**PREPARED BY**

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**TO**

**Civil Society and Academia  
Office of the United Nations High Commissioner**

**For Human Rights**

**ON**

**BEST PRATICES THAT LINK ANTI-CORRUPTION MEASURES WITH THE REALIZATION AND PROTECTION OF HUMAN RIGHTS**

***14th September, 2015***

1. **Examples which show how anti-corruption efforts can be effectively complemented through the use of human rights standards, methods and mechanisms;**

The impact of CORRUPTION in the public and private sector and on human rights is not confined within national borders. Corruption in the rule of law systems weakens the accountability structures responsible for protecting human rights and contributes to insecurity in the society. Examples include giving adequate punishment to corrupt officials that tampers with the human rights law. This will ensure the security of the people while corruption is reduced.

1. **Examples where national human rights institutions (NHRIs) identified corruption as a cause of human rights violations and effective remedial measures taken;**

The diversion of funds from state budgets which should be dedicated to the advancement of human rights law, disabled, women, children, elderly, indigenous people and youth employment to the pockets of corrupt politicians. Also, situations whereby officials ask to be bribed before carrying out their duties, thereby, causing pains and suffering to the less privileged that cannot afford the “bribery fee”.

Tackling of all form of violation on human right law irrespective of the offender’s position. Also, putting in place the procedures for claiming rights and addressing violations.

1. **Examples which show how the work of national anti-corruption agencies (ACAs) and NHRIs can be interlinked, substantively, structurally and organizationally (such as existing memoranda of understanding; other formal working relations; designated human rights/anti-corruption focal points);**

Human rights principle and institution are essential components of successful and sustainable anti- corruption strategies. Through education, awareness raising, investigation, prosecution and transparency, Anti-corruption agencies as well as National Human Right institutions tackle CORRUPTION as their focal point thereby promoting human right policies which in turn brings about security and equity. Connecting acts of corruption to violation of human rights creates a possibility for challenging corruption.

1. **Examples of engagement with regional and international human rights mechanisms that brought about change in anti-corruption efforts;**

Regional and local authorities have a great responsibility for implementing human rights. Education, housing, health care and social services are examples of areas where local decision making may have a direct effect on human rights. With regard to effect of corruption on human right, corruption affects the ability of the state to deliver on social and economic rights. Using the different regional and international mechanisms that exist to monitor compliance with human rights, corruption is tackled effectively. Examples include situation where human right activist sues a judge for trying to accept bribe from the prosecutor to pass an unfair judgment

1. **Examples of the incorporation of human rights considerations in self-assessment of implementation of the United Nations Convention against Corruption;**

Defending human rights defeats the forces of crime and corruption which is the sole aim of the United Nations convention against corruption. The fight against Human Trafficking and bribery of officials are examples.

1. **Examples of successful human rights litigation, or of investment disputes or civil law cases where human rights arguments played a decisive role, in corruption cases;**

Human rights litigation has helped in enhancing transparency of investment tribunals, also a change in perception of the roles of investment adjudicator to encourage the relevance of human right law.

1. **Good practices for safeguarding human rights while combatting corruption, in particular with regard to: a) the criminalization of corruption (e.g. illicit enrichment), b) the detection and investigation of corruption, c) the prosecution and judicial proceedings (including suo motu powers) and d) in the recovery of illicit assets;**

Humanitarian practices are essential in protecting and promoting human right. When illegal enrichment is involved, the defendants must be able to proof that they didn’t make their wealth by abusing their official duties and rights of people or take part in any form of bribery. A fair and transparent judiciary is necessary for the prosecution to ensure corruption is investigated, criminalized and penalized. Also, detection and recovery of the assets is ensured.

1. **Good practices for the protection of victims, witnesses, reporting persons, anti-corruption activists, whistleblowers and other persons involved in the fight against corruption which explicitly build on human rights standards;**

VICTIMS- right of access to fairness and justice should be redressed and compensated duly. Also, security and psychological issues of the victim should be catered for and appropriate strategies for creating awareness should be taken in order to avoid repetition.

WITNESS- Witnesses should be made to feel free and secured and not under any form of threat to ensure a just evidence. Their security should go beyond the trial day to ensure complete safety.

REPORTING PERSONS- Should be recognized and compensated. Also, it should be made known to them that they did the right thing and should not hesitate to do it all over again.

ANTI-CORRUPTION ACTIVISTS, WHISTLE BLOWERS AND ALL THE PEOPLE INVOLVED IN THE FIGHT- Should be encouraged not to lag and try to do more in promoting human right law. They should also be recognized and necessary arrangements to provide the basic tools for fighting corruption must be made.

1. **Good practices for securing the independence and enhancing the effectiveness of**

**The ACAs which draw upon the United Nations Paris Principles and the practice and modalities followed for strengthening the independence and effectiveness of NHRIs (e.g. the International Coordinating Committee of NHRIs; its peer review process; sharing of substantive and administrative approaches to work);**

Time to time reviewing of the constitution which guides the aims and objectives of ACAs (Anti-Corruption Agencies) should be invoked. Also, check and balance between anti-corruption agencies (I.e checkmate each other’s activities) and ensuring no loops-hole is left un-covered.

Internal and External ACAs and NHRIs committee can also be setup and governed by either a security or independence war or crime legislature.

1. **Any other issues relevant to the scope of this study, including for instance information on the use of indicators for measuring the negative impact of corruption on human rights or the correlation between corruption and human rights violations and vice versa.**

The United Nations Convention against Corruption has to involve local and regional Organizations in reporting crimes and engaging in anti-corruption work, this will fasten and streamline the work of the body in wider perspective.

Also, corruption has to be fought from both the higher ladder of governance to the locals or grass-roots. Since corruption spread so speedily, so also the work of anti-corruption should be vast and speedy to counter corruption and its spread.

**“Corruption is deadly and destructive”**

Sincerely yours,

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