**UNCAC/COSP8 Side event: Human Rights, Gender and Corruption**

**Speech: The potential of mainstreaming the anti-corruption and human rights agendas**

by Ambassador Stefan Estermann, Switzerland

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| **Summary:** * Corruption is a **global phenomenon** that poses serious challenges in multiple policy areas – including peace and security, development and the rule of law. That is why Switzerland takes a holistic and complementary approach to combating corruption.
* Over the past 20 years, efforts to combat corruption have mainly focused on **criminal law instruments** and **good governance**. Because corruption also has the potential to **hamper the fulfilment of practically all human rights guarantees**, the effect of corruption on efforts to protect human rights is gaining growing attention. Countries with high levels of corruption have poor human rights records and weak institutions.
* Switzerland is convinced that a more **robust human rights approach** could significantly contribute to **preventing corruption and countering** its effects. This will require broadening our focus from individual offenders to governments' **systemic responsibility** as well as **empowering victims** (enhancing victims' legal standing). The debate is therefore increasingly taking place not only in Vienna (UN Convention Against Corruption) but also at the UN Human Rights Council – not least thanks to Switzerland's support.
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Ladies and Gentlemen,

The scope of the present side event is quite a broad one. It ranges from human rights in general to the specific gender issue - and how the two relate to corruption. As broad as this event’s focus is also Switzerland's commitment when it comes to the fight against corruption in all its facets.

During my short speech, I would like to highlight two points in this regard:

At first, I would like to speak about a specific Swiss project abroad, which examines the interfaces between the topics of corruption, human rights, women, peace and security.

Later, I would like to introduce the recently published Practitioner's Guide to Corruption on Human Rights and to explain the background, which led to its development by Switzerland and its university partners.

Regarding the first point of my speech: The project, I would like to mention here, is being carried out by the NGO “Global Network of Women Peacebuilders” in partnership with Switzerland. The GNWP is a coalition of women's groups and other civil society organizations around the world, focusing on countries in conflict situations. The background of that project is anecdotal evidence on the correlation between women and peace and security and corruption and human rights.

For example, in Burundi, interviews with women’s rights organizations reveal that officials are misusing the budgetary allocations for inmates in correctional institutions including the funds for meals. To cover up for the missing funds, jail officials and the police require women victims of sexual violence who report to the police to bring food for their perpetrators.

In similar interviews, women activists in Northern Uganda report that when police are called upon to investigate cases of sexual and gender-based violence, the families of the victims are asked to pay for the gasoline of the police cars. This discourages victims from reporting because most of them live in abject poverty that is aggravated by conflict. The project will verify this anecdotal evidence to strengthen the linkages between corruption, human rights and the “Women and Peace and Security”-agenda. We are curious to see the outcome. Generally, such examples show that corruption can have a very direct negative impact on many people's daily lives and that something must be done about it.

Ladies and Gentlemen, let me now come to the second topic of my speech.

The promotion of democracy and sustainable development, a peaceful coexistence of peoples and respect for human rights are important objectives of Swiss foreign policy, and I believe of many countries represented in this room.

Corruption can prevent the achievement of these goals. It hinders the implementation of practically all human rights guarantees and, conversely, inadequate human rights protections fuel corruption.

While UNCAC has established global norms against corruption and strengthened anti-corruption institutions and communities in many countries, corruption continues to go hand in hand with impunity in many others. We are convinced that the promotion of human rights and the fight against corruption must go hand in hand.

In our view, there is **no** need for introducing a new human right regarding the protection against corruption. Switzerland's approach is to mainstream human rights concerns into anti-corruption efforts. Our objectives are threefold:

* Our first objective is to broaden what has to date been an almost exclusive focus of anti-corruption instruments on the criminal activities of individual offenders to also include the systemic responsibility of governments;
* Secondly, we also want to enhance the legal standing of victims of corruption: the human rights approach should help them articulate their claims, and empower them to challenge corruption effectively;
* Finally, we want to raise awareness of anti-corruption instruments within the human rights mechanisms of the Human Rights Council and UN treaty bodies: in carrying out their mandate, they must systematically address existing gaps and identify measures to prevent and combat corruption in the signatory states.

Ladies and Gentlemen,

Together with the UN Office of the High Commissioner for Human Rights and with interested actors from civil society and academic institutions, the Swiss Federal Department of Foreign Affairs (FDFA) has for some time been exploring ways of mainstreaming human rights in the anti-corruption activities of UN treaty bodies and in state-parties' reports and individual complaints procedures.

To this end, Switzerland launched a project with university partners to promote the sharing of expertise and experience between members of UN treaty bodies and anti-corruption experts and to produce a Practitioners' Guide on Corruption and Human Rights specifically geared towards anti-corruption practitioners.

The Practitioners' Guide is intended to help them cooperate systematically and comprehensively with the relevant UN human rights mechanisms, in particular the UN treaty bodies. It aims in particular to enable anti-corruption practitioners to make better use of the UN human rights system and to provide targeted information to the relevant treaty bodies that are addressing situations in specific countries.

The results of project activities should be made available as a basis for other planned activities, especially side events at international conferences and forums (for example the 42nd Session of the UN Human Rights Council, the current Eighth Session of the Conference of the States Parties to the UN against Corruption and the Francophonie Summit).

I would now like to give the floor to Ms. Lazarie Eeckeloo from the Centre for Civil and Political Rights, Geneva, who will present the project in more detail.