

CORRUPTION- Human Rights *NEXUS*



Prof.Dr.Aung Tun Thet
Aug 3rd, 2020



“ WHEN THERE IS
CORRUPTION,
HUMAN RIGHTS
DISAPPEAR.

Olajobi Makinwa,
UN Global Compact Africa Chief



**TRANSPARENCY
INTERNATIONAL**
the global coalition against corruption



HISTORY

- Field of **human rights** emerge after **World War II**
- Field of **anti-corruption** developed following end of **Cold War**

1990s

- International community recognized need to *address* and **limit corruption**
- *Impediment* to **economic development**

CORRUPTION, BRIBERY, THEFT & TAX EVASION

- **US \$1.26 trillion** for developing countries per year
- **Lift** those living on less than **\$1.25 a day** above **\$1.25** for at least **6 years**



CORRUPTION



- **Detrimental impact** on *protection* and *enjoyment* of **human rights**
- Equal access of all citizens to **human rights-related goods and services**



CORRUPTION

- Lead to violations of specific **human rights**
- **Structural obstacle** to implementation and enjoyment of **human rights**

Five Types of Human Rights





CORRUPTION

- Leads to **failure of government institutions**
- Difficult to **develop and implement human rights frameworks**



CORRUPTION



- Hamper **human rights** of all individuals
- **Vulnerable** groups and groups exposed to **marginalization** and **discrimination** suffer first and disproportionately
- Further **aggravate** existing **human rights violations**

CORRUPTION–HUMAN RIGHTS NEXUS

- Not “**harmless**” economic crime or transaction affecting only individuals directly involved
- Insidious **plague**
- **Corrosive effects** on societies



CORRUPTION–HUMAN RIGHTS NEXUS

- Undermine **democracy** and **rule of law**
- Distort **markets**
- Erode **quality of life**
- Allow **organized crime, terrorism** and **other threats** to human security flourish



CORRUPTION–HUMAN RIGHTS NEXUS

- Major **obstacle** to effective promotion and protection of human rights
- Undermine State's ability to **mobilize resources** for **delivery of services** essential for **realization of human rights**



CORRUPTION–HUMAN RIGHTS NEXUS



- **Whistle-blowers** protected
- **Specialized mechanisms** against corruption established
- **Independence** guaranteed and well resourced



ROLE OF PRIVATE SECTOR

- **Businesses** key actors in offences that have **negative effects** on human rights
- Improper **influence** of corporations on public institutions



UNITED NATIONS GLOBAL COMPACT (UNGC)

- *Voluntary* and *collaborative initiative* between businesses and United Nations
- Promote **responsible business practices**

WE SUPPORT



THE UN GLOBAL COMPACT

The 10 Principles

<u>Human Rights</u>	<p>Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and</p> <p>Principle 2: make sure that they are not complicit in human rights abuses.</p>
<u>Labour Standards</u>	<p>Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;</p> <p>Principle 4: the elimination of all forms of forced and compulsory labour;</p> <p>Principle 5: the effective abolition of child labour; and</p> <p>Principle 6: the elimination of discrimination in respect of employment and occupation.</p>
<u>Environment</u>	<p>Principle 7: Businesses should support a precautionary approach to environmental challenges;</p> <p>Principle 8: undertake initiatives to promote greater environmental responsibility; and</p> <p>Principle 9: encourage the development and diffusion of environmentally friendly technologies.</p>
<u>Anti-Corruption</u>	<p>Principle 10: Businesses should work against all forms of corruption, including extortion and bribery.</p>

UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

- **Human rights-related responsibilities** of transnational corporations
- **“Soft law”** instrument
- Not **binding obligations** for States or corporations
- International **shift** towards developing norms bringing business activities into line with international human rights standards

UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

- Obligations of States to **protect** individuals from harmful business activities
- Provide **effective remedies** for business-related human rights abuses

AGENDA 2030 FOR SUSTAINABLE DEVELOPMENT GOALS (SDGs)

- Not explicitly based on **human rights**
- **Aligned** with human rights
- **Social, economic, political, cultural** and **environmental** development through **good governance, rule of law, access to justice, personal security, and fight against inequality**

AGENDA 2030 FOR SUSTAINABLE DEVELOPMENT GOALS (SDGs)

- Realization of **human rights**, *including rights to health, adequate standard of living, education, non-discrimination, gender equality, and development explicit objectives of SDGs*
- Derived from **Universal Declaration of Human Rights** and **international human rights treaties**

SUSTAINABLE DEVELOPMENT GOALS



16 PEACE, JUSTICE AND STRONG INSTITUTIONS



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TO DENY PEOPLE
THEIR **HUMAN
RIGHTS** IS TO
CHALLENGE
**THEIR VERY
HUMANITY.**”

NELSON MANDELA
1918 - 2013



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ACC/July/2020