**Intersessional panel discussion on challenges and good practices in the prevention of corruption, and the impact of corruption on the enjoyment of human rights in the context of the COVID-19 pandemic**

*Concept note*

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| **Date and venue:** | Tuesday, 15 February 2022, 11:00-13:00, Conference Room XIX/Hybrid, Palais des Nations, Geneva. |
| **Objectives:** | The panel aims to:   * Deepen the understanding of the nexus between corruption and human rights, * Discuss the challenges and good practices in the prevention of corruption, and the impact of corruption on the enjoyment of human rights in the context of the COVID-19 pandemic, * Identify opportunities for linking anti-corruption measures with the promotion and protection of human rights, and how they relate to national development agendas, * Identify opportunities for policy coherence among the intergovernmental processes, * Consider ideas for further steps and actions that might usefully be taken by the UN-system, including the Human Rights Council, to help States adopt a rights-based approach to preventing and fighting corruption. |
| **Opening remarks:** | **Ms. Nada Al-Nashif,** United Nations Deputy High Commissioner for Human Rights  **Ms. Brigitte Strobel-Shaw,** Chief, Corruption and Economic Crime Branch, United Nations Office on Drugs and Crime (UNODC) |
| **Chair:** | **H.E. Mr. Federico Villegas**, President of the Human Rights Council |
| **Moderator:** | **Mr. Thomas Stelzer,** Dean of International Anti-Corruption Academy |
| **Panellists:** | * **Ms. Anita Ramasastry**, Member, Working Group on the issue of human rights and transnational corporations and other business enterprises * **Mr. David Clarke, Unit Head a.i.,** Health Systems Governance and Policy, World Health Organization * **Ms. Beatriz Elena Londoño**, Secretary for Transparency of the Presidency of the Republic of Colombia * **Ms. Gillian Dell**, Head of Conventions Programme, Transparency International |
| **Participants:** | Experts from Member States, non-Member States and other entities with observer status, United Nations-system organizations, accredited national human rights institutions and civil society organizations with ECOSOC consultative status. |
| **Outcome:** | A summary report of the discussion will be prepared by OHCHR and submitted to the Council at its fifty-first session (September 2022). |
| **Mandate:** | The Human Rights Council, in its resolution 47/7 of 12 July 2021, decided to convene before its fiftieth session an intersessional panel discussion on the challenges and good practices in the prevention of corruption, and the impact of corruption on the enjoyment of human rights in the context of the COVID-19 pandemic, and also decided that the discussions would be fully accessible to persons with disabilities. |
| **Format:** | The opening statements and initial presentations by the panellists, guided by the moderator, will be followed by an interactive discussion chaired by the President.  The interactive discussion will be followed by responses from the panellists. The moderator will sum up the discussions at the end of the panel.  The registration form for the list of speakers will be shared via Indico. The floor will be given to those asking to speak in chronological order. Speaking time will be 2 minutes for all.  Interpretation will be provided in the six United Nations official languages (Arabic, Chinese, English, French, Russian and Spanish). |
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| **Background:** | The United Nations has been concerned with the problem of corruption since the mid-1970s. The first discussions were linked to the efforts to address the issue of corrupt practices and illicit payments in international business transactions and to formulate a code of conduct for transnational corporations. Simultaneously corruption was addressed from a sustainable development, governance, crime prevention and criminal justice perspective, culminating in the adoption of the United Nations Convention against Corruption in 2003 and its subsequent implementation.  Linking corruption and human rights is a relatively recent development. In 1991, the former Sub-Commission on the Prevention of Discrimination and Protection of Minorities took up this issue and discussed the problem of capital flight and fraudulent enrichment of high-ranking State officials, which led to the adoption of a Commission on Human Rights resolution in 1992 entitled “Fraudulent enrichment of top State officials prejudicial to the public interest, the factors responsible for it, and the agents involved in all countries in such fraudulent enrichment.”  The United Nations human rights bodies have been concerned with the issue of corruption and its impact on human rights ever since.  The rationale for linking anti-corruption and human rights lies in the recognition of the negative impact corruption has on the enjoyment of human rights, in the recognition that anti-corruption efforts need to comply with human rights standards and in the recognition that human rights standards, principles and mechanisms provide additional entry points to complement and strengthen anti-corruption efforts.  These issues deserve more urgent attention during and following the pandemic:   * The pandemic has led to sharp decline in economic activities, reducing revenues and constraining fiscal space. * At the same time, in response to the pandemic, governments have unleashed some of the biggest public spending in health (procurement of personal protective equipment (PPE), treatments, vaccines, other supplies), social protection and stimulus packages. * Most governments have also resorted to the use of emergency measures, including lockdown, and also direct awards/procurement.   Thus, there are higher risks of corruption, including irregular procurement, given potentially weakened oversight and reduced accountability due to emergency measures in place. |
| **Background documents:** | * [Human Rights Council resolution 47/7](https://undocs.org/A/HRC/RES/47/7) on the negative impact of corruption on the enjoyment of human rights, of 12 July 2021 * Final report of the Human Rights Council Advisory Committee on the issue of the negative impact of corruption on the enjoyment of human rights ([A/HRC/28/73](https://undocs.org/A/HRC/28/73)) * 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, Report of the Office of the United Nations High Commissioner for Human Rights ([A/HRC/44/27](https://undocs.org/A/HRC/44/27)) * Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on connecting the business and human rights and the anti-corruption agendas ([A/HRC/44/43](https://undocs.org/en/A/HRC/44/43) and [report web page](https://www.ohchr.org/EN/Issues/Business/Pages/2020Survey.aspx)) * [Joint statement on corruption and human rights](https://www.ohchr.org/Documents/HRBodies/TB/AnnualMeeting/JointStatementonCorruptionandHR20May2021.docx), by several United Nations Treaty Bodies * Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation, [General Assembly resolution S-32/1](https://undocs.org/A/RES/S-32/1) of 2 June 2021 * [Corruption and COVID-19: Challenges in Crisis Response and Recovery](https://www.unodc.org/documents/Advocacy-Section/COVID-19-Crisis-responserecovery-WEB.pdf), UNODC * [COVID-19 Vaccines and Corruption Risks: Preventing Corruption in the Manufacture, Allocation and Distribution of Vaccines](https://www.unodc.org/documents/corruption/COVID-19/Policy_paper_on_COVID-19_vaccines_and_corruption_risks.pdf), UNODC * [Good Practices Compendium](https://www.unodc.org/documents/corruption/COVID-19/G20_Compendium_COVID-19.pdf) on Combating Corruption in the Response to COVID-19, UNODC * [Accountability and the prevention of corruption in the allocation and distribution of emergency economic rescue packages in the context and aftermath of the COVID-19 pandemic](https://www.unodc.org/documents/Advocacy-Section/COVID-19_and_Anti-Corruption-2.pdf), UNODC * [COVID-19 Fiscal Response and the Prevention of Corruption](https://www.unodc.org/pdf/corruption/COVID-19fiscal_response.pdf), UNODC |