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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Albania,* Argentina, Armenia,* Australia,* Austria,* Belgium, Brazil,* Bulgaria,*
Chile, Colombia,* Costa Rica, Croatia,* Cyprus,* Ecuador,* Estonia,* Ethiopia,*
Finland, Germany, Greece,* Guatemala,* Hungary,* Iceland,* Indonesia,* Ireland,*
Italy,* Latvia,* Lithuania, Luxembourg, Malta,* Mexico, Montenegro, Morocco,
Nepal, Netherlands (Kingdom of the),* North Macedonia,* Norway,* Paraguay,
Peru,* Poland,* Portugal,* Romania, Slovakia,* Slovenia,* Spain,* Sweden,*
Switzerland,* Ukraine, United Kingdom of Great Britain and Northern Ireland and
Uruguay*:** draft resolution

53/... The negative impact of corruption on the enjoyment of human rights

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, which will mark its seventy-fifth anniversary on 10 December 2023, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Recalling also that the United Nations Convention against Corruption, which has 140 signatories and 189 parties, of which 184 are States Members of the United Nations, has been the most comprehensive and universal instrument on corruption, the purposes of which are outlined in its article 1, and that the Convention will mark the twentieth anniversary of its adoption on 31 October 2023,

Reaffirming that States have the primary responsibility for the promotion and protection of human rights,

Noting with interest the outcomes of the sessions of the Conference of the States Parties to the United Nations Convention against Corruption, and stressing the need for States parties to the Convention to ensure the effective implementation of the decisions and resolutions adopted by the Conference,

Welcoming the upcoming tenth session of the Conference of the States Parties to the Convention, to be held in the United States of America in December 2023,

* State not a member of the Human Rights Council.



Welcoming also the Sustainable Development Goals Summit to be held in September 2023 to review the implementation of the 2030 Agenda for Sustainable Development¹ and the 17 Sustainable Development Goals,

Taking note of the report of the United Nations High Commissioner for Human Rights on the 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 coronavirus disease (COVID-19) pandemic,²

Acknowledging that the poor and those in marginalized and vulnerable situations are at particular risk of suffering from the adverse impact of corruption on the enjoyment of human rights,

Recognizing that the promotion and protection of human rights and the prevention of and fight against corruption are mutually reinforcing, and that improvements in the promotion and protection of human rights at the domestic level have a central role to play in the prevention of and the fight against corruption at all levels,

Recognizing also that good governance, democracy and the rule of law, and the promotion and protection of human rights and fundamental freedoms, including the right to seek, receive and impart information, the right to take part in the conduct of public affairs and the right to a fair trial before a competent, independent and impartial court, established by law, are essential in domestic efforts to prevent and fight against corruption,

Highlighting the often transnational character of corruption and the consequential need for international cooperation and technical assistance to prevent and combat corruption in all its forms and to recover assets of illicit origin derived from acts of corruption, as set forth in the Convention against Corruption,

Recognizing the importance of creating a safe and enabling environment, in law and in practice, for civil society, whistle-blowers, witnesses, anti-corruption activists, journalists, prosecutors, lawyers and judges, and of protecting these individuals from any threats arising from their activities in preventing and fighting against corruption,

Recognizing also that an independent, free, diverse and pluralistic media landscape plays an important role in ensuring accountability, transparency and scrutiny, which includes reporting on, investigating and exposing corruption and increasing public awareness of the link between corruption and human rights violations,

Underlining the importance of an independent and impartial judiciary, an independent legal profession, objective and impartial prosecution and the integrity of the judicial system to prevent and fight corruption and to address its negative impact on human rights, in line with the rule of law and the right to a fair trial, to access to justice and to an effective remedy, without discrimination of any kind,

Emphasizing that human rights education, awareness-raising campaigns, technology and other measures are important enablers for the prevention of and the fight against corruption,

Acknowledging that the State should protect against any adverse human rights impact arising from acts of corruption involving State and non-State actors, including the private sector, through effective regulatory and independent investigative mechanisms, with a view to holding perpetrators to account, recovering assets derived from acts of corruption and providing redress to victims, in accordance with the provisions of the Convention against Corruption, including chapter V,

Recalling the obligation of States parties to the Convention against Corruption to develop, implement or maintain effective, coordinated anti-corruption policies in accordance with article 5 of the Convention, and inviting all States to address the prevention and effect of corruption in the development of relevant national plans of action, including plans on business and human rights,

¹ General Assembly resolution 70/1.

² A/HRC/51/14.

