



# MISSING IN ACTION

Where is civic space in UNCAC reviews?

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## **Missing in action**

Where is civic space in UNCAC reviews?

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# EXECUTIVE SUMMARY

Civil society actors in many countries face attacks and significant restrictions in retaliation for exposing and fighting against corruption. They suffer prosecution, detention, violence and intimidation, as well as legal constraints on the establishment, operation and funding of their organisations. This undermines efforts to achieve the objectives of the UN Convention against Corruption (UNCAC), which explicitly recognises the important role of civil society in fighting corruption.

The UNCAC Implementation Review Mechanism (IRM) has a key role to play. Through the mechanism, UNCAC States Parties review countries' implementation of the convention, including their obligations to foster the active participation of civil society. However, the IRM is failing to promote their participation effectively.

**Forty-three per cent of 115 countries** that were reviewed by the IRM **did not receive a single recommendation** on their implementation of article 13, the section that reflects **the right of civil society actors to participate** in anti-corruption efforts. In some of these countries, the civic space is effectively closed, such as Afghanistan, Cuba, Russia and Venezuela.

When recommendations are made, they are in most cases a mere repetition of what the convention says. Only 27 per cent of recommendations are specific and tailored to the context of the country reviewed, for example recommending a specific reform. The remaining 73 per cent are vague and generic and do not provide meaningful guidance for the implementation of article 13.

The IRM paints a picture of a world with very few challenges to civil society's participation and an abundance of good practices, which does not match reality. The real issues that affect civil society participation – attacks, impunity for attacks, and enforcement of laws that restrict civic space, freedom of association, assembly and expression – are absent from the reviews.

The inadequacy of the results is evident when reading the findings of United Nations (UN) human rights bodies for the same countries. In **86 per cent** of the cases reviewed for this report, we identified **clear differences** between what the IRM says on civil society participation and what is documented by UN human rights bodies.

To ensure that the UNCAC implementation review process promotes an enabling environment for civil society participation in anti-corruption efforts, Transparency International outlines in this report how the reviews of States' implementation of article 13 should be strengthened:

- + The reviews should assess whether the necessary conditions are present for civil society actors to contribute to anti-corruption efforts, including respect for the core freedoms of association, assembly and expression.
- + They should draw upon the findings and recommendations of UN human rights mechanisms, which are a legitimate source of information for the UNCAC review process.
- + Technical guidance and documents for reviewers should be amended to ensure clarity on these points.

- + Transparency and meaningful participation of civil society in the review process should be strengthened.

# INTRODUCTION

## CIVIL SOCIETY AND ANTI-CORRUPTION EFFORTS IN THE UNCAC

Civil society plays an indispensable role in efforts to combat corruption. Civil society includes individuals and groups outside the private sector and the State, including non-governmental organisations, community groups, advocacy networks, professional associations and grassroots movements.<sup>1</sup> They can identify legal and regulatory loopholes that enable corrupt actors; advocate for reforms and stronger institutions; provide technical expertise and implement capacity-building projects; detect and investigate cases of corruption; engage in public interest litigation; and engage in many other monitoring and advocacy activities.<sup>2</sup>

Civil society is an essential component of a vibrant and democratic society, where the rule of law is upheld and human rights are protected. For civil society actors to be able to fully perform their role, governments should guarantee certain structural preconditions including protections for freedom of association, expression and assembly, transparency of public information and participatory decision-making. The existence of these preconditions can collectively be referred to as civic space. There are numerous definitions of what constitutes civic space, but a useful definition has been recognised by the UN: **“Civic space is the environment that enables people and groups to participate meaningfully in the political, economic, social and cultural life of their societies”**.<sup>3</sup> According to the UN Office of the High Commissioner for Human Rights (OHCHR): **“A vibrant civic space requires an**

**open, secure and safe environment that is free from all acts of intimidation, harassment or reprisals whether online or offline”**.<sup>4</sup>

The UN has further recognised that civil society is under pressure and that civil society actors are facing pushback.<sup>5</sup> The Secretary General’s *A New Agenda for Peace*<sup>6</sup> has also noted the shrinking space for civil participation as a threat and a cause of instability and insecurity. Multiple other voices across all regions have raised concerns about an increasingly restrictive civic space.<sup>7</sup> Several global assessments have documented a decline in freedom of expression, association, and the rule of law globally.<sup>8</sup> Threats to civic space take various forms but often include detention, killing, or prosecutions of civil society actors; the use of defamation laws or Strategic Lawsuits against Public Participation (SLAPPs); restrictions on international funding or registration requirements that make it challenging for civil society to operate; or disruption of or excessive force at protests.<sup>9</sup> UN human rights bodies have documented attacks against civil society actors working against corruption and the impact of civic space restrictions on their work.<sup>10</sup>

In this context, it is critical to protect civil society’s ability to advocate on corruption issues, particularly in the framework of the UNCAC. In its preamble, the UNCAC recognises the role of civil society, non-governmental organisations and community-based organisations in supporting government efforts to prevent and eradicate corruption. It also states that anti-corruption policies should promote the participation of society in public affairs (art. 5.1) and that society should play a role in devising strategies and plans to combat corruption (art. 60.4).

The role of society and the duties of governments regarding its participation are most clearly established in article 13. Governments are required to take appropriate measures to promote civil society's "active participation". The importance of civil society's participation in combating corruption has been reaffirmed in subsequent UNCAC documents and resolutions. The Legislative Guide to the Implementation of the UNCAC published by the UN Office on Drugs and Crime (UNODC), which acts as UNCAC's Secretariat, recognises the role of civil society in periodically evaluating the adequacy of the legal framework for preventing and fighting corruption.<sup>11</sup>

In recent years, States have adopted language linking anti-corruption efforts to an enabling environment for civil society. In the Political Declaration of the UN General Assembly Special Session against Corruption in 2021, States Parties committed to ensuring that the conditions are present for the effective contribution of civil society organisations to achieving the objectives of the UNCAC, explicitly noting that they should have "*the ability to operate independently and without fear of reprisals because of their efforts in preventing and combating corruption*".<sup>12</sup> The Political Declaration also commits States to "*provide a safe and enabling environment to those who expose, report and fight corruption*".<sup>13</sup> These commitments were reaffirmed in the Atlanta Declaration adopted at the 10<sup>th</sup> UNCAC Conference of States Parties in 2023.<sup>14</sup>

Given the increasing civic space restrictions across all world regions and the recognition of the importance of civil society in achieving the convention's objectives, this report examines to what extent the UNCAC contributes to promoting and protecting an enabling environment for civil society working on anti-corruption. It does so by reviewing the treatment of article 13 in the UNCAC implementation review process. It assesses the scope of the country reviews and whether they

effectively identify the systemic challenges that civil society actors face when contributing to anti-corruption efforts. It concludes with a set of recommendations on how to strengthen the reviews of implementation of article 13 and ensure they help to promote and protect an enabling environment for civil society.

## SCOPE AND METHODOLOGY

Transparency International reviewed the treatment of article 13 in the executive summaries of the country reviews conducted by the UNCAC Implementation Review Mechanism (IRM) in its second cycle for 42 countries. For 30 of these countries, for which a full report was published, the review included the full report in addition to the executive summary.<sup>15</sup>

This review mapped the issues that are considered by the IRM when assessing implementation of article 13, and specifically whether it only considers the issues explicitly listed in article 13, such as public access to information and freedom of expression, or also those implicitly included within its scope, such as freedom of association and assembly.

