

The challenges faced and best practices applied by States in integrating human rights into their national strategies and policies to fight against corruption, including those addressing non-State actors, such as the private sector. (HRC resolution 41/9)

Background

The Amman Center for Human Rights Studies strengthens civil society in Jordan and across the Arab world, promoting values that strengthen human rights. The Center works to encourage States to integrate human rights practices into their national strategies and policies in an effort to fight corruption at all levels of government. Corruption severely inhibits a State's ability to protect the human rights of its citizens, on the other hand, anti-corruption measures work to promote and protect human rights. Corruption leads to the mishandling of resources that people rely on for education, health care, clean water and infrastructure. The Center recognizes the importance of protecting human rights defenders who advocate for anti-corruption measures. Human Rights advocates are facing increasing pressure and the space in which civil society is operating is often limited or eliminated, proving detrimental to fighting corruption.

The Amman Center for Human Rights Studies recognizes that corruption is linked to human rights violations and encourages governments all over the world to better implement the UN Convention Against Corruption. Ensuring that the global community adheres to the UNCAC is the first step in creating a global oversight and accountability system that will provide the space for human rights activists to fully achieve their anti-corruption agenda. The UNCAC creates a global platform that allows activists to combat corruption on a national and local level. The Amman Center for Human Rights Studies calls the international community into action to combat corruption and promote human rights work, while at the same time relying on UNCAC to provide a platform of accountability to accomplish its anti-corruption goals.

The United Nations Convention Against Corruption

The UNCAC was adopted by the United Nations in 2003 as a landmark international anti-corruption treaty. For the first time, a global response against corruption was put into action with 181 countries joining on to the UNCAC. The international community recognized the importance of taking preventative measures to stop corruption and enhance the human rights of citizens. The Convention calls strengthens civil society by encouraging the participation of citizens in the fight against corruption, while simultaneously emphasizing the important of citizen's access to information. The UNCAC calls for participatory nations to take preventative measures to stop corruption in both the public and private sectors. Such measures include, sound financial management, effective access to public information, measures to prevent money laundering, implementing auditing strategies for private companies and independent judiciary, active involvement of civil society, as well as many other measures. The Convention also seeks to criminalize bribery, hold law enforcement accountable, foster international cooperation, recover stolen assets, and enhance technical information exchange. There are many countries in the Arab world that are members of the UNCAC including Egypt, Jordan, Kuwait, Morocco, Qatar, Tunisia and the United Arab Emirates. However, despite such effort's corruption in the Arab world still remains a rampant issue and is affecting the promotion of

human rights dramatically in the region. Syria, Iraq, and Libya remain some of the most corrupt countries in the world¹.

Suggestions for Human Rights and Anti-Corruption Promotion

The Amman Center for Human Rights Studies recognizes that States face a number of challenges when it comes to implementing human rights into their national strategies to fight corruption. Many States crack down on human rights activists and intentionally weaken civil society so that corruption can persist within the government. It is essential that States provide space where civil society is permitted to operate and where freedom of information and speech are allowed. ACHRS suggests a number of practices that can be applied by the State to promote human rights and battle corruption. These practices are citizen participation, transparency of the State, and accountability of those who hold power. Participation of citizens should be an essential aspect of governmental decision making and policy implementation. Citizens and civil society organization provide oversight where accountability is lacking within governing bodies to stop the States abuse of power and corruption. Strengthening civil society allows those who are vulnerable to voice their rights. Corruption persists when it is not challenged, and elites attempt to perpetuate their privilege. Civil society organizations often have a large impact in breaking this cycle of corruption if they are provided a space to operate. The UNCAC encourages participation of citizens to break the cycle of corruption.

In addition, it is essential that States are transparent with their citizens and provide access to public information. States should not obstruct the flow of information to their people. The proper dissemination of information is essential to stop the cycle of corruption and create a more equal relationship between civil society and the government. Corrupt States intentionally inhibit the flow of information to their citizens to block reform efforts. Therefore, it is essential that the international community and human rights organizations pressure States to allow freedom of information or else states will remain corrupt and human rights will never be fully realized. The ACHRS believes that governing bodies should enact legislation that requires free access to information, which is a human right. Civil society organizations should strengthen public awareness about governmental transparency.

Lastly, it is essential that those in power are held accountable for their actions. This will create a sense of trust between those who hold the power and their citizenry. Although there is no direct reference to accountability of those wielding power in international human rights law, this is an essential part of combating corruption and promoting human rights. Those in power have a duty to protect the rights of individuals and if they do not fulfill their duty, it essential that they are held accountable by the legal institutions in their countries. This is the only way that human rights can be fully realized. Through emphasizing the rule of civil society, governmental accountability can be insured from the bottom up. Individual citizens play a large role in both monitoring and influencing the behavior of their governing bodies. Democratic voting systems do not always control the behavior of those elected. Although elections legitimize those in power, they do not hold them accountable for their actions once they are in power. Civil society organizations, NGO's, co-operatives, and social movements play in

¹ https://www.unafei.or.jp/publications/pdf/RS_No66/No66_15VE_Vlassis1.pdf

important role in creating mechanisms to hold government officials accountable for their behavior.

Corruption in Jordan

Although it is not as pervasive in Jordan as in other Arab countries, corruption still exists at all levels of Jordanian society. Jordan has anti-corruption legislation in place and is a member of the UNCAC, yet implementation of this legislation is often lacking. *Wasta* (who you know) often dictates political, social, and business life in Jordan, which leads to increased nepotism and corruption in the Jordanian government. Jordan's constitution permits freedom of speech and freedom of the press, yet there are many cases where the government does not abide by the constitution. For example, journalist can face prosecution for covering controversial topics. The law has criminalized defamation of the state, and therefore it is forbidden to report on corruption without "concrete justification". Security officials largely shape the state of civil discourse in Jordan, threatening those who disagree with the state and blocking foreign and domestic websites that do not meet their content guidelines. Strengthening civil society is a good way to fight corruption in the government. In Jordan, despite the large number of NGO's that operate in the country, civil society groups are put under pressure by the state. Many of the NGO's in Jordan were created and are controlled by the royal family. The government also largely controls the internal affairs of many civil society organizations that operate on its soil. NGO's are largely excluded from the government's decision making process and political officials often do not engage with the interests of such organizations. ACHRS is working to fight corruption through the strengthening of civil society in Jordan by making Jordanians aware of their human rights, however the ACHRS cannot do this alone².

² <https://www.ganintegrity.com/portal/country-profiles/jordan/>