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United Nations Office on Drugs and Crime

Side Event on “Best Practices in Combating Corruption and its Impact on Human Rights”

Conference of the States Parties to the UN Convention against Corruption



St. Petersburg, 5 November 2015



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Overview

- The United Nations Convention against Corruption and human rights
- The role of anti-corruption bodies to minimize impact of corruption and its impact on human rights protection
- Inter-relation of UN anti-corruption work, human rights and development



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The UN Convention against Corruption

Objectives:

- Promote and strengthen measures to prevent and combat corruption
- Promote, facilitate and support international cooperation and technical cooperation in the prevention and fight of corruption, including asset recovery
- Promote, integrity and accountability and proper management of public property and public affairs.



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The UN Convention against Corruption and human rights

- Fundamental Principles of due process of law in criminal and civil or administrative proceedings to adjudicate property rights (preamble)
- Provisions on seizure and confiscation guarantee the protection of property rights of third parties in good faith (art. 31 (9)).
- Protection of Witnesses, experts and victims (art. 32)



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The UN Convention against Corruption and Human Rights

- Extradition proceedings must guarantee fair treatment
- Extradition denied if there are concerns on request made on discriminatory grounds.
- Optional offence of Illicit Enrichment.
- Use of Special Investigative Techniques, to the extent permitted by the basic principles of the domestic legal system



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Anti-Corruption Measures : Prevention

- Establish integrity and transparency in public sector
- Asset declarations for public officials to prevent conflict of interest
- Access to Information
- Integrity in public procurement and in the management of public funds
- Independence and Integrity of the Judiciary and Prosecution Services
- Participation of Society



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Specialized Anti-Corruption Bodies

Article 6

Independence

Resources

Specialized Staff

Art. 36

Specialized bodies to fight corruption through law enforcement

Independence

Appropriate training of staff

Resources to carry out mandate

Anti-Corruption Agencies

- Preventive Mandate
- Preventive and Investigative Mandate
- Prevention, Investigative/Prosecutorial Mandate

- Reporting Obligations



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Anti-Corruption, Human Rights and Development

UNCAC and its
IMPLEMENTATION REVIEW
MECHANISM

SDGs 16
Transparent and
Accountable Institutions at
all levels

Consideration of the UNCAC Reviews in
documents of the Universal Periodic
Review

HR Council 29/11 highlights need for
anti-corruption education, and encourage
cooperation among AC bodies and HR
institutions



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Further work ...

- Continuous training for relevant national authorities (justice system, lawmakers and policy makers) to implement anti-corruption measures in accordance with human rights
- Preventive Measures in place to minimize instances of corruption and its subsequent impact on human rights
- Enhanced link between anti-corruption, development and human rights



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For more information:

www.unodc.org/corruption

www.track.unodc.org



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