



**SUBMISSION TO THE UN WORKING GROUP ON BUSINESS AND HUMAN RIGHTS ON**

**CORRUPTION, BUSINESS AND HUMAN RIGHTS**

1. This submission is respectfully submitted by The Sentry in response to the UN Working Group on Business and Human Rights’ (Working Group) recent call for inputs on corruption, business and human rights. It is hoped that this submission, alongside others, will be used to assist the Working Group in compiling its report to the 44th session of the Human Rights Council in June 2020.

**About The Sentry**

1. The Sentry is an investigative and policy team that follows the dirty money connected to African war criminals and transnational war profiteers and seeks to shut those benefiting from violence out of the international financial system. By disrupting the cost-benefit calculations of those who hijack governments for self-enrichment in East and Central Africa, the deadliest war zone globally since World War II, we seek to counter the main drivers of conflict and create new leverage for peace, human rights, and good governance. The Sentry is composed of financial investigators, international human rights lawyers, and regional experts, as well as former law enforcement agents, intelligence officers, policymakers, investigative journalists, and banking professionals. Co-founded by George Clooney and John Prendergast, The Sentry is a flagship initiative and strategic partner of the Clooney Foundation for Justice.
2. Within East and Central Africa, which loses billions of dollars a year in illicit financial outflows, mainly from its extraordinary natural resource wealth, The Sentry focuses primarily on the conflict zone spanning Sudan, South Sudan, the Democratic Republic of Congo, and the Central African Republic. We aim to create significant financial consequences for kleptocrats, war criminals, and their international financial facilitators through network sanctions, anti-money laundering measures, prosecutions, compliance actions by banks and other private companies, asset recovery, and other tools of economic and legal pressure. The Sentry engages intensively with policymakers, law enforcement officials, global banks, tech and mining companies, and other private sector entities around the world. We also support activist campaigns involving students, faith-based groups, celebrities, human rights organizations, and other concerned constituencies.
3. Since our launch in 2016, The Sentry has converted extensive investigative research into evidence-rich reports and dozens of dossiers on individuals and entities connected to grand corruption, violence, or serious human rights abuses. As a result, assets have been frozen, travel has been banned, money-laundering routes have been exposed and shut down, and individuals have been cut off from the international financial system. Much more needs to be done to alter the incentive structure from war to peace, but we are finally seeing consequences imposed on those orchestrating and benefiting from genocide, mass rape, ethnic cleansing, child soldier recruitment, and others.

**The Link Between Corruption, Business and Human Rights**

1. Through extensive research and casework, The Sentry has demonstrated the clear links between corruption at the highest levels of government, business and gross human rights violations. Our reports lay bare the insidious cycle that exists of corrupt elites partnering with business persons, sometimes referred to as enablers, to generate enormous sums of money. These fortunes are used by the corrupt elites and their enablers to become incredibly wealthy and continue to fund conflict. The Sentry continues to uncover these relationships and the illicit financial flows that often start in conflict-affected countries but end in wealthy countries in the global north. To be clear, these relationships benefit only the corrupt elites, their small inner circle and their business partners. Innocent citizens not only fail to reap the rewards of the abundant natural resources that should be used to improve living standards including education and healthcare, but also face deadly conflict that allows the elites and their business partners to continue to act corruptly and become wealthier still. The Sentry goes into detail on these issues in our reporting and briefing, including *The Taking of South Sudan*, *Fuelling Atrocities,* and *Fear Inc* that we attach to this submission.

**Conclusion and Recommendations**

1. The Sentry submits that an extensive array of tools is required to effectively target the links between corruption, business and human rights violations. The Sentry would however highlight three financial tools of pressure as being particularly effective, but relatively underutilized.
2. First, the use of a robust, effective and coherent global sanctions policy, used to implement network sanctions against corrupt elites and their network of business partners. Network sanctions freeze the assets of not just one individual for whom a change in behaviour is sought, but also the individuals or entities who act on their behalf or provide support for the primary individual’s activities. By targeting a whole network, sanctions can be a truly effective tool. The Sentry would therefore submit that national, regional and UN sanctions programs should be reviewed and amended to target individuals most responsible for enabling gross human rights violations. The Global Magnitsky sanctions program in the United States can serve as a model, as it provides a basis for designating individuals and entities responsible for human rights abuses or for corruption.
3. Second, the implementation at the domestic and regional level of effective anti-money laundering measures, which can help deprive the kleptocrats and their business partners of the lifestyle and affluence that they desperately covet. The United States (in 2017, with respect to South Sudan, and in 2018, more generally with respect to corruption related to serious human rights abusers) and United Kingdom (in March 2020, with respect to South Sudan) have both issued alerts from relevant AML-focused agencies that can serve as a model.
4. Third, is coherent and strategic law enforcement action that targets in-country criminal activity but also actions by law enforcement agencies in countries where corrupt finances finally land. Asset seizure actions in the US, UK and Europe, for example, can serve as effective deterrents to those considering doing business with corrupt elites and also provides the opportunity for these assets, or the profits from their sale, to be sent back to the innocent citizens from whom they were stolen.
5. Should the Working Group have further questions or require further information, The Sentry is ready to assist.

Attached:

* *The Taking of South Sudan Briefing Paper*, September 2019
* *The Taking of South Sudan*: *The Tycoons, Brokers, and Multinational Corporations Complicit in Hijacking the World’s Newest State*, September 2019
* *Fuelling Atrocities: Oil and War in South Sudan*, March 2018
* *Fear Inc: War Profiteering in the Central African Republic and the Bloody Rise of Abdoulaye Hissène*, November 2018
* *A New Dawn for Accountability?* Op-ed, February 2020