Transparency International then compared the findings of the UNCAC country reviews for these 42 countries with those of UN human rights bodies and mechanisms. It based the comparison on the same countries and the same issues within the scope of article 13.<sup>16</sup> This comparative analysis allowed us to determine whether the IRM effectively identifies known systemic challenges faced by civil society actors working on anti-corruption.

This was complemented by a review of the recommendations section of the executive summaries for 115 countries, which provided insights on the number and type of recommendations made in relation to article 13.

# CIVIC SPACE IN ARTICLE 13 REVIEWS

## ARTICLE 13: EXPLICIT AND IMPLICIT CONTENT

UNCAC article 13 reflects the right of civil society to participate in anti-corruption efforts. The article is contained in Chapter II of the convention, on preventive measures, and requires States Parties to take appropriate measures to promote the active participation of civil society in preventing and fighting against corruption.

Article 13 lists specific examples of what these measures may be, explicitly naming transparency and public participation in decision-making, effective public access to information, public information and education activities, and respect for the right to seek, receive, publish and disseminate anti-corruption information. The wording makes clear that this is not a comprehensive list, however. Other measures may be necessary to enable civil society's participation in anti-corruption efforts.

### Article 13. Participation of society

1. Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption.

This participation should be strengthened by such measures as:

a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes;

b) Ensuring that the public has effective access to information;

c) Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula;

d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:

a. For respect of the rights or reputations of others;

b. For the protection of national security or *ordre public* or of public health or morals.

2. Each State Party shall take appropriate measures to ensure that the relevant anti-corruption bodies referred to in this Convention are known to the public and shall provide access to such bodies, where appropriate, for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention.

The UNODC 2009 Technical Guide to the Implementation of the UNCAC advises States to take a “*broad view and understanding*” of those with whom they should engage and thereby includes NGOs, trade unions, mass media, faith-based organisations, etc., and, most notably, “*those with whom the government may not have a close relationship*” as well as marginalised social groups.<sup>17</sup>

The interpretative notes for the official records of UNCAC’s negotiation (*travaux préparatoires*) state that the intention behind art. 13.1 (d) “*is to stress those obligations which States parties have already undertaken in various international instruments concerning human rights to which they are parties and should not in any way be taken to modify their obligations*”.<sup>18</sup>

While the interpretative notes refer to a specific part of article 13, they also point to an important principle of international law that applies to the entirety of article 13, namely that treaty provisions must be read in the context of other relevant international law. States’ obligations under article 13 to promote the participation of society in anti-corruption efforts are grounded in the right to participation in public affairs, recognised under international human rights law.<sup>19</sup> Article 13 is dependent on the fulfilment of States’ human rights obligations, which constitute the conditions necessary for the effective contribution of civil society to achieving the objectives of the UNCAC. These include rights protected under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, such as the right to freedom of expression and access to information; the right to freedom of assembly, which includes the right to protest; the right to freedom of association, which includes the right to form organisations which can operate freely and access funding; the right to privacy; and the right to liberty and to life, which are implicated when those who speak out about corruption are detained, attacked or killed.<sup>20</sup>

## THE IMPLEMENTATION REVIEW MECHANISM

The review of UNCAC’s implementation follows the rules established in 2009 when the Conference of the States Parties (CoSP) adopted a resolution on the Implementation Review Mechanism (IRM), setting the terms of reference that would guide its functioning.<sup>21</sup> It also created the Implementation Review Group (IRG), as a subsidiary body of the CoSP, charged with overseeing the review process,

identifying challenges and good practices, and promoting technical assistance and cooperation between States Parties.<sup>22</sup> The review process originally consisted of two cycles, the second of which is set to conclude in July 2026 and covers the implementation of Chapter II on preventive measures, including article 13.<sup>23</sup>

The IRM has been responsible not only for reviewing countries’ implementation of the UNCAC, but also for promoting and facilitating the exchange of information, practices and experiences, and for improving international cooperation in the fight against corruption.

### Phases of the country review

The review of each country’s implementation of the UNCAC follows three phases<sup>24</sup>:

**Phase 1 – Self-assessment:** the State party under review conducts a comprehensive self-assessment of the implementation of the specific sections of the UNCAC, based on a UNODC-prepared checklist<sup>25</sup>, and submits it for review.

**Phase 2 – Peer review:** two reviewer countries<sup>26</sup> provide experts that form a review team with the aim of (i) conducting a desk review of the completed self-assessment checklist and (ii) engaging in direct dialogue with representatives of the State party under review (and, potentially, other stakeholders from the country), including through a country visit.

**Phase 3 – Development of final review documents:** the expert review team prepares, with assistance from the UNODC, a country review report and an executive summary, sends it to the State party under review and engages in dialogue to achieve a consensual final report. Upon agreement, the executive summary is published in full as a document of the IRG, but the full report will only be published with the consent of the reviewed State party.

The implementation review process begins with a self-assessment conducted by the government of the State under review, based on a checklist adopted by the IRG in June 2016.<sup>27</sup> The checklist has the same questions and structure for all the provisions of the convention, asking if the country is in compliance with the provision; requesting a description of the measures taken or planned to ensure compliance; and asking for examples of how those measures are being implemented. The guidance on how to fill in the self-assessment

checklist<sup>28</sup> suggests the types of information that should be provided based on the letter of each individual provision, i.e. for each item and paragraph. However, it does not request the information needed to assess whether the country guarantees the civic space conditions necessary for civil society to participate in the manner envisioned in the UNCAC.

The guidance also includes a list of resources that might be useful when compiling information for the review. While there are numerous reports, guides and handbooks from a host of international organisations, including UNCITRAL, the OECD and the World Bank, no resources are listed from OHCHR or other human rights bodies focused on civil society, civic space or the human rights that are instrumental to civil society participation.

For other articles of the convention, such as article 11, UNODC has produced an implementation guide and evaluative framework providing additional guidance and direction on implementation to States Parties as well as reviewers. However, no such document exists for article 13.<sup>29</sup>

### An enabling environment for civil society

The EU System for Enabling Environment for Civil Society (EUSEE)\* identified the most relevant issues to consider when assessing whether a State provides adequate conditions for civil society, as follows:

1. **Respect and protection of fundamental civil society freedoms:** Freedom of expression, association, assembly.
2. **Supportive legal framework for the work of civil society actors:** Formation and Registration; Autonomy to Operate; Protection from Interference.
3. **Accessible and sustainable resources:** Accessibility of resources; Effectiveness of resources; Sustainability of resources.
4. **Open and responsive State:** Transparency; Participation; Accountability.
5. **Supportive public culture and discourses on civil society:** Public Discourse and Constructive Dialogue on Civil Society; Civic Responsibility and Popular Sovereignty; Political and Civic Equality and Inclusion

**6. Access to a secure digital environment:** Respect and Protection of Digital Rights and Freedoms; Digital Security and Privacy; Digital Accessibility and Basic ICT Skills.

\* EUSEE is an initiative implemented by Transparency International, Hivos, CIVICUS, Forus, European Partnership for Democracy and Democracy Reporting International. See <http://eusee.hivos.org>

## WHAT COUNTRY REVIEWS FIND

Transparency International reviewed the outcome documents of country reviews to assess their implementation of article 13 for 42 countries (see 1.2 Scope and methodology, above).

