



**Economic and Social  
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COMMISSION ON HUMAN RIGHTS  
Sub-Commission on the Promotion  
and Protection of Human Rights  
Fifty-sixth session  
Agenda item 4

**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Mr. Bengoa, Mr. Chen, Mr. Cherif, Ms. Chung, Mr. Dos Santos, Mr. Guissé,  
Ms. Koufa, Ms. Motoc, Ms. O'Connor, Ms. Rakotoarisoa, Mr. Salama,  
Mr. Sattar, Mr. Tuñón Veilles, Ms. Warzazi and Mr. Yokota:  
draft resolution**

**2004/... Corruption and its impact on the full enjoyment of human rights,  
in particular economic, social and cultural rights**

*The Sub-Commission on the Promotion and Protection of Human Rights,*

*Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights, the United Nations Convention against Transnational Organized Crime, as well as other relevant human rights instruments,

*Deeply concerned* that the enjoyment of human rights, be they economic, social and cultural or civil and political is seriously undermined by the phenomenon of corruption,

*Taking account* of standards adopted against corruption at the national, regional and international levels, in particular the United Nations Convention against Corruption adopted by the General Assembly in its resolution 58/4 of 31 October 2003,

*Convinced* that corruption has become a major international concern, taking many forms, from routine cases of bribery or petty abuse of power to the amassing of personal wealth through embezzlement or other dishonest means,

*Deeply concerned* that serious corruption in the private sector has led to the collapse of many healthy companies, thereby violating the rights of many, and at the high-level corruption engendered by some transnational corporations in countries in which they operate,

*Recalling* its decision 2002/106 of 14 August 2002 in which it entrusted Ms. Christy Mbonu with the task of preparing, without financial implications, a working paper on corruption and its impact on the enjoyment of human rights,

*Taking note* of Commission on Human Rights decision 2004/106 of 16 April 2004, in which the Commission endorsed the decision of the Sub-Commission to appoint Ms. Christy Mbonu as Special Rapporteur with the task of preparing a comprehensive study on corruption and its impact on the full enjoyment of human rights, in particular economic, social and cultural rights, and its request to the Special Rapporteur to submit a preliminary report to the Sub-Commission at its fifty-sixth session, a progress report at the fifty-seventh session and the final report at its fifty-eighth session,

*Taking into account* the very lively and interactive debate the report elicited among participants by the preliminary report of the Special Rapporteur (E/CN.4/Sub.2/2004/23),

1. *Expresses its appreciation* to Ms. Christy Mbonu for her preliminary report and endorses the conclusions and recommendations contained therein;
2. *Urges* States that have not done so to introduce national mechanisms to prevent and combat corruption through the adoption and implementation of specific anti-corruption legislation;
3. *Encourages* political leaders in their respective countries to be national examples of probity, integrity and self-esteem;
4. *Encourages* States to sign and ratify the United Nations Convention against Corruption and to incorporate its provisions into their domestic law;

5. *Also encourages* States to aggressively combat and eliminate corruption, particularly among law enforcement agencies and the judiciary;
6. *Calls upon* civil society, particularly the media and non-governmental organizations, to become more involved in the prevention and punishment of corruption;
7. *Calls upon* the Office of the United Nations High Commissioner for Human Rights, in cooperation with specialized agencies such as the International Labour Organization, the World Bank and the International Monetary Fund, representatives of large corporations, the United Nations Office at Vienna and other stakeholders, to organize periodic high-level meetings under the auspices of the Sub-Commission to create greater awareness on the part of the international community, in particular States, of the importance of eliminating corruption;
8. *Requests* the Secretary-General to facilitate the work of the Special Rapporteur by enabling her to attend the meetings of the “Friends of the Convention”, which take place in Vienna;
9. *Recommends* the following draft decision to the Commission on Human Rights for adoption:

“The Commission on Human Rights, taking note of Sub-Commission on the Promotion and Protection of Human Rights resolution ... of ... August 2004, endorses the request to the Secretary General to facilitate the work of the Special Rapporteur on corruption and its impact on the full enjoyment of human rights, in particular economic, social and cultural rights, by enabling her to attend the meetings of the “Friends of the Convention”, which take place in Vienna.”

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