 2008.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0855575e.pdf>.

³⁶² Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Third Meeting (Vienna) 17 December 2008. Date of Access: 2 January 2009 http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/15-17December/2008-12-17_-_FINAL_LoP_-_Review_of_Implementation.pdf.

Germany sent a single delegate to the Fourth and final Intersessional meeting on the Review of the Implementation of the UNCAC held in Vienna on 11-13 May 2009.³⁶³

Thus, Germany has been awarded a score of 0 for attending the meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC and contributing to the development of a review mechanism, though it has yet to ratify the UNCAC.

Analyst: Hélène Smertnik

Italy: 0

Italy has partially complied with its commitment to ratify the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism. Italy signed the UNCAC on 9 December 2003.³⁶⁴ However, Italy has yet to ratify the UNCAC and has only attended one of the meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.³⁶⁵

On 4 May 2009, the Government of Italy published a parliamentary report stating that the bill designed to ratify UNCAC had received its first reading in the Senate.³⁶⁶ An earlier Senate report, which documented the subcommittee session held on 18 November 2008, stated that a similar bill was before the Chamber of Deputies earlier in 2008, when parliament was suspended due to elections causing a delay in the ratification process.³⁶⁷ This suggests that Italy will ratify the UNCAC shortly.

In addition, the Italian government has not been significantly involved with the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC. Italy failed to attend the Second Intersessional Meeting on the Review of the Implementation of the UNCAC, and sent only one delegate to the Third Intersessional Meeting.³⁶⁸ It should be noted that the meetings coincided with a major internal

³⁶³ Official List of Participants in Open-Ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Fourth Intersessional meeting (Vienna) 13 May 2009. Date of Access: 19 May 2009.
<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/2009-May-11-13/LOP.pdf>.

³⁶⁴ Signatories to the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 8 May 2009. Date of Access: 8 May 2009.
<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

³⁶⁵ Signatories to the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 8 May 2009. Date of Access: 8 May 2009.
<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

³⁶⁶ General List of Bills Under Parliamentary Review, Department of Parliamentary Relations of the Office of the President of the Council of Ministers (Rome) 4 May 2009. Date of Access: 8 May 2009.
http://www.governo.it/rapporiparlamento/attivita/03_progetti_legge/elenco_generale_20090504.pdf.

³⁶⁷ Summary of Senate Subcommittee Session no. 3 of 18 November 2008, Senate of the Italian Republic (Rome) 18 November 2008. Date of Access: 8 May 2009.
http://www.senato.it/japp/bgt/showdoc/frame.jsp?tipodoc=SommComm&leg=16&id=00319819&part=doc_dc-sedetit_isr-ddlbl a848rcclc&parse=no.

³⁶⁸ Official List of Participants in Open-ended Intergovernmental Working Group on Review of the Implementation of UNCAC, Second Meeting (Vienna) 24 September 2008. Date of Access: 9 May 2009.

restructuring of the Italian anti-corruption framework (see below) that may explain why Italy did not send a delegation. However, they also failed to send a delegate to the Fourth Intersessional meeting.³⁶⁹

Italy has taken some steps that point to possible future compliance. On 9 October 2008, Prime Minister Silvio Berlusconi announced the creation of the Anti-corruption and Transparency Service (SAeT), which will operate under the Ministry of Public Administration and Innovation.³⁷⁰ The media dossier that was distributed following the announcement included direct quotations from the text of the UNCAC, which was described as being the “international framework” for the new initiative.³⁷¹ Furthermore, in a written statement issued on 9 December 2008, Minister of Public Administration and Innovation Renato Brunetta attributed the creation of this new national anti-corruption strategy to Italy’s obligations as signatory to the UNCAC.³⁷²

According to an official report by the newly-formed SAeT – which was presented to the Italian Parliament on 27 February 2009 – Minister Brunetta has made efforts to expedite the ratification of the UNCAC following a formal meeting with the Secretary General of the United Nations Office on Drugs and Crime (UNODC) – the UN organ responsible for administering the UNCAC.³⁷³ The report also argues that the presence of a representative of the SAeT at the Third Intersessional Meeting on the Review and Implementation of the UNCAC is “evidence of a continued commitment by Italy” to the international effort to curtail corruption under the leadership of the UNODC.³⁷⁴

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

Official List of Participants in Open-ended Intergovernmental Working Group on Review of the Implementation of UNCAC, Third Meeting (Vienna) 17 December 2008. Date of Access: 7 May 2009.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/15-17December/2008-12-17 - FINAL LoP - Review of Implementation.pdf>.