### Scope and depth of the reviews

Overall, reviews have **substantial limitations**:

- + The overall level of detail, including in the full reports, is relatively limited and descriptive in nature. Reviews tend not to assess the implementation of measures in place, with limited exceptions.
- + Information varies significantly across the different provisions of article 13, with more information typically provided on access to information (13.1(b)) and access to anti-corruption bodies for reporting (13.2).
- + While article 13.1(d) covers freedom of expression, this right is not addressed meaningfully. Five out of 30 full reports offer some details on laws restricting freedom of expression (beyond access to information), but none comment on implementation of those laws.<sup>30</sup>
- + Most importantly, **none of the reviews address the other conditions that must exist to enable civil society participation** in anti-corruption efforts, namely the rights instrumental for their work and operation outlined in Section 2.1.

The table below summarises the main findings regarding the assessment of the 42 executive summaries and 30 full reports on the explicit and implicit obligations under article 13.

**Table 1. Scope of the reviews****UNCAC Art. 13 provisions    Assessment of the IRM Reports**

1. (a) transparency and public participation in decision-making	Executive summaries refer to consultation with CSOs and the public during decision-making processes but give no detail on the procedures used in the consultations. Full reports expand on the information highlighted in the executive summaries, but in many cases they list examples of consultations and participation by CSOs, instead of providing an assessment of the overall system for public participation and identifying obstacles to CSO participation. Engagement with civil society is often presented in broad terms, and with no detail on implementation (e.g. Antigua and Barbuda, Azerbaijan, Mozambique, Russia, South Africa, UK). <sup>31</sup> Of the 30 full reports, 15 elaborate more on the role of CSOs in policy development and national strategy planning, although the overall level of detail remains limited. <sup>32</sup>
1. (b) public access to information	Much like executive summaries, full reports refer to aspects related to the freedom to seek information on corruption, especially the right to access information more broadly. Twenty-four full reports include references to constitutional and/or legislative provisions related to public access to information. Many reports describe access to information regimes in more depth, but one recurring limitation is the failure to clearly identify obstacles to implementation, particularly in relation to civil society's ability to obtain sensitive information on corruption via access to information systems.
1. (c) public information activities and public education programmes	<p>While 36 executive summaries mention awareness-raising initiatives, only six provide concrete examples of structured educational programmes embedded in their national school curricula, and three provide examples of programmes in university curricula. Across most reports, references to education programmes remain vague.</p> <p>Of the 30 countries with available full reports, 14 provide a more comprehensive view of anti-corruption education efforts.</p>
1. (d) freedom to seek, receive, publish and disseminate information concerning corruption.	<p>Except to the extent that the executive summaries and full reports address access to information, which overlaps with 1(b), freedom of expression is not meaningfully addressed. Some executive summaries refer to constitutional or legal protections for freedom of expression or freedom of the press,<sup>33</sup> but do not discuss laws that could limit the sharing of information on corruption (such as defamation or secrecy laws) and do not discuss implementation of the right. Only one executive summary (Fiji) goes beyond a general statement on protection of freedom of expression in the country's laws, and highlights a legal provision allowing fines or imprisonment for journalists.</p> <p>In the full reports, there are five examples of States providing greater detail on laws that restrict freedom of expression,<sup>34</sup> such as sedition or official secrets laws, but this is not accompanied by a discussion of the implementation of these laws or their impact on anti-corruption civil society, and most full reports reviewed do not provide this information.</p>
2. Access to anti-corruption bodies and reporting on corruption	Reporting on whistleblower protection tends to be more specific and detailed than on other aspects of article 13. Many executive summaries refer to existing legislation protecting reporting persons. They may provide some detail on whether they are whistleblower protection-specific <sup>35</sup> or more general frameworks, <sup>36</sup> and may refer to particular aspects of that legislation, such as allowing for anonymous reporting under certain conditions, strict confidentiality concerning the person's identity, and protection against retaliation, (e.g. France). <sup>37</sup> Some executive summaries <sup>38</sup> do not state in clear terms whether whistleblower protection exists.
Civic space issues implicit in article 13	No executive summaries or full reports address freedom of assembly or freedom of association, except a short reference to constitutional protections in two executive summaries and three full reports. <sup>39</sup> Issues related to a safe and enabling environment for anti-corruption civil society actors, including their ability to operate independently and without reprisals, are not addressed in any of the executive summaries or full reports. Similarly, there are no discussions of restrictive NGO requirements such as foreign agent laws.

## Country review recommendations: few and generic

UNODC analysed 119 country reviews to assess the implementation of the articles on preventive measures contained in Chapter II (articles 5 to 13).<sup>40</sup> UNODC analysis shows that reviews of article 13 have systematically identified more good practices than challenges with regard to civil society's participation:

- + Article 13 ranks **second in terms of the number of good practices** identified (46) and the number of States with good practices (40), second only to article 5.
- + It ranks **last in terms of the numbers of challenges** identified (129) and second-to-last in terms of the number of States to which recommendations were made (74).

In other words, according to the UNODC analysis, country reviews paint a picture in which the implementation of article 13, compared with other provisions of Chapter II, faces very few issues. The abundance of good practices and the very limited number of challenges and recommendations stand in sharp contrast to the significant risks and restrictions that civil society groups face across all regions.

Transparency International's own analysis of the 115 Executive Summaries available as of October 2025 found the following results:

- + **43 per cent of the countries** reviewed (49 out of 115) **did not receive any recommendations** on their implementation of article 13;
- + 34 per cent (40 out of 115) received a single recommendation;
- + 18 per cent (21 out of 115) received two recommendations;
- + 4 per cent (5 out of 115) received three recommendations.<sup>41</sup>

The absence, or very limited number, of recommendations is particularly alarming in view of the civic space context of the countries reviewed. Of the 49 countries that received no recommendation at all on article 13, 19 are countries rated by the CIVICUS Monitor as 'repressed' or 'closed' including Afghanistan, Cuba, Russia and Venezuela.<sup>42</sup>

Of the total 97 recommendations made on article 13, most relate to access to information, public participation, public awareness or education campaigns, or whistleblowing. Freedom of expression beyond access to information, despite being explicitly covered by article 13(1)(d), was only addressed in two recommendations.<sup>43</sup> **Other rights** instrumental to civil society participation that **implicitly fall within the scope of article 13 were almost completely unaddressed**. No recommendations mentioned freedom of assembly or freedom of association, or the potential impact of restrictions on freedoms for anti-corruption civil society groups. No recommendations addressed acts of harassment, violence or intimidation against journalists or those who speak out against corruption, outside the framework of whistleblower protection.

Another notable feature of country review recommendations on article 13 is how generic they are. Transparency International categorised the 97 recommendations as either generic or specific. Generic recommendations rely mostly on the text of the convention, either by repeating it, reformulating it or, in some way, further detailing its provisions. Specific recommendations are context-specific to the country in question, dealing with the national context and its legislation, most commonly referring to a specific law or public policy.

- + **Generic recommendations accounted for 73 per cent** (71 out of 97).
- + Specific recommendations accounted for 27 per cent (26 out of 97).

By simply repeating or reformulating the text of the convention, generic recommendations do not provide meaningful guidance for implementation and undermine the very function of the IRM.

