



The Negative Impact of Corruption on the Enjoyment of Human Rights

Completed by:

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1. *From your experience, what are the human rights that are most affected by corruption? What specific negative impact can corruption have on enjoyment of human rights by vulnerable groups such as women, children, elderly, person with disabilities, indigenous people and others?*

To date the the World Bank estimates that more than \$1 trillion are paid in bribes every year. The UN Office on Drugs and Crime estimates that multinational criminality moves \$2.1 trillion per year across borders. According to Global Financial Integrity, India, Malaysia and Indonesia have lost \$517 billion through illicit financial outflows over the past decade. There is little doubt that the money lost to corruption could altogether eradicate extreme hunger and poverty the world over.

Human rights of the most marginalized in society that are the most affected because of corruption are:

- Rights to Social Security
- Right to Adequate Living Standard
- Right to Education
- Rights to Desirable Work
- Rights to Participate in Government and in Free Elections

Financial resources that could be used towards social services are squandered on acts of corruption thereby making it difficult for vulnerable groups to access clean water, health services and schools.

2. *Do you have any experience regarding the ways on how best to deal with corruption while at the same time promoting and protecting human rights? What are the best practices and what are the challenges in this respect? Are there any specific problems in your work in cases when corruption has a negative impact on the enjoyment of human rights?*

3. *Is there cooperation between anti-corruption agencies and national human rights institutions in tackling corruption? Please include examples of best practices of such cooperation.*

Several of our national chapters are working with anti-corruption agencies to tackle corruption.

- In December 2010, **GOPAC – Timor Leste** helped to draft and pass an anti-corruption bill to assist the state in fully combatting corruption. This law was put into place to update the current obsolete anti-corruption policies which are not fully instrumental in prosecuting those who commit acts of corruption in the sectors of Timorian society, especially in the business world. This law will also provide more powers to the Anti-Corruption Commission in order to fulfil its mandate and safeguard its impartiality.
- The most important contribution of **ARPAC Jordan** (Arab Parliamentarians Against Corruption) on the national level, was the promotion of establishing an Anti-Corruption commission. The ACC was created in 2008.
- In June 2011, members of the **APNAC Burkina Faso** (African Parliamentary Network Against Corruption) and the Extractive Industries Transparency Initiative in Burkina Faso (EITI-BF), united to fight corruption in its national mining sector. APNAC and EITI-BF members pressured leaders in the mining sector to ensure transparency and good governance in all issues relating to exploitation of Burkina Faso's natural resources. Some of the measures highlighted as means of fighting corruption include publicizing annual revenues, salaries of executives, and the amount of taxes paid to the government annually. As a result of these efforts, Burkina Faso was accepted as EITI compliant in early 2013.

4. *What measure can be taken by the Human Rights Council and its subsidiary bodies or by States to combat corruption with specific consideration regarding the negative impact of corruption on the enjoyment of human rights?*

5. *How can the United Nations human rights mechanisms be utilized for anti-corruption efforts? What other institutional mechanism could be used to integrate a human rights-*

based approach in combating corruption or vice-versa at both the international and national level?

Response to #4 and #5:

GOPAC members have resolved to seek the widespread adoption of legal instruments that obligate states to cooperate against corruption and enable the international community to prosecute perpetrators. GOPAC has therefore been mandated to explore how Grand Corruption can be prosecuted as an international crime and whether it should be viewed as a crime against humanity.

At this stage we are examining whether the international community can use existing international institutions to prosecute perpetrators of grand corruption or whether the international community should create new international legal instruments to end the impunity of the globe's worst criminals. A GOPAC panel discussion on this issue will be parallel to the 5th Conference of States Parties to the United Nations Convention Against Corruption. Further details on the event can be found at <http://gopacnetwork.org/programs/conferences/forum-for-parliamentarians>.

We ask the Human Rights Council to consider whether the gravest acts of corruption should be considered crimes against international law and whether they can bring forth a global discussion on this issue with member governments. GOPAC would be prepared to support HRC on this initiative.

GOPAC is a worldwide alliance of parliamentarians working together to combat corruption, strengthen good government, and uphold the rule of law. Based in Ottawa, Canada, GOPAC has 50 national chapters on 5 continents. GOPAC supports its members' efforts through original research, global anti-corruption capacity building, and international peer support.

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