

Expert Consultation on the draft of a practitioner guide on corruption and human rights violations

11-12 June 2018
Geneva



Concept note

Background Information

It is now widely admitted that corruption negatively effects the enjoyment of civil and political rights as well as economic social and cultural rights). It not only has a negative impact on the States that are not in position to implement the treaty based human rights obligations, but it also directly affects the population of such countries. This concern was raised several times by the various UN Treaty Bodies in charge of monitoring the main human rights treaties.

Moreover, in the context of the Sustainable Development Goal 16 "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels", the 2030 Agenda for development refers to concrete actions to fight against corruption, namely "significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime to corruption".

1 - *Improving the Human Rights dimension of the fight against corruption: from theory to practice*

However, in the UN Human Rights Machinery and in particular in the UN Treaty Bodies and in the UN Human Rights Council the corruption issue is rarely addressed in a comprehensive and systematic manner. These gaps were discussed at length during an international conference organised on the 19th and 20th February 2018 by the Centre for Civil and Political Rights. At this occasion several anti-corruption activists shared their willingness to better use the various human rights avenues within the UN and at the same time expressed their concerns about the difficulties to properly access the mechanisms. Members of Committees attending the conference strongly emphasized the necessity to receive more information and reports on corruption regarding the States scheduled to be reviewed by their respective body.

The expert consultation is designed to address the above-mentioned gaps and strengthen the participation of the anti-corruption groups within the UN Mechanisms and in particular the UN Treaty Bodies. It will build on previous research undertaken by the Geneva Academy and OHCHR, which tries to provide the substantive base for a practical user-friendly guide for anti-corruption practitioners which explores how a human rights –based approach – and the human rights system, can be used to strengthen anti-corruption efforts.

Goal and objective

Goal: To develop new advocacy tools for the UN HR mechanisms, in particular, the Treaty Bodies, to address the issue of corruption.

Objective: To develop a practitioner guide for CSOs – in particular anti-corruption groups – on how to report on corruption issues in the UN Machinery and establish a tool for strategic advocacy.

The development of a practitioner guide will be an important tool to ensure that anti-corruption groups are in a position to better address the issue of corruption before the UN HR Mechanisms.

The objective of the expert consultation is to develop and agree on an outline of the practitioner guide that will subsequently be further elaborated. It is expected that the guide will include a brief overview of the UN Machinery and specific sections on the UN Treaty Bodies and the UN Human Rights Council where best practices on findings on corruption as well as tips will be presented and analysed.

Agenda and modalities of the expert consultation

Day I: 11th June 2018 – Afternoon

Session I: Previous researches and analysis on the link between the corruption and the human rights violations

- 1) Presentation of the report of the Geneva Academy: "*Human Rights and Countering Corruption*"
- 2) Presentation of the outcome document of the International Conference on human rights violations and corruption (February 2018)
- 3) Presentation of the report of Raoul Wallenberg Institute: "Strengthening the nexus between human rights and anti-corruption"

Session II: Current practice of the UN Mechanisms regarding the issue of corruption and the human rights violations

- 1) The UN Treaty Bodies
- 2) The UN Human Rights Council
- 3) The Special Procedures

Session III: Expectations and needs from the CSOs and in particular the anti-corruption groups

Day II: 12th June 2018 - Morning

Review of the outline:

- Working Group I: Petty Corruption
- Working Group II: Grand Corruption
- Working Group III: Thematic issues and corruption

Wrap up in plenary

Day II: 12th June 2018 – Early afternoon (ending at 3pm)

Adoption of the outline and timeline for the next steps

Background documents

Two documents will serve as a basis for the discussion on the elaboration of the outline:

- 1) The research done by the Geneva Academy in cooperation with OHCHR on “Human Rights and Countering Corruption” (draft of June 2016)
- 2) The research from the Centre for Civil and Political Rights: “Human Rights Committee and its approach to corruption” (draft of February 2018 that will be further developed to include findings from the other UN Treaty Bodies).

Participants

The consultation of experts that will take place in Geneva on 11th and 12th June 2018 will gather 20-25 participants including:

- Members of the UN Treaty Bodies (HR Committee, CESCR, CEDAW, CRC)
- Special Rapporteurs
- OHCHR
- Academics
- CSOs and in particular representatives from the anti-corruption groups

The consultation will benefit from the participation of experts attending on the 11th June 2018, the event organized by the OHCHR on “*Good Practice on United Nations - System support to States in preventing and fighting against corruption, with a focus on human rights*”¹.

Expected results and indicators

Once the outline is agreed upon, a first draft (30 pages) will be prepared by a consultant and further circulated among the participants of the consultation for their comments and feedback (Second semester 2018).

Long term engagement

The elaboration of the practitioner guide for CSOs will be closely related to other activities carried out by the Centre for Civil and Political Rights aiming at addressing the corruption issue in the context of the UN Treaty Bodies' reporting procedure. It will therefore be related to practical **case studies of countries** scheduled to appear before the UN Human Rights Committee (HR Committee) in 2018 and 2019. To that end, additional specific activities will be carried out in **Angola, Vietnam** and **Nigeria** to ensure that the corruption issue is well addressed in the List of Issues of these countries.

For more information, please contact:

¹ The Expert meeting is based on the Human Rights Council Resolution 35/25 of 23 June 2017.