It is also not uncommon to find similarly worded recommendations for different countries. For example, *"Take additional measures to ensure that relevant anti-corruption bodies are known to the public and that reporting procedures, including anonymous reporting, are established and accessible to the public"* was a recommendation issued for Cyprus, Lithuania, Nauru, Solomon Islands and Cook Islands.

The recommendation section of the country reviews is especially relevant, not only because it encapsulates the findings of the review, but also because assessing the implementation of the recommendations will likely be a centrepiece of the next phase of UNCAC reviews. **The lack of specific recommendations** on article 13, combined with a

failure to issue recommendations on critical civic space issues that affect civil society actors working on anti-corruption, **means that these issues are**

**unlikely to be prioritised in follow-up** measures taken by States.

# BRIDGING THE DIVIDE BETWEEN ANTI-CORRUPTION AND HUMAN RIGHTS

As outlined in Section 2.1, civil society's participation and contribution to anti-corruption efforts are anchored not only in the UNCAC, but also in international human rights law. This section highlights relevant UN human rights mechanisms. It compares the findings of UNCAC country reviews with those of UN human rights mechanisms for the same countries on the issues that fall within the scope of article 13. The comparison reveals a substantial and worrying difference between the mostly positive article 13 assessments by the IRM and the challenges highlighted in UN human rights reports. It argues that UN human rights bodies are an essential source of information to support a robust assessment of states' implementation of article 13 and that their inclusion in the reviews is in line with the IRM Terms of Reference.

## HUMAN RIGHTS REVIEW MECHANISMS

There are several UN monitoring and country review mechanisms that assess the status of human rights in UN Member States.

The **Universal Periodic Review** (UPR) is, like the UNCAC IRM, a State-led process. Created in 2006 and held under the auspices of the **Human Rights Council** (HRC), the UPR assesses the extent to which States respect their human rights obligations as set out in the Universal Declaration of Human Rights and human rights instruments to which they are party. The review is conducted by the UPR Working Group, which consists of the 47 members of the HRC, and the outcome document is public.<sup>44</sup> Since the first periodic review in 2008, all 193 UN Member

States have been reviewed three times, and the fourth cycle of reviews began in November 2022.

In addition to the UPR, the HRC has an additional tool to monitor human rights: the **Special Procedures**. They are independent human rights experts mandated by the HRC to report and advise on human rights from a thematic or country-specific perspective.<sup>45</sup> They can be either an individual (typically called Special Rapporteur) or a working group composed of five members from each of the UN regional groups. They produce annual reports on their mandated topic or country, which are presented to the HRC. In addition to their annual thematic reports, thematic Special Rapporteurs also produce country reports after official visits, where they analyse the country situation with respect to their topic of expertise.

The core international human rights treaties create '**treaty bodies**' composed of independent experts that monitor the implementation of each of these treaties. There are currently 10 treaty bodies<sup>46</sup> which, among other functions, assess reports by the States Parties to these treaties on their efforts to implement them. They then publish their findings for each country, noting their concerns and recommendations ('Concluding Observations').<sup>47</sup>

## DIFFERENCES BETWEEN THE IRM AND HUMAN RIGHTS ASSESSMENTS

For this report, Transparency International selected 42 countries to conduct a comparative review of the IRM findings and recommendations arising from

select UN human rights documents, specifically the Concluding Observations of the UN Human Rights Committee, UPR reports, and country visit reports by the UN Special Rapporteurs on human rights defenders and on freedom of expression. Although these sources do not represent a comprehensive mapping of all potentially relevant UN human rights reports and recommendations, they serve as a preliminary baseline for comparing findings from UN human rights mechanisms with those of the UNCAC review process for article 13.

Of the 42 countries considered for this report, **36 (86 per cent) showed demonstrable differences** between the IRM findings on article 13 and the findings of the human rights reports on civic space issues. These include both issues explicitly covered by article 13 such as access to information (art. 13.1(b)), freedom of expression (art. 13.1(d)) and reporting by whistleblowers (art. 13.2), and issues implicitly within the scope of article 13 that directly affect the ability of civil society actors to contribute to anti-corruption efforts, including reprisals for their work. Several examples are outlined below.

**Azerbaijan:** the IRM report references the availability of some public engagement mechanisms. It notes that access to information is inconsistent and poorly enforced but is otherwise silent on the issue of freedom of expression (art. 13.1(d)) and the ability of civil society to engage in anti-corruption activities.<sup>48</sup> However, the UN Human Rights Committee and UN Special Rapporteur on human rights defenders have raised concerns about laws that restrict freedom of expression and media freedom (art. 13.1(d)), “*drastic impediments*” that limit the right to freedom of association, and describe a heavily restricted civic space in which there are serious reprisals for anti-corruption journalists and civil society actors as well as whistleblowers reporting corruption, including arbitrary detention and criminal charges.<sup>49</sup>

**Mexico:** the IRM report details the access to information framework, civil society participation in citizens’ oversight mechanisms for public procurement, and other channels for public participation. It does not address freedom of expression (art. 13.1(d)). The Human Rights Committee noted legal provisions that limit freedom of expression, and observed that these provisions have been used to criminalise journalists, whistleblowers and human rights defenders.<sup>50</sup> The UN Special Rapporteur on human rights defenders emphasised restrictions on public

participation and the targeting of journalists, whistleblowers and others exposing corruption.<sup>51</sup> The UN Special Rapporteur on Freedom of Expression highlighted “violence seeking to undermine public debate and civic participation”.<sup>52</sup> None of these issues, which fall within the scope of article 13, were included in the IRM executive summary.<sup>53</sup>

**Mongolia:** the full IRM report acknowledges limited public participation in decision-making, addresses issues of access to information and calls for better implementation of the “legislation that ensures citizens’ right to obtain information”.<sup>54</sup> The Human Rights Committee’s Concluding Observations highlighted that the legislation on State and Official Secrets is used to restrict access to information but also raised concerns about overly broad criminal provisions restricting freedom of information (art. 13.1(d)), which have been used to prosecute journalists who investigate corruption.<sup>55</sup> The Special Rapporteur on human rights defenders raised similar concerns about access to information and threats and intimidation against investigative journalists exposing corruption.<sup>56</sup> The IRM report does not address these issues and, on the contrary, merely states that Mongolia “supports the freedom of searching, receiving, publishing, and disseminating information about corruption” and “respects the rights and reputation of others within the framework of the law.”<sup>57</sup>

**Vietnam:** the IRM report primarily referenced government reporting under article 13, including that “(t)he laws have provided rather sufficiently for the freedom of seeking, receiving, publishing and disseminating information on corruption by organizations and individuals”<sup>58</sup>. However, the Human Rights Committee highlighted the arbitrary detention of those who criticise government policies, journalists and human rights defenders suffering threats and intimidation, state control of media and “severe restrictions on freedom of opinion and expression.”<sup>59</sup>

**Zimbabwe:** the IRM report acknowledges that while access to information is protected by the Constitution, no enabling legislation giving effect to this right has been adopted, and it remains silent on the issue of freedom of expression (art. 13.1(d)). The Human Rights Committee raised concerns over access to information and arbitrary restrictions on freedom of expression, both in law and in practice. It also voiced concerns over allegations of attacks, arrests, and detention of

anti-corruption activists and journalists, as well as threats made against magistrates and judges working on corruption-related cases.<sup>60</sup>

A review was carried out of the instances where the assessments of the IRM and UN human rights bodies differ against data from the CIVICUS Monitor. The review shows that differences in the assessments also exist for countries rated as having an open or relatively open civic space.

