

4 December 2023

English only

---

**Tenth session**

Atlanta, United States of America,  
11–15 December 2023

**Statement submitted by the Institute for Human Rights, a  
non-governmental organization in consultative status with  
the Economic and Social Council\***

The following document is being circulated in accordance with paragraph 1 (i) of resolution 4/6 of the Conference of the States Parties to the United Nations Convention against Corruption and rule 17, paragraph 3 (b), of the rules of procedure for the Conference.

---

---

\* The present document is processed in the form in which it was received.



## **Written Statement**

### **Tenth session of the Conference of the States Parties to the United Nations Convention against Corruption**

Institute for Human Rights acknowledges and highly welcomes the successes of the State Parties in regard to international cooperation under the United Nations to fight corruption.

We strongly believe that corruption is a complex issue that involves both governmental and private institutions. The far-reaching impact of corruption underscores the necessity for comprehensive strategies and collaborative efforts across sectors to effectively combat and mitigate its detrimental effects on society. States play a pivotal role in overseeing the private sector to combat corruption because effective regulation and supervision create an environment of accountability, transparency, and ethical conduct.

We carefully observe how countries from various parts of the globe have been actively engaged in endeavours to repatriate funds derived from corrupt activities. The importance to restore funds from corrupt activities is determined not only by the United Nations Convention Against Corruption but also aligns with the 2030 Agenda for Sustainable Development. The corruption itself violates human rights on the many levels and particularly undermines the Goal 16, which aims to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.”

In the light of the ongoing Session, it is needless to draw attention that not only the States which have the responsibility to respect internationally recognized human rights, avoiding causing or contributing to human rights abuses through their own activities, but there are also financial institutions and investment funds that we need to shed the light on while discussing the responsibility of overcoming corruption, protection and promotion of human rights.

From our prospective, The Danske Bank scandal, that arose in 2018 highlighted the vulnerability of human rights and a relative ease with which an international enterprise can compromise the efficacy of human rights due diligence, especially undermining the SDG 16. It also highlighted the need for the State Parties to enhance international collaboration in regard to preventing, tracking and overcoming corruption as well as establish an efficient joint response mechanism.

The Danske Bank 200 billion dollars scandal is probably the largest ever money-laundering case in the history that serves as an example of a neglectful breach of ethical and legal standards that still lacks a decent accountability.

This case contributes to the discussion on the responsibility of private entities and international enterprises by failing to prevent human rights abuses associated with their operations, but it highlights the. According to the data available, a significant portion of the suspicious transactions tied to individuals and entities from countries with poor human rights records. The findings in regard to the Danske Bank testify that laundered money allowed corrupt government officials and other entities to hide ill-gotten wealth, contributing to human rights abuses in their home countries.

The failure to maintain a proper due diligence of Danske Bank personnel allowed the proceeds of corruption and human rights abuses, from which the “dirty” wealth derived from in the first place.

Ultimately, it is society that pays the cost, as money laundering can weaken institutions' accountability and undermine trust in the financial system. Moreover, failure to ensure a comprehensive due diligence and mutual legal assistance in developed countries can have significant and often adverse effects on developing countries. Such cases like one of the Danske Bank may exert undue influence on the

governments and institutions of developing countries, impacting policy decisions and potentially undermining the democratic processes.

One of the core principles of SDG 16 is to ensure access to justice for all and within the context of business enterprises, it shall be achieved by a comprehensive legal liability, that reinforces the importance of establishing accountability mechanisms.

As in the case of Danske Bank, the scandal underscored the limitations of relying solely on state enforcement. It raised the need for international cooperation and mechanisms to hold banking sector and business enterprises accountable for their actions, particularly in line with the Convention, requiring a global approach that complements state-level efforts.

This brings into focus the need for more efficient international mechanisms and strengthened cross-country cooperation that will address the complexities involved and ensure compliance with legal and ethical standards as well as exhaustive asset recovery.

We are convinced that in the case of Danske Bank, the entity shall return the ill-gotten money to the civil societies from countries, involved in the scandal. By this means, the laundered money will contribute to promotion of human rights and prevention of future financial crimes.