

Oral statement from Transparency International to the Advisory Committee on preliminary research-based report on the negative impact of corruption on the enjoyment of human rights (pursuant to Council resolution 23/9)

Dear Advisory Committee members,

My name is Gillian Dell and I am Head of the Conventions Unit at Transparency International, the global coalition against corruption. It is a pleasure to again attend an Advisory Committee meeting as you discuss the initial draft report to the Council on corruption and human rights. Transparency International has long promoted the understanding that corruption can constitute an obstacle to or violation of human rights and we have followed the Council and Advisory Committee deliberations carefully.

We welcome your current preliminary draft, which clearly references the impact that corruption can have, directly and indirectly, on the rights of individuals, groups and society as a whole. As this has also been very well-documented by OHCHR, [the European Parliament,] Transparency International and others, we feel that the real added value that the Advisory Committee can bring is in recommending [to quote Council resolution 23/9] “how the Council and its subsidiary bodies should consider the issue” –this is the core area of work as some previous speakers mentioned.

We therefore look forward to a draft of the section of the Advisory Committee report advising the Council on how to proceed. As stated in our longer questionnaire submission to the Committee, we believe that there is ample cause for corruption to become a standing issue on the agenda of the Human Rights Council. In our view, the most effective means to achieve this would be **the establishment of a mandate for a UN special rapporteur on corruption and human rights**. A cross-cutting mandate would advance our understanding of the impact of corruption on specific rights and identify gaps in protection, strengthen synergies with other agencies, and raise issues related to corruption and human rights in country visits. It could certainly include a review of issues relating to corruption involving multinationals. We would encourage Committee members to revisit our submission for more detail.

We also see enormous potential for linking the anti-corruption movement to the opportunities provided by the existing human rights machinery - from the human rights treaties, UPR and special procedures through to the protection of whistleblowers as human rights defenders, to developing standards on the independence of anti-corruption agencies drawn from the experience of national human rights institutions, as well as strengthening synergies between human rights and anti-corruption bodies at all levels.

We would also encourage the Committee in its report to anticipate the likely concerns of certain Council members related to taking action on corruption, including that corruption is dealt with comprehensively by UNODC under the UNCAC process, or that there is a proliferation of special procedure mandates in Geneva. In our view, the case can be clearly made that the human rights dimension of corruption is not formally addressed in the

UNCAC or elsewhere, while there is overwhelming evidence of the value that a new special rapporteur on corruption and human rights.

We hope that our previous questionnaire submission to the Committee will be helpful in providing relevant supporting material and we hope that your final recommendations to the Human Rights Council can be as targeted and actionable as possible in order to help advance our efforts to respect, protect and fulfil human rights in the fight against corruption.

Thank you.