**Table 2: Instances of differences in IRM vs human rights assessments in the State under review (36), by CIVICUS Monitor civic-space rating**

CIVICUS Monitor rating	Number of countries
Open	2
Narrowed	9
Obstructed	7
Repressed	9
Closed	9

## HUMAN RIGHTS MECHANISMS AS A LEGITIMATE SOURCE FOR UNCAC REVIEWS

The section above shows that the findings and recommendations of human rights mechanisms are of thematic relevance to the issues that fall explicitly and implicitly within the scope of article 13. More broadly, **UN human rights bodies address corruption** as part of their mandates and have developed a substantial body of work that increasingly recognises the close links between corruption and human rights.

The HRC has been tackling corruption since it was first established in 2006, through biennial resolutions on good governance, asset recovery, corruption and human rights, and through resolutions on public service delivery.<sup>61</sup> The UPR has made 636 recommendations on corruption to the States it has reviewed since it was established. The number of recommendations has increased from 100 in its first cycle (2008-2012), to 150 in its second cycle (2012-2017), to almost 300 in its third cycle (2017-2022).<sup>62</sup>

Similarly, several UN Special Rapporteurs have directly and explicitly engaged with the anti-corruption agenda in their annual thematic reports, including the Special Rapporteurs on human rights defenders, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the right to health and the Working Group on Business and Human Rights.<sup>63</sup>

The same is true for UN human rights treaty bodies. There has been a steady increase across nearly all treaty bodies<sup>64</sup> in the number of Concluding Observations that refer to corruption or a corruption-related issue such as anti-money laundering, asset recovery, or illicit financial flows.<sup>65</sup> For example, the UN Human Rights Committee, which monitors implementation of the International Covenant on Civil and Political Rights (ICCPR), addressed corruption in over half of the country reviews it conducted between 2007 and 2019 (106 out of 210), including in the reviews of Azerbaijan, Mongolia and Zimbabwe referenced in Section 3.2 above.

The IRM Terms of Reference explicitly allow reviewing States to consider information relevant to the UNCAC implementation produced by “*a competent international organization whose mandate covers anti-corruption issues*”.<sup>66</sup> As UN human rights bodies cover corruption as part of their mandates, they meet the criteria set by the IRM Terms of Reference. Information from these bodies should be considered not only legitimate, but essential supporting evidence for UNCAC reviews.

# THE ROLE OF CIVIL SOCIETY IN THE REVIEW PROCESS

Although this report focuses on other UN bodies and mechanisms as a source for the UNCAC review process, civil society participation in the IRM can be an important source of additional information on implementing the convention. Detailed, precise and independent information compiled by CSOs can provide a counterbalance to a government's viewpoint on how to implement the UNCAC. CSOs provide local knowledge to reviewers who may not be familiar with the context in the country reviewed, yet are required to assess a range of different aspects of the national government and society in question. However, civil society's participation in the review process falls well short of the convention's promise. Not only are the issues related to civic space mostly absent from the reviews assessing the implementation of article 13, but there are also significant barriers limiting civil society's participation in the process.

Civil society's input into the review process may potentially take place at different stages, for example through consultations with the State under review when compiling the self-assessment checklist, during the country visit by the evaluation team or by preparing a civil society parallel report for the reviewers. However, while UNODC encourages States to include CSOs, it is at the discretion of the State under review. IRM reports indicate whether civil society has been consulted, but do not indicate how many organisations were included, which ones, or whether States have taken the "broad view and understanding" of the entities they should engage with as outlined in the UNODC Technical Guide.<sup>67</sup> Nor is it clear if the information

presented by CSOs is taken into consideration in the review process.

Other obstacles to civil society's participation in the IRM include governments not consulting with CSOs when developing the self-assessment; a lack of public information – including the timeline – on the country reviews; selective invitation of pro-government CSOs to meet reviewers; and a lack of follow-up mechanisms to monitor whether the recommendations have been properly implemented.<sup>68</sup>

These restrictions on civil society participation in UNCAC processes stand in stark contrast to rules and practices of UN human rights review mechanisms, which allow for the formal participation of civil society.<sup>69</sup> Several UN Special Rapporteurs have expressed concern in this regard and have called on UNCAC States Parties to ensure that civil society can participate meaningfully in UNCAC processes, including the IRM.<sup>70</sup>

## Best practices on civil society participation in human rights country reviews

The **Universal Period Review** is based on (i) a national report prepared by the State under review; (ii) a compilation of UN information on the State under review prepared by OHCHR; and, notably, (iii) a summary of information submitted by other stakeholders, including civil society actors. CSOs can also attend sessions of the UPR Working Group and can make statements at the regular sessions of the HRC when the outcome of the State reviews is considered.

Similarly, civil society parallel reports are considered in the reviews by UN human rights treaty bodies on how States Parties implement each human rights convention. Civil society actors are allowed to attend the review session and to make statements. Several **UN human rights treaty bodies** also hold dedicated meetings with civil society groups on the margins of the official review session.

# CONCLUSIONS AND RECOMMENDATIONS

The review of executive summaries and full reports undertaken for this report highlights serious shortcomings in the IRM's assessment of whether the States Parties have fully implemented article 13. The country reviews fail to consider the conditions necessary for civil society actors to participate in anti-corruption efforts as envisioned by the UNCAC, namely the promotion and protection of civic space.

We have found that the reviews lack specificity when assessing the explicit provisions of article 13, and tend not to assess the implementation of measures in place. As a result, most recommendations are generic, merely mirroring the text of the convention.

The IRM reviews of article 13 present a picture of limited challenges and numerous best practices. This contrasts with the serious restrictions of civic space and the attacks on civil society actors working on anti-corruption that have been highlighted by UN human rights bodies. Eighty-six per cent of the IRM reviews considered for this report show marked differences with UN human rights findings, both on issues explicitly covered by article 13 and issues falling implicitly within the scope of article 13 that directly affect the ability of civil society actors to contribute to anti-corruption efforts, including reprisals for their work and serious civic space restrictions.

To ensure that the UNCAC framework contributes to promoting and protecting an enabling environment for civil society working on anti-corruption, the report makes the following recommendations to the United Nations Office on Drugs and Crime (UNODC) and to States Parties to the Convention:

## SCOPE AND OUTCOME OF REVIEWS

1. Assess all explicit measures in article 13, including freedom of expression, as well as other implicit measures needed to ensure civil society participation: reviews should address the conditions that must be present at the national level for CSOs to be able to contribute to anti-corruption efforts, including respect of the core freedoms underpinning civic space, in line with the commitment affirmed in the Political Declaration of the UN General Assembly Special Session on Corruption.
2. Assess implementation in practice: reviews should go beyond merely outlining whether a right is protected by law and should include an assessment of the implementation and effectiveness of the relevant legal and policy frameworks.
3. Make specific recommendations: recommendations should be specific and tailored to the country under review, providing concrete guidance on the measures that the State under review must enact to ensure compliance.
4. Detail civil society's participation in the review: IRM executive summaries and full reports should provide detail on the measures taken to consult with civil society, the timeline for these processes and whether they were publicly announced, and the steps taken to consider and incorporate information provided by civil society.

