

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 UNCAC265, including the development of a review mechanism.”

G8 Leaders Declaration on the World Economy

Assessment:

Interim Compliance Score

Country	Lack of Compliance	Work in Progress	Full Compliance
	-1	0	+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.”²⁰⁹ 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.”²¹⁰ The following table illustrates the G8 members’ commitment to the UNCAC thus far:

²⁰⁹ 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.

²¹⁰ 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 2008.²¹¹ This meeting emphasized the responsibility state parties have to each other in the fight against corruption and highlighted the need for further international cooperation.²¹² 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.”²¹³

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.²¹⁴ 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 2008.²¹⁵

Commitment Features:

The commitment calls on G8 members which 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

²¹¹ 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>.

²¹² 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>.

²¹³ 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>.

²¹⁴ 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>.

²¹⁵ 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 all meetings 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 2007.²¹⁶

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.²¹⁷ Four of these officials also attended the Third Intersessional Meeting, also held in Vienna, 15-17 December 2008.²¹⁸

²¹⁶ 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>.

²¹⁷ 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>.

²¹⁸ 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 December 2008. Date of Access: 2 January 2009.

Canadian officials also attended the Second Intersessional Meeting on Asset Recovery held on 25-26 September 2008, where participants discussed possible regulations to determining where proceeds of corruption should be allocated.²¹⁹

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.²²⁰

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,²²¹ as well as the Third Intersessional Meeting held in Vienna again on 15-17 December 2008.²²²

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.”²²³ Following up on 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

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

²¹⁹ Official List of Participants in Open-ended Intergovernmental Working Group on Asset Recovery (Vienna) 14 October 2008 . Date of Access: 1 December 2008.

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

²²⁰ 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>.

²²¹ 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>.

²²² 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>.

²²³ 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>.

panel of experts.²²⁴

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 putting its efforts to create an effective review mechanism for the UNCAC.

Analyst: H  l  ne 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.²²⁵

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.²²⁶ 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.²²⁷ In addition, German delegates also attended the Third Intersessional Meeting on the Review of the Implementation of the UNCAC held in Vienna on 15-17 December 2008.²²⁸

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, while still not ratifying the UNCAC.

²²⁴ 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>.

²²⁵ 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>.

²²⁶ 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>.

²²⁷ 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>.

²²⁸ 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>.

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 2003.²²⁹ However, Italy has yet to ratify UNCAC.²³⁰

On 1 December 2008, the Government of Italy published a parliamentary report stating that the bill designed to ratify the UNCAC has undergone its first reading in the Senate.²³¹ According to an official Senate report that documents the session held on 18 November 2008, members have adjourned the discussion on the ratification bill to allow for further review.²³² The briefing also notes that a similar bill was before the Chamber of Deputies earlier in the year, when parliament was suspended due to elections causing a delay in the ratification process.²³³ 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,²³⁴ and sent only one delegate to the Third Intersessional Meeting.²³⁵ It should be noted, however, that the meetings coincided with a major internal restructuring of the Italian anti-corruption framework (see below) that may explain why Italy did not send a delegation.

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

²²⁹ 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>.

²³⁰ 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>.

²³¹ General List of Bills Under Parliamentary Review, Department of Parliamentary Relations of the Office of the President of the Council of Ministers (Rome) 1 December 2008. Date of Access: 9 December 2008.

http://www.governo.it/rapporiparlamento/attivita/03_progetti_legge/elenco_provvedimenti_20081201.pdf.

²³² Summary of Senate Session no. 3 of 18 November 2008, Senate of the Italian Republic (Rome) 18 November 2008. Date of Access: 9 December 2008.

http://www.senato.it/japp/bgt/showdoc/frame.jsp?tipodoc=SommComm&leg=16&id=00319819&part=doc_dc-sedetit_isr-ddlbl_a848rcclc&parse=no.

²³³ Summary of Senate Session no. 3 of 18 November 2008, Senate of the Italian Republic (Rome) 18 November 2008. Date of Access: 9 December 2008.

http://www.senato.it/japp/bgt/showdoc/frame.jsp?tipodoc=SommComm&leg=16&id=00319819&part=doc_dc-sedetit_isr-ddlbl_a848rcclc&parse=no.

²³⁴ 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>.

²³⁵ 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>.

Transparency Service, which will operate under the Ministry of Public Administration and Innovation.²³⁶ 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.²³⁷

In a written statement issued on 9 December 2008, Minister of Public Administration and Innovation Renato Brunetta attributed the creation of the new national anti-corruption strategy to Italy’s obligations as signatory to the UNCAC.²³⁸ A representative from the new organization was Italy’s lone delegate at the Third Intersessional Meeting on the review of the Implementation of the UNCAC.

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 from the Open-ended Intergovernmental Working Group during the current compliance cycle.

Analyst: Samuel Plett

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 2003.²³⁹

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.²⁴⁰ 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 list²⁴¹ Japanese delegates also

²³⁶ Announcement of Anti-Corruption and Transparency Service (SAET), Office of the President of the Council of Ministers (Rome) 9 October 2008. Date of Access: 10 December 2008.

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

²³⁷ Anti-corruption and Transparency Service (Media Dossier), Ministry of Public Administration and Innovation (Rome) 9 October 2008. Date of Access: 11 December 2008.

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

²³⁸ Preventing Corruption, Il Sole 24 Ore (Milan) 9 December 2008. Date of Access: 10 December 2008.

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

²³⁹ 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>.

²⁴⁰ 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>.

