PREVENTION OF CORRUPTION THROUGH HUMAN RIGHTS

• 4 December – The 25th anniversary of the UN Declaration on the Right to Development (R2D)

• R2D requires an “enabling environment for development” - - at both the national and international levels

• Combat against CORRUPTION including “prevention” is one of the key elements of the “enabling environment for development”
Human rights aspect of the prevention of corruption is twofold:

- Prevent corruption as a human rights obligation given its impact on the enjoyment of all human rights and development
- Protect human rights while preventing corruption
Detrimental impact of corruption on human rights (HRC res. 7/11)

- Weakening of institutions
- Erosion of public trust in Government
- Impairment of the ability of Governments to fulfill their human rights obligations, particularly economic and social rights of the most vulnerable and marginalized
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- UNCAC
  - Article 5 (Preventive policies and practices)
  - Article 7 (Public sector)
  - Article 12 (Private sector)
  - Article 13 (Participation of society)

- Implementation of UNCAC through human rights
  - Human rights-based approach
  - Guiding Principles on Business and Human Rights (HRC res. 17/4)
  - Active, free and meaningful participation (Article 2, RTD Declaration)
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Recommendations:

- Human rights-based approach to prevention of corruption
  - Human rights obligations of State Members (Respect, Protect and Fulfil Human Rights)
  - Integrate key human rights principles of NON-DISCRIMINATION, EQUALITY, PARTICIPATION, TRANSPARENCY, ACCOUNTABILITY and INTERNATIONAL COOPERATION

- Capacity-building (e.g. adequate resources, awareness-raising, knowledge and training)

- Monitoring and reporting including by civil society and NGOs
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OHCHR mandate and activities

- August 2004, Seoul, Republic of Korea, a seminar on “Good governance practices for the promotion of human rights”
  - OHCHR publication in 2007

- November 2006, Warsaw, Poland, a seminar on “Anti-corruption measures at the national and international levels in good governance practices for the promotion and protection of human rights” (HRC res. 7/11)
  - OHCHR publication in 2011

- HRC res. 17/23 “The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights”
  - OHCHR study in 2011
THANK YOU!

CONTACT

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