## SOURCES OF INFORMATION

5. Include findings of human rights bodies: UN human rights bodies are “competent international organizations whose mandates cover anti-corruption issues” in line with the IRM Terms of Reference and should be considered as sources for the review. The review process should identify and explain gaps between the findings of the human rights bodies and information presented by States.
6. Information to reviewers: in coordination with OHCHR, UNODC should compile and provide to reviewers UPR recommendations, treaty bodies’ Concluding Observations, and other key information relevant to the conditions for anti-corruption civil society in the reviewed State.
10. Participation of civil society: enhance the participation of civil society at key stages of the country review and follow-up process, including by involving them in the preparation of responses to the self-assessment checklist and in country visits.
11. Information from civil society: reviewing States Parties should request and consider information provided by civil society when preparing country review reports.
12. Transparency: the review process should be made more transparent through the publication of full reports, a calendar of reviews and country visits, and the dates on which the reviews start and end.
13. Follow-up: States Parties should publish periodic reports on the progress made in implementing recommendations, in line with common practice in other monitoring frameworks such as the OECD Anti-Bribery Convention and human rights country reviews.

## GUIDANCE FOR REVIEWERS

7. Revise guidance for reviewers: UNODC should revise the guidance on reviews to ensure that reviewers evaluate the conditions required for civil society to operate effectively. The guidance should specify that concerns over freedom of expression – such as laws that may negatively impact this freedom or the challenges faced by journalists investigating corruption – should be addressed under article 13.1(d). The guidance should also clarify that additional civic space concerns fall within the implicit scope of article 13.
8. Revise self-assessment checklist: the self-assessment checklist should include explicit references to human rights treaties and mechanisms as sources for reviews. The questions posed on the implementation of article 13 should include issues related to the civic space available for civil society to participate in anti-corruption efforts.
9. Produce an implementation guide: UNODC should publish an implementation guide and evaluative framework for article 13, similar to the guide produced for article 11.

## TRANSPARENCY AND PARTICIPATION

Negotiations on the next phase of the IRM, which is due to be agreed at CoSP11, are a key opportunity to increase transparency of the review process and bring about meaningful civil society participation. States Parties should consider the following aspects:

# REFERENCES

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- <sup>2</sup> Maslen C., *The role of civil society organisations in countering transnational corruption*, U4 Helpdesk Answer 2024:22, available at <https://knowledgehub.transparency.org/assets/uploads/kproducts/Civil-society-organisations-countering-transnational-corruption.pdf>
- <sup>3</sup> United Nations Guidance Note, Promotion and Protection of Civic Space, September 2020, available at [https://www.ohchr.org/sites/default/files/Documents/Issues/CivicSpace/UN\\_Guidance\\_Note.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/CivicSpace/UN_Guidance_Note.pdf)
- <sup>4</sup> A/HRC/57/31, para 6.
- <sup>5</sup> <https://www.ohchr.org/en/civic-space>
- <sup>6</sup> United Nations, *Our Common Agenda Policy Brief 9: A New Agenda for Peace*, July 2023, available at [https://www.un.org/climateactionmechanism/sites/default/files/2025-06/our-common-agenda-policy-brief-new-agenda-for-peace-en\\_0.pdf](https://www.un.org/climateactionmechanism/sites/default/files/2025-06/our-common-agenda-policy-brief-new-agenda-for-peace-en_0.pdf)
- <sup>7</sup> See European Civic Forum, Civic Space Watch, *Civic Space Report 2025*, available at <https://civic-forum.eu/civicspace25> ("Europe is "experiencing a dangerous rollback of civic freedoms"); WOLA, *Curtailing Civic Space: Tightening Restrictions on Civil Society in the Americas* (2025) available at <https://www.wola.org/wp-content/uploads/2025/07/Curtailing-Civic-Space-Tightening-Restrictions-on-Civil-Society-in-the-Americas-1.pdf>; The Asia Foundation, *A Glass Half Full: Civic Space and Contestation in Bangladesh, Sri Lanka and Nepal* (2023), available at <https://asiafoundation.org/publication/govasia-glass-half-full-civic-space-and-contestation-in-bangladesh-sri-lanka-and-nepal/>; OECD, Public Governance Policy Paper No. 70: *Reinforcing Civic Space in Latin America and the Caribbean* (2025), available at [https://www.oecd.org/content/dam/oecd/en/publications/reports/2025/03/reinforcing-civic-space-in-latin-america-and-the-caribbean\\_51d35dbd/4b3def3a-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2025/03/reinforcing-civic-space-in-latin-america-and-the-caribbean_51d35dbd/4b3def3a-en.pdf); European Commission, 2022 Annual Report on the Application of the EU Charter of Fundamental Rights: A thriving civic space for upholding fundamental rights in the EU, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52022DC0716> ("CSOs and rights defenders have also increasingly faced challenges linked to the narrowing of civic space")
- <sup>8</sup> V-Dem Institute, Democracy Report 2025, available at [https://www.v-dem.net/documents/61/v-dem-dr\\_2025\\_lowres\\_v2.pdf](https://www.v-dem.net/documents/61/v-dem-dr_2025_lowres_v2.pdf); World Justice Project, Rule of Law Index 2024 Insights, available at <https://worldjusticeproject.org/rule-of-law-index/downloads/WJPIInsights2024.pdf>; CIVICUS, CIVICUS Monitor Global Findings 2024, available at [https://monitor.civicus.org/globalfindings\\_2024/](https://monitor.civicus.org/globalfindings_2024/)
- <sup>9</sup> CIVICUS, CIVICUS Monitor Global Findings 2024: Tactics of repression, available at [https://monitor.civicus.org/globalfindings\\_2024/tacticsofrepresion/](https://monitor.civicus.org/globalfindings_2024/tacticsofrepresion/); OECD (2022), *The Protection and Promotion of Civic Space: Strengthening Alignment with International Standards and Guidance*, available at [https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/12/the-protection-and-promotion-of-civic-space\\_c8a8caac/d234e975-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/12/the-protection-and-promotion-of-civic-space_c8a8caac/d234e975-en.pdf)

<sup>10</sup> A/HRC/49/49

<sup>11</sup> UNODC, *Legislative guide for the implementation of the United Nations Convention against Corruption*, Second revised edition 2012, page 24, available at [https://www.unodc.org/documents/treaties/UNCAC/Publications/LegislativeGuide/UNCAC\\_Legislative\\_Guide\\_E.pdf](https://www.unodc.org/documents/treaties/UNCAC/Publications/LegislativeGuide/UNCAC_Legislative_Guide_E.pdf)

<sup>12</sup> A/RES/S-32/1, para 21.

<sup>13</sup> Id, para 30.

<sup>14</sup> CAC/COSP/2023/1, available at <https://www.unodc.org/corruption/en/cosp/conference/session10-resolutions.html#Res.10-1>

<sup>15</sup> The countries were selected to ensure regional diversity and a representation of countries with different civic space contexts, based on the CIVICUS Monitor Index. As the publication of the full report is not mandatory, the review included executive summaries and full reports of 30 countries (Antigua and Barbuda, Peru, United States of America, Cabo Verde, Eswatini, Mauritius, Malawi, Mozambique, Nigeria, South Africa, Palestine, Saudi Arabia, Belgium, Bosnia and Herzegovina, Cyprus, Czechia, France, North Macedonia, Norway, Slovenia, United Kingdom, Australia, Fiji, Laos, Malaysia, Mongolia, Palau, Tuvalu, Sri Lanka and Vietnam) as well as the executive summaries of an additional 12 countries (Chile, Costa Rica, Honduras, Mexico, Venezuela, Burundi, Zimbabwe, Bahrain, Jordan, Morocco, Azerbaijan and Russia).