³⁶⁹ Official List of Participants in Open-Ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Fourth Intersessional meeting (Vienna) 13 May 2009. Date of Access: 19 May 2009.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/2009-May-11-13/LOP.pdf>

³⁷⁰ Announcement of Anti-Corruption and Transparency Service (SAeT), Office of the President of the Council of Ministers (Rome) 9 October 2008. Date of Access: 7 May 2009.

http://www.governo.it/GovernoInforma/Newsletter/nw1_notizia.asp?idnn=2172&idnw1=391.

³⁷¹ Anti-Corruption and Transparency Service (Media Dossier), Ministry of Public Administration and Innovation (Rome) 9 October 2008. Date of Access: 8 May 2009.

http://www.innovazionepa.gov.it/ministro/pdf_home/saet_ing.pdf.

³⁷² Preventing Corruption, *Il Sole 24 Ore* (Milan) 9 December 2008. Date of Access: 7 May 2009.

<http://www.ilsole24ore.com/art/SoleOnLine4/Italia/2008/12/brunetta-corruzione-prevenire.shtml?uuid=5a7eb654-c5d6-11dd-9949-058377a6f852&DocRulesView=Liberio>

³⁷³ First Parliamentary Report of the Anti-Corruption and Transparency Service (SAeT), Ministry of Public Administration and Innovation (Rome) 27 February 2009. Date of Access: 7 May 2009.

http://www.anticorruzione.it/Portals/altocommissario/Documents/Altro/Rapporto_Parlamento_SAEt%5B1%5D.pdf.

³⁷⁴ First Parliamentary Report of the Anti-Corruption and Transparency Service (SAeT), Ministry of Public Administration and Innovation (Rome) 27 February 2009. Date of Access: 7 May 2009.

http://www.anticorruzione.it/Portals/altocommissario/Documents/Altro/Rapporto_Parlamento_SAEt%5B1%5D.pdf.

Thus, Italy has been awarded a score of 0 for failing to ratify the UNCAC, but attending the Third Intersessional Meeting on the Review of the Implementation of the UNCAC held by the Open-ended Intergovernmental Working Group during the current compliance cycle.

Analysts: Samuel Plett and Nikolaeva Ekaterina

Japan: 0

Japan has partially complied with its commitment to ratify the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism. Japan has yet to ratify the UNCAC, which it signed in December 2003.³⁷⁵

Japan has, however, attended meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC. Government officials attended the Second Intersessional Meeting on the Review of the Implementation of the UNCAC.³⁷⁶ At that meeting, Japan put forward a constructive proposal with the goal of creating an effective review mechanism that is based on UN verification of individual country submissions, based upon the UNCAC self-check list.³⁷⁷

While Japan failed to attend the Third Intersessional meeting in December 2009, it did manage to send a four person delegation to the Fourth and Final Intersessional Meeting on the Review of the Implementation of the UNCAC on 11-13 May 2009.³⁷⁸

Thus, Japan has been awarded a score of 0 for failing to ratify the UNCAC but attending several working group meetings on the review mechanism.

Analyst: Nikola Cvetkovic

Russia: +1

Russia has fully complied with its commitment to ratify the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism. Russia ratified the UNCAC on 9 May 2006.³⁷⁹

³⁷⁵ Signatories to the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 9 December 2008. Date of Access: 9 December 2008.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

³⁷⁶ Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Second Meeting (Vienna) 24 September 2008 . Date of Access: 2 January 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

³⁷⁷ Proposals and contributions received from Governments for the terms of Reference of a Mechanism for Reviewing the Implementation of the United Nations Convention Against Corruption, United Nations (Vienna) 24 September 2008. Date of Access: 10 December 2008.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0855575e.pdf>.

³⁷⁸ Official List of Participants in Open-Ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Fourth Intersessional meeting (Vienna) 13 May 2009. Date of Access: 19 May 2009.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/2009-May-11-13/LOP.pdf>

In the second half of 2008, two meetings of the Open-ended Intergovernmental Working Group on Review of the Implementation of the UNCAC were planned. They were both held in Vienna, and Russia attended both of them: the second intersessional meeting from 22 to 24 September 2008 and the third one from 15-17 December 2008.³⁸⁰

On 11-13 May 2009 a Russian delegation attended the Fourth Intersessional meeting of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.³⁸¹

Thus, Russia has been awarded a score of +1 for ratifying the UNCAC and for attending more than one meeting of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.

Analyst: Tatyana Lanshina

United Kingdom: +1

The United Kingdom has fully complied with its commitment to ratify the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism. The United Kingdom has ratified the UNCAC and has attended all meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.³⁸²

On 22-24 September 2008, representatives from the United Kingdom attended the Second Intersessional Meeting on the Review of the Implementation of the UNCAC held in Vienna. At that meeting, the United Kingdom put forward a proposal to create an effective review mechanism for the UNCAC based upon self-assessment and then broader verification. Within this proposal, the United Kingdom reaffirmed its commitment to develop a review mechanism, stating: “The UK believes that an effective review mechanism consistent with the resolutions of the Conferences of States Parties is

³⁷⁹ Signatories to the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) (2009). Date of Access: 22 April 2008.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

³⁸⁰ Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Second Meeting (Vienna) 24 September 2008. Date of Access: 10 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Se08.pdf>.

Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Third Meeting (Vienna) 17 December 2008. Date of Access: 10 May 2009. http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/15-17December/2008-12-17 - FINAL_LoP - Review_of_Implementation.pdf.

³⁸¹ Fourth intersessional meeting of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the United Nations Convention against Corruption, UN Office on Drugs and Crime. Date of Access: 15 May 2009. <http://www.unodc.org/unodc/en/treaties/CAC/working-group1.html>.

³⁸² Signatories to the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 9 December 2008. Date of Access: 9 December 2008. <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

necessary for the UNCAC to be a credible tool in the global fight against corruption.”³⁸³

Representatives from the UK also attended the Third Intersessional Meeting, held in Vienna on 15-17 December 2008.³⁸⁴ Representatives attended the fourth and final Intersessional meeting in Vienna from 11-13 May 2009.³⁸⁵

Thus, the United Kingdom is awarded a score of +1 for having ratified the UNCAC already, for attending all the meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC, and for contributing to the development of an effective review mechanism.

Analyst: Nikola Cvetkovic

United States: +1

The United States has fully complied with its commitment to ratify the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism. The US has ratified the UNCAC and has attended all meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.³⁸⁶

On 22-24 September 2008, representatives from the American government attended the Second Intersessional Meeting on the Review of the Implementation of the UNCAC held in Vienna on 22-24 September 2008. At that meeting, the US presented a proposal to create a review mechanism based on individual country reporting.³⁸⁷ In addition, the US also attended the Third Intersessional Meeting, held in Vienna on 15-17 December

³⁸³ Proposals and contributions received from Governments for the terms of Reference of a Mechanism for Reviewing the Implementation of the United Nations Convention Against Corruption, United Nations (Vienna) 24 September 2008. Date of Access: 10 December 2008.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0855575e.pdf>.

³⁸⁴ Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Second Meeting (Vienna) 24 September 2008 . Date of Access: 2 January 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Third Meeting (Vienna) 17 December 2008. Date of Access: 2 January 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/15-17December/2008-12-17 - FINAL LoP - Review of Implementation.pdf>.

³⁸⁵ Official List of Participants in Open-Ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Fourth Intersessional meeting (Vienna) 13 May 2009. Date of Access: 19 May 2009.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/2009-May-11-13/LOP.pdf>

³⁸⁶ Signatories to the United Nations Convention Against Corruption, United Nations Office of Drugs and Crime. Date of Access: 1 December 2008. <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

³⁸⁷ Conference of the States Parties to the United Nations Convention against Corruption: Open-ended Intergovernmental Working Group on Review of Implementation (Vienna) 14 October 2008 . Date of Access: 1 December 2008.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/25-26September2008/V0857423e.pdf>.

2008.³⁸⁸ Finally, the United States attended the Fourth and final Intersessional meeting on the Review of the Implementation of the UNCAC held in Vienna on 11-13 May 2009.³⁸⁹

Thus, the United States has been awarded a score of +1 for having ratified the UNCAC already and for attending all meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.

Analyst: Kabilan Kanagalingam

European Union: +1

The European Union has fully complied with its commitment to approve the United Nations Convention against Corruption (UNCAC) and pursue the UNCAC review mechanism.

On 25 September 2008, the Council of the European Union formally adopted a proposal – approved by the European Parliament on 14 November 2006 – which called for “the conclusion, on behalf of the European Community, of the United Nations Convention against Corruption.”³⁹⁰ The UN recognized the approval of the UNCAC by the EU, fixing the official date of approval as 12 November 2008.³⁹¹

The EU has also participated in the creation of a review mechanism for the UNCAC. The EU sent a four-member delegation to the Second Intersessional Meeting of the Open-ended Intergovernmental Working Group on the Review of the Implementation of UNCAC, held in Vienna from 22 to 24 September 2008.³⁹² A representative from the Council of the European Union also attended the meetings, as an observer.³⁹³

³⁸⁸ Official List of Participants in Open-ended Intergovernmental Working Group on Review of Implementation of the UNCAC, Third Meeting (Vienna) 17 December 2008. Date of Access: 2 January 2009 http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/15-17December/2008-12-17_-_FINAL_LoP_-_Review_of_Implementation.pdf.

³⁸⁹ Official List of Participants in Open-Ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Fourth Intersessional meeting (Vienna) 13 May 2009. Date of Access: 19 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/2009-May-11-13/LOP.pdf>

³⁹⁰ Proposal for Council Decision on UNCAC, PreLex: Legislative Database of the European Commission (Brussels) 25 September 2008. Date of Access: 11 December 2008. http://ec.europa.eu/prelex/detail_dossier_real.cfm?CL=en&DosId=193952.