²⁴¹ 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>.

attended the Second Intersessional Meeting on Asset Recovery, held on 25-26 September 2008, where participants discussed possible regulations to determining where proceeds of corruption should be allocated.²⁴² Nonetheless, Japan failed to attend the Third Intersessional Meeting on the Review of the Implementation of the UNCAC in December.²⁴³

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 and on Asset Recovery.

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 2006.²⁴⁴

Further, for the second half-year 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 first one from 22 to 24 September 2008²⁴⁵ and the second one from 15-17 December 2008.²⁴⁶ In addition, Russian officials also attended the Second Intersessional Meeting on Asset Recovery held on 25-26 September 2008.²⁴⁷

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.

²⁴² Official List of Participants in Open-ended Intergovernmental Working Group on Asset Recovery (Vienna) 14 October 2008 . Date of Access: 1 December 2008.
<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/25-26September2008/V0857423e.pdf>.

²⁴³ 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>.

²⁴⁴ 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>.

²⁴⁵ 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>.

²⁴⁶ 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>.

²⁴⁷ Official List of Participants in Open-ended Intergovernmental Working Group on Asset Recovery (Vienna) 14 October 2008 . Date of Access: 1 December 2008.
<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/25-26September2008/V0857423e.pdf>.

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 the meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC.²⁴⁸

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, Austria as well as the Third Intersessional Meeting, held in Vienna again on 15-17 December 2008.²⁴⁹

At the September 2008 meeting, the United Kingdom contributed 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 of a review mechanism, stating: “The UK believes that an effective review mechanism consistent with the resolutions of the Conferences of States Parties is necessary for the UNCAC to be a credible tool in the global fight against corruption.”²⁵⁰ British officials also attended the Second Intersessional Meeting on Asset Recovery held on 25-26 September 2008.²⁵¹

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

²⁴⁸ 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>.

²⁴⁹ 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>.

²⁵⁰ 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>.

²⁵¹ Official List of Participants in Open-ended Intergovernmental Working Group on Asset Recovery (Vienna) 14 October 2008. Date of Access: 1 December 2008.

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

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.²⁵²

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.²⁵³ In addition, the US also attended the Third Intersessional Meeting, held in Vienna on 15-17 December 2008.²⁵⁴

The other significant meeting since the Hokkaido-Toyako Summit was the Second Intersessional Meeting on Asset Recovery held on 25-26 September 2008, where participants discussed possible regulations to determining where proceeds of corruption should be allocated.²⁵⁵ American officials were present at this meeting as well.²⁵⁶

Thus, the United States has been awarded a score of +1 for having ratified the UNCAC already and for remaining committed to its promise by 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.

²⁵² 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>.

²⁵³ 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>.

²⁵⁴ 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.

²⁵⁵ Conference of the States Parties to the United Nations Convention against Corruption: Open-ended Intergovernmental Working Group on Asset Recovery (Vienna) 14 October 2008 . Date of Access: 1 December 2008. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/25-26September2008/V0857423e.pdf>.

²⁵⁶ Conference of the States Parties to the United Nations Convention against Corruption: Open-ended Intergovernmental Working Group on Asset Recovery (Vienna) 14 October 2008 . Date of Access: 1 December 2008. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/25-26September2008/V0857423e.pdf>.

On 25 September 2008, the Council of the European Union formally adopted a proposal – approved by the European Parliament on 14 November 2006 – that called for “the conclusion, on behalf of the European Community, of the United Nations Convention against Corruption.”²⁵⁷ The UN has recognized the approval of the UNCAC by the EU, fixing the official date of approval as 12 November 2008.²⁵⁸

On 22-24 September 2008, EU representatives attended the Second Intersessional Meeting of the Working Group on the Review of the Implementation of the UNCAC held in Vienna²⁵⁹, and later a delegation was also sent to the Second Intersessional Meeting on Asset Recovery held on 25-26 September 2008.²⁶⁰ In addition, the EU attended the third and most recent Intersessional Meeting, held in Vienna on 15-17 December 2008.²⁶¹

The EU has participated in the creation of a review mechanism to evaluate the implementation of the UNCAC. The EU sent a four-member delegation to the current compliance cycle’s first set of meetings of the Open-ended Intergovernmental Working Group on the Review of the Implementation of the UNCAC, held in Vienna from 22 to 24 September 2008.²⁶² A representative from the Council of the European Union also attended the meetings, although restricted to the role of an observer.²⁶³ Furthermore, the EU contributed to a series of “informal consultations” held in the lead-up to the Vienna meetings.²⁶⁴ The product of these preliminary meetings, held on 28 and 29 August 2008,

²⁵⁷ 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.

²⁵⁸ 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>.

²⁵⁹ 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>.

²⁶⁰ Official List of Participants in Open-ended Intergovernmental Working Group on Asset Recovery (Vienna) 14 October 2008 . Date of Access: 1 December 2008.

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

²⁶¹ 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>.

²⁶² Official List of Participants in Open-ended Intergovernmental Working Group on Review of the Implementation of UNCAC, United Nations (Vienna) 24 September 2008. Date of Access: 10 December 2008. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/LOP22-24Sep08.pdf>.

²⁶³ 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: 10 December 2008. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0857199e.pdf>.

²⁶⁴ 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: 11 December 2008.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0856653e.pdf>.

was a list of proposals that formed the basis of the discussion at the formal Working Group sessions.²⁶⁵

The EU has also 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.”²⁶⁶ The report argues that such positive action is vital if efforts to stop the spread of corruption are to be successful.²⁶⁷

Thus, the European Union is awarded a score of +1 for its ratification 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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²⁶⁵ 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: 11 December 2008.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup1/22-24September/V0856653e.pdf>.

²⁶⁶ 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.

²⁶⁷ 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.