<sup>16</sup> This includes Concluding Observations by the UN Human Rights Committee, which monitors implementation of the International Covenant on Civil and Political Rights, the Universal Periodic Review by the UN Human Rights Council, and country reports by the UN Special Rapporteur on Human Rights Defenders and the UN Special Rapporteur on Freedom of Opinion and Expression.

<sup>17</sup> UNODC, *Technical guide to the United Nations Convention against Corruption* (2009), page 62, available at [https://www.unodc.org/documents/treaties/UNCAC/Publications/TechnicalGuide/09-84395\\_Ebook.pdf](https://www.unodc.org/documents/treaties/UNCAC/Publications/TechnicalGuide/09-84395_Ebook.pdf)

<sup>18</sup> UNODC, *Travaux préparatoires of the negotiations for the elaboration of the United Nations Convention against Corruption* (2010), page 145, available at [https://www.unodc.org/documents/treaties/UNCAC/Publications/Travaux/Travaux\\_Preparatoires\\_-\\_UNCAC\\_E.pdf](https://www.unodc.org/documents/treaties/UNCAC/Publications/Travaux/Travaux_Preparatoires_-_UNCAC_E.pdf)

<sup>19</sup> The right to participation in public affairs is enshrined in several international treaties, including in Article 25 of the International Covenant on Civil and Political Rights. See UN Human Rights Committee General Comment No. 25 (CCPR/C/21/Rev.1/Add.7). See also OHCHR *Guidelines for States on the effective implementation of the right to participate in public affairs*, available at [GuidelinesRightParticipatePublicAffairs\\_web.pdf](https://www.ohchr.org/en/hrbodies/hrc/committees/publicaffairs/guidelines/guidelinesrightparticipatepublicaffairs_web.pdf)

<sup>20</sup> International Covenant on Civil and Political Rights, Articles 6, 9, 17, 19, 21-22, and 25

<sup>21</sup> CAC/COSP/2009/1, available at <https://www.unodc.org/corruption/en/cosp/conference/session3-resolutions.html>

<sup>22</sup> <https://www.unodc.org/corruption/en/cosp/implementation-review-group.html>

<sup>23</sup> The second cycle was originally scheduled for 2015-2020 but was repeatedly delayed.

<sup>24</sup> More information on the review process is available at <https://www.unodc.org/corruption/en/uncac/implementation-review-mechanism.html> and <https://uncaccoalition.org/uncac-review/uncac-review-mechanism/>

<sup>25</sup> More information on the self-assessment checklist is available at <https://www.unodc.org/corruption/en/uncac/self-assessment.html>.

<sup>26</sup> One of the reviewing States parties is from the same regional group as the State party under review. Regional groups are as follows: African States, Asian States, Eastern European States, Latin American and Caribbean States, and Western European and other States. The selection of reviewers is done by ballot, and States under review can object twice to the randomly selected reviewer.

<sup>27</sup> More information on the self-assessment checklist is available at <https://www.unodc.org/corruption/en/uncac/self-assessment.html>

<sup>28</sup> Guidance to filling in the revised draft self-assessment checklist on the implementation of chapters II (Preventive measures) and V (Asset recovery) of the United Nations Convention against Corruption, available at <https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/20-24June2016/V1603598e.pdf>

<sup>29</sup> UNODC, *Implementation guide and evaluative framework for article 11* (2015), available at [https://www.unodc.org/documents/corruption/Publications/2014/Implementation\\_Guide\\_and\\_Evaluative\\_Framework\\_for\\_Article\\_11\\_-\\_English.pdf](https://www.unodc.org/documents/corruption/Publications/2014/Implementation_Guide_and_Evaluative_Framework_for_Article_11_-_English.pdf)

<sup>30</sup> Excluding general statements saying that there are no barriers to the ability of civil society to communicate freely about corruption.

<sup>31</sup> Antigua and Barbuda, executive summary (ES), p. 2; Azerbaijan, *ES*, p. 3; Mozambique, *ES*, p. 5; Russia, *ES*, p. 8, South Africa, *ES*, p. 8; UK, *ES*, p. 11.

<sup>32</sup> Antigua and Barbuda, full report (FR), p. 21; Cyprus, *FR*, p. 25 and p. 119; Czechia, *FR*, p. 22, p. 24 and p. 134; Malawi, *FR*, p. 23-24 and p. 132; Malaysia, *FR*, p. 306; Mauritius, *FR*, p.213-214 and p. 221; Mozambique, *FR*, p. 147; Nigeria, *FR*, p. 128; North Macedonia, *FR*, p. 243; Norway, *FR*, p. 144; Slovenia, *FR*, p. 238-239 and p. 249; South Africa, *FR* p. 245 and p. 250-251; Sri Lanka, *FR*, p. 86; Tuvalu, *FR*, p. 4; UK, *FR*, p. 160.

<sup>33</sup> Cabo Verde, *ES*, p. 5; Morocco, *ES*, p. 6, Czechia, *ES*, p. 7, Slovenia, *ES*, p. 5

<sup>34</sup> Fiji, Laos, Malaysia, Norway, and Tuvalu

<sup>35</sup> Australia, *ES*, p. 4; Bosnia and Herzegovina, *ES*, p. 4; Eswatini, *ES*, p. 3; France, *ES*, p. 6; Jordan, *ES*, p. 5; Malaysia, *ES*, p. 6; Malawi, *ES*, p. 5; North Macedonia, *ES*, p. 4; Norway, *ES*, p. 4; UK, *ES*, p. 6.

<sup>36</sup> Antigua and Barbuda, *ES*, p. 9; Azerbaijan, *ES*, p. 5; Chile, *ES*, p. 4; Honduras, *ES*, p. 4; Laos, *ES*, p. 6; Mozambique, *ES*, p. 4; Sri Lanka, *ES*, p. 6; Vietnam, *ES*, p. 5.

<sup>37</sup> France, *ES*, p. 6.

<sup>38</sup> Mozambique, *ES*, p. 4.

<sup>39</sup> Antigua and Barbuda, Cabo Verde, and Slovenia include discussions of civil society participation in anti-corruption efforts but not in the framework of whether their rights to associate freely are guaranteed.

<sup>40</sup> CAC/COSP/2025/5, available at [2516147E.pdf](https://www.ohchr.org/en/hr-bodies/upr/basic-facts)

<sup>41</sup> Consideration was given to the manner in which recommendations are organised and presented in the executive summaries. Each 'bullet point' counted as one recommendation. Very few recommendations are of significant length or include more than one issue.

<sup>42</sup> The CIVICUS Monitor assesses the civic space context in 198 countries and territories. It rates them on a scale of five: open, narrowed, obstructed, repressed, and closed. See [Home – Civicus Monitor](https://www.civicsmonitor.org/)

<sup>43</sup> Excluding recommendations that merely repeat Article 13(1)(d) word-for-word. The two recommendations in question concern Albania (Consider adopting protection measures against defamation lawsuits that are considered abusive) and Senegal (Consider adopting the draft law on freedom of the press).