³⁹¹ Signatories to the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 9 December 2008. Date of Access: 8 May 2009. <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

³⁹² Official List of Participants in Open-ended Intergovernmental Working Group on Review of the Implementation of UNCAC, Second Meeting (Vienna) 24 September 2008. Date of Access: 7 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

³⁹³ Official List of Participants in Open-ended Intergovernmental Working Group on Review of the Implementation of UNCAC, Second Meeting (Vienna) 24 September 2008. Date of Access: 7 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

Further, the EU contributed to a series of “informal consultations” held prior to the Vienna meetings.³⁹⁴ The product of these preliminary meetings, held on 28-29 August 2008, was a list of proposals that formed the basis of the discussion at the formal working group sessions.³⁹⁵ On 15-17 December 2008, the EU attended the third Intersessional Meeting, held in Vienna.³⁹⁶ In addition, the EU attended the fourth and final Intersessional Meeting held in Vienna from 11-13 May 2009.³⁹⁷

The EU has used its considerable political and economic influence to encourage other nations to ratify the UNCAC. On 11 November 2008, the EU Council issued a formal statement inviting other countries to “ratify and implement the United Nations Convention against Corruption as soon as possible.”³⁹⁸ The report argues that such action is vital if efforts to stop the spread of corruption are to be successful.³⁹⁹

Further, on 16 April 2009, a representative of the Czech Presidency of the Council of the European Union delivered an address on behalf of the EU at the 18th Session of the UN Commission on Crime Prevention and Justice exhorting “states that have signed but not yet ratified the [UNCAC] to take all appropriate measures to enable them to do so.”⁴⁰⁰

Report on the Meeting of the Open-ended Intergovernmental Working Group on Review of the Implementation of UNCAC, United Nations (Vienna) 8 October 2008. Date of Access: 8 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0857199e.pdf>.

³⁹⁴ Proposals and Contributions Received from Governments: Draft Elements For the Terms of Reference of a Mechanism for Reviewing the Implementation of UNCAC, United Nations (Vienna) 16 September 2008. Date of Access: 8 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0856653e.pdf>.

³⁹⁵ Proposals and Contributions Received from Governments: Draft Elements For the Terms of Reference of a Mechanism for Reviewing the Implementation of UNCAC, United Nations (Vienna) 16 September 2008. Date of Access: 7 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0856653e.pdf>.

³⁹⁶ Official List of Participants in Open-ended Intergovernmental Working Group on Review of the Implementation of UNCAC, Third Meeting (Vienna) 17 December 2008. Date of Access: 7 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/15-17December/2008-12-17 - FINAL LoP - Review of Implementation.pdf>.

³⁹⁷ Official List of Participants in Open-Ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption, Fourth Intersessional meeting (Vienna) 13 May 2009. Date of Access: 19 May 2009. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/2009-May-11-13/LOP.pdf>

³⁹⁸ EU Council Conclusions: Guidelines for EU Participation in the International Conference of Financing for Development, Council of the European Union (Brussels) 11 November 2008. Date of Access: 11 December 2008. http://www.europa-eu-un.org/articles/en/article_8289_en.htm.

³⁹⁹ EU Council Conclusions: Guidelines for EU Participation in the International Conference of Financing for Development, Council of the European Union (Brussels) 11 November 2008. Date of Access: 11 December 2008. http://www.europa-eu-un.org/articles/en/article_8289_en.htm.

⁴⁰⁰ Statement by the Czech Republic on Behalf of the European Union at the 18th Session of the United Nations Commission on Crime Prevention and Criminal Justice, Ministry of Foreign Affairs of the Czech Republic (Prague) 16 April 2009. Date of Access: 8 May 2009. http://www.mzv.cz/public/51/1b/fc/357182_167095_18th_CCPCJ_Opening_AS_DELIVERED.doc.

The speech also emphasized that the EU supports “the establishment of an appropriate review mechanism to assist State Parties to implement the [UNCAC] in an efficient manner” and is “committed to supporting and cooperating with all State Parties and signatories willing to make efforts to implement all parts of the Convention.”⁴⁰¹

Thus, the European Union has been awarded a score of +1 for its approval of the UNCAC and its attendance at all the meetings of the Open-ended Intergovernmental Working Group held in the current compliance cycle.

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⁴⁰¹Statement by the Czech Republic on Behalf of the European Union at the 18th Session of the United Nations Commission on Crime Prevention and Criminal Justice, Ministry of Foreign Affairs of the Czech Republic (Prague) 16 April 2009. Date of Access: 8 May 2009.
http://www.mzv.cz/public/51/1b/fc/357182_167095_18th_CCPCJ_Opening_AS_DELIVERED.doc.