Highlighting that States should, in accordance with their respective legal systems, endeavour to establish and promote effective practices and tools aimed at the prevention of corruption and its impact on the enjoyment of human rights, and to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption, including by ensuring transparency, access to public information, accountability, non-discrimination and meaningful participation in the conduct of public affairs,

Observing that corruption frequently results in discriminatory access to public services and goods, and renders those in vulnerable situations more prone to adversely suffering from the negative social and environmental impact of economic activities,

Recognizing that corruption is even more damaging in times of crisis, has the potential to seriously undermine good governance around the world, erodes public trust in government and constitutes an obstacle to work to achieve the Sustainable Development Goals,

Acknowledging that the diversion of critical resources due to corruption poses an even greater threat to the ability of States to protect the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the right to life,

Highlighting that national human rights institutions could play an important role in raising awareness and promoting educational and training activities regarding the impact of corruption on human rights through their complaint procedures, investigations and analysis,

Recognizing the opportunities provided by open data and digital technologies to strengthen the transparency, accountability, efficiency and effectiveness of public administration and international cooperation and to prevent, detect and investigate corruption,

Stressing the importance of indicators, as appropriate, for measuring the negative impact of corruption on the enjoyment of human rights and on the realization of the Sustainable Development Goals,

Underlining the importance of Human Rights Council mechanisms, such as the universal periodic review, and the treaty bodies in raising awareness and strengthening the commitment to tackle the negative impact of corruption on the enjoyment of human rights,

Underlining also the importance of mainstreaming anti-corruption efforts into national development strategies and processes in order to address corruption and to achieve the Sustainable Development Goals,

Welcoming the engagement of States parties to the Convention against Corruption through appropriate measures, such as the development of national plans of action to strengthen the implementation of the Convention at the domestic level and participation in the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, aimed at identifying gaps and assisting States parties in meeting the objectives of the Convention through an inclusive and transparent process,

1. *Urges* States that have not yet ratified or acceded to the United Nations Convention against Corruption to consider doing so, calls upon States parties to the Convention to effectively implement it and to participate in the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, and encourages States parties to publish their country reports prepared under the Mechanism;

2. *Recognizes* the negative impact of widespread corruption on the enjoyment of human rights, including by reducing the resources available for all sectors, thereby hampering the realization of all human rights;

3. *Welcomes* the commitments made by all States in Sustainable Development Goal 16 and its target 16.5, on substantially reducing corruption and bribery in all their forms;

4. *Also welcomes* the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat

corruption and strengthen international cooperation”, adopted by the General Assembly on 2 June 2021 at its special session against corruption;³

5. *Underlines* the necessity to step up cooperation and coordination among different stakeholders, including the private sector and civil society at the national, regional and international levels, to fight corruption in all its forms as a means of contributing positively to the promotion and protection of human rights;

6. *Stresses* that preventive measures are one of the most effective means of countering corruption and of avoiding its negative impact on the enjoyment of human rights, calls for the strengthening of preventive measures at all levels, and underlines that one key aspect of preventive measures is to address the needs of those in vulnerable situations who may be the first victims of corruption;

7. *Urges* States to create and maintain, in law and in practice, while addressing the negative impact of corruption on the enjoyment of human rights, a safe and enabling environment in which civil society, media workers, media outlets and journalists can operate free from hindrance and insecurity;

8. *Recognizes* that the negative impact of corruption on human rights and sustainable development can be addressed through anti-corruption education, notes with appreciation the capacity-building activities and specialized curricula developed by the United Nations Office on Drugs and Crime and relevant institutions, such as the International Anti-Corruption Academy, and encourages the latter, as well as other international and regional anti-corruption organizations, to strengthen their cooperation with the Office and other relevant United Nations entities to enhance the effectiveness of anti-corruption education, facilitate anti-corruption research, implement teaching and learning programmes and increase public awareness of the causes and risks associated with corruption;

9. *Encourages* national anti-corruption authorities and national human rights institutions, where they exist, to cooperate through the exchange of information, where appropriate, and the development of joint strategies and plans of action to fight corruption and its negative impact on the enjoyment of human rights;

10. *Invites* the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, as the secretariat of the Conference of the States Parties to the Convention, to continue to exchange views, explore opportunities for closer cooperation and keep each other abreast of ongoing activities to deepen the understanding of the nexus between corruption and human rights, as appropriate and within their respective mandates, under the aegis of the United Nations Office on Drugs and Crime;

11. *Encourages* the mechanisms of the Human Rights Council to consider, within their existing mandates, the issue of the negative impact of corruption on the enjoyment of human rights;

12. *Stresses* the importance of policy coherence among the intergovernmental processes in Geneva, Vienna and New York on the issue of corruption and its impact on the enjoyment of human rights, and recalls that the United Nations Office on Drugs and Crime remains the leading body with respect to the coordination of Convention against Corruption issues within the United Nations system;

13. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize an intersessional half-day expert seminar, in a hybrid format and fully accessible to persons with disabilities, before the fifty-seventh session of the Human Rights Council, to share good practices, achievements, challenges and lessons learned in the promotion and protection of economic, social and cultural rights in anti-corruption efforts in the context of recovery from the coronavirus disease (COVID-19) pandemic;

14. *Requests* that the above-mentioned expert seminar be organized in coordination with relevant United Nations agencies, funds and programmes, including the United Nations Office on Drugs and Crime, and that the Office of the High Commissioner liaise with relevant United Nations and regional human rights mechanisms, international

³ General Assembly resolution S-32/1, annex.

financial institutions, national human rights and anti-corruption institutions and civil society organizations to that end;

15. *Requests* the Office of the High Commissioner to prepare a summary report on the above-mentioned expert seminar and to present it to the Human Rights Council at its fifty-eighth session and share it with the secretariat of the United Nations Office on Drugs and Crime;

16. *Decides* to remain seized of this issue.