<sup>44</sup> See <https://www.ohchr.org/en/hr-bodies/upr/basic-facts>

<sup>45</sup> See <https://www.ohchr.org/en/special-procedures-human-rights-council>

<sup>46</sup> The two treaty bodies with the broadest mandate are the Human Rights Committee, which monitors implementation of the International Covenant on Civil and Political Rights (ICCPR), and the Committee on Economic, Social and Cultural Rights, which monitors implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR). See full list at <https://www.ohchr.org/en/treaty-bodies>

<sup>47</sup> See <https://www.ohchr.org/en/treaty-bodies>

<sup>48</sup> Australia, Azerbaijan, Bahrain, Bosnia and Herzegovina, Burundi, Chile, Costa Rica, Cyprus, Czechia, Eswatini, Fiji, France, Honduras, Jordan, Laos, Malawi, Malaysia, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nigeria, North Macedonia, Palestine, Peru, Russia, Saudi Arabia, Slovenia, South Africa, Sri Lanka, United Kingdom, United States, Venezuela, Vietnam, Zimbabwe.

<sup>49</sup> Azerbaijan, *ES*, p. 3.

Human Rights Committee Concluding Observations, CCPR/C/AZER/CO/4. UN Special Rapporteur, *Report of the Special Rapporteur on the Situation of Human Rights Defenders on His Mission to Azerbaijan (A/HRC/34/52/Add.3*, 20 February 2017) <https://www.ohchr.org/en/documents/thematic-reports/ahrc3452add3-report-special-rapporteur-situation-human-rights-defenders>.

<sup>50</sup> Human Rights Committee, Concluding Observations on Azerbaijan (CCPR/C/AZER/CO/4). Report of the Special Rapporteur on the Situation of Human Rights Defenders on His Mission to Azerbaijan (A/HRC/34/52/Add.3), available at <https://www.ohchr.org/en/documents/thematic-reports/ahrc3452add3-report-special-rapporteur-situation-human-rights-defenders>.

<sup>51</sup> Human Rights Committee, Concluding observations on Mexico (CCPR/C/MEX/CO/6), para. 42.

<sup>52</sup> Report of the Special Rapporteur on the Situation of Human Rights Defenders on His Mission to Mexico (A/HRC/37/51/Add.2), page 7, available at <https://www.ohchr.org/en/documents/country-reports/ahrc3751add2-report-special-rapporteur-situation-human-rights-defenders>

<sup>53</sup> Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression on His Mission to Mexico (A/HRC/38/35/Add.2), page 3, available at <https://www.ohchr.org/en/documents/country-reports/ahrc3835add2-report-special-rapporteur-promotion-and-protection-right>

<sup>54</sup> Mongolia, *FR*, p. 25.

<sup>55</sup> UN Human Rights Committee, Concluding Observations on Mongolia (CCPR/C/MNG/CO/7), para. 44.

<sup>56</sup> Report of the Special Rapporteur on the Situation of Human Rights Defenders on his Mission to Mongolia (A/HRC/43/51/Add.2), page 9, available at <https://docs.un.org/en/A/HRC/43/51/Add.2>

<sup>57</sup> Mongolia full report, p. 212

<sup>58</sup> Vietnam full report, p.113.

<sup>59</sup> Human Rights Committee Concluding Observations on Vietnam (CCPR/C/VNM/CO/3) [Document Viewer](#)

<sup>60</sup> UN Human Rights Committee, *Concluding observations on the second periodic report of Zimbabwe*, CCPR/C/ZWE/CO/2, 28 March 2025 (advance unedited version) [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FZWE%2FCO%2F2&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FZWE%2FCO%2F2&Lang=en), para. 9.

<sup>61</sup> [Resolutions | OHCHR](#)

<sup>62</sup> [https://upr-info.org/sites/default/files/general-document/2024-12/Anti-corruption%20efforts%20and%20the%20UPR%20edited%20%281%29\\_0.pdf](https://upr-info.org/sites/default/files/general-document/2024-12/Anti-corruption%20efforts%20and%20the%20UPR%20edited%20%281%29_0.pdf)

<sup>63</sup> <https://www.ohchr.org/en/documents/thematic-reports/ahrc4949-heart-struggle-human-rights-defenders-working-against>; <https://www.ohchr.org/en/documents/thematic-reports/ahrc4447-independence-judges-and-lawyers-report-special-rapporteur>; <https://undocs.org/A/67/305>; <https://www.ohchr.org/en/documents/thematic-reports/ahrc4443-report-connecting-business-and-human-rights-and-anticorruption>

<sup>64</sup> The exceptions to this are the Committee on Enforced Disappearances and the Subcommittee on the Prevention of Torture, whose reports are usually confidential.

<sup>65</sup> Centre for Civil and Political Rights, *Corruption and Human Rights: Improving the Human Rights Dimension of the Fight against Corruption*, 2020, [https://ccprcentre.org/files/media/FINALCorruption\\_and\\_HR\\_%28research%29\\_-\\_2020\\_%2816,5x24%29.pdf?fbclid=IwAR0w\\_9GwN0mnyKrGajt1q1How3srGMK\\_isiqTrtdzgtmTXKujC6-YgwuvpU](https://ccprcentre.org/files/media/FINALCorruption_and_HR_%28research%29_-_2020_%2816,5x24%29.pdf?fbclid=IwAR0w_9GwN0mnyKrGajt1q1How3srGMK_isiqTrtdzgtmTXKujC6-YgwuvpU) The key terms considered were: corruption, money laundering, illicit acquisition of assets/funds/wealth, asset recovery, misuse of funds, bribery, bribes, embezzlement, embezzled funds, misappropriation of influence, abuse of functions, funds, trading in influence, illicit enrichment/financial/monetary flows, bank secrecy, kleptocracy, nepotism, clientelism, spoliation, racketeering, state capture, graft, subornation, extortion, sextortion, fraud and tax evasion.

<sup>66</sup> Para. 27. The country review shall be carried out as follows: (a) The desk review shall be based on the responses to the comprehensive self-assessment checklist and any supplementary information provided by the State party under review; (b) In the context of the constructive dialogue between the governmental experts, the State party under review shall facilitate the exchange of information relevant to the implementation of the Convention; (c) If the State party under review is a member of a competent international organization whose mandate covers anti-corruption issues or a regional or international mechanism for combating and preventing corruption, the reviewing States parties may consider information relevant to the implementation of the Convention produced by that organization or mechanism. See <https://www.unodc.org/corruption/en/cosp/conference/session3-resolutions.html>

<sup>67</sup> UNODC, *Technical guide to the United Nations Convention against Corruption* (2009), page 62, available at [https://www.unodc.org/documents/treaties/UNCAC/Publications/TechnicalGuide/09-84395\\_Ebook.pdf](https://www.unodc.org/documents/treaties/UNCAC/Publications/TechnicalGuide/09-84395_Ebook.pdf)

<sup>68</sup> Pring, cit. (note i)

<sup>69</sup> *Ibid.*

<sup>70</sup> These concerns have been raised by several UN Special Rapporteurs, see A/69/365, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/523/22/PDF/N1452322.pdf?OpenElement>, and [20250822-stm-uncac-cop-sr-assembly.pdf](https://www.unodc.org/documents/corruption/en/cosp/conference/session3-resolutions.html)

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