

Interlinking Anti-Corruption and Human Rights in Development Cooperation



! Corruption undermines human rights

According to the Universal Declaration of Human Rights (1948), human rights are universal, indivisible, interdependent and interrelated. As a duty bearer, the State is obliged to respect them, to protect its population from violations by third parties and to guarantee the implementation of all human rights. Corruption constitutes one of the biggest obstacles to the effective promotion and protection of human rights!

Why?

Corruption undermines the capacity of the State to respect, protect and guarantee human rights by siphoning funds that are allocated for the realization of Economic, Social, and Cultural Rights (ECSR). At the same time, corruption violates individual civil and political rights by eroding the rule of law and democracy.

How?

Corruption leads to discriminatory access to public services, favouring those who can bribe public authorities or exert political pressure. Overall, it reinforces unequal power structures and disproportionately affects structurally disadvantaged groups and women. For example, children, LGBTQI+ people, ethnic and religious minorities, people with disabilities, indigenous people, and other marginalised groups are deprived of access to basic health, education, or social security services due to corruption.

What's more?

When bribes are paid to judges to influence their verdicts, or when police officers threaten prisoners with torture to obtain bribes, this is a direct violation of the right to a fair trial of the International Covenant on Civil and Political Rights (ICCPR). Corruption may also continue to perpetuate and exacerbate human rights violations: When a student must pay a bribe as a condition of admission or to receive otherwise free services such as getting schoolbooks, their right to equal and free access to education is violated. Another example: A teacher demands sex in exchange for

better grades. This sexualized form of corruption – sex-tortion – constitutes an infringement of human rights of which girls and women are disproportionately affected. In many societies, corruption is a politically highly sensitive subject, putting those activists exposing it at risk. Therefore, in some contexts, advocating for human rights to mitigate the effects of corruption is the safest and most effective choice. In turn, promoting anti-corruption measures to safeguard human rights might be more suitable depending on the political environment.

In light of the detrimental impact of corruption on the promotion and protection of human rights, the African Commission on Human and Peoples' Rights and the UN Committee on the Rights of the Child consider corruption a human rights violation.

! Breaking up the silos: The German Development Cooperation approach

When it comes to their relationship, corruption and human rights violations are very intertwined: Corruption and precarious human rights situations go hand in hand. In turn, anti-corruption (AC) and the protection of human rights are mutually reinforcing. Strengthening the use of AC to safeguard human rights and integrating the human rights-based approach (HRBA) to the fight against corruption creates an opportunity to tackle this correlation head-on.

How can AC and the HRBA complement each other?

The HRBA centres around human rights standards and principles such as participation, transparency, non-discrimination, and equal opportunities as well as empowerment. In international development cooperation, the HRBA shifts the perspective: It understands those in need as rights holders whose capacity to claim their rights must be strengthened. Adding a HRBA to AC measures places corruption victims at the forefront of the fight against corruption, demanding the State – as duty bearer – to

take proactive measures to enhance transparency, accountability, participation, and integrity. It provides tools for rectifying the harm caused to corruption victims. Integrating anti-corruption into human rights protection, in turn, increases the effectiveness of protection systems by championing transparency, accountability, and integrity in the public sector.

AC approaches comprehensively combine preventive and repressive measures. With its Quality Criteria Strategy Anti-Corruption and Integrity (2022), the Federal Ministry for Economic Cooperation and Development (BMZ) calls for the cross-cutting implementation of AC measures into all German Development Cooperation (GDC) projects. The strategy is mandatory for all implementing state organisations and sets standards for non-state actors. Through mainstreaming AC and integrity, the harmful impacts of corruption, including its negative impact on human rights, are mitigated. Forming the basis of the 2022 Feminist Development Policy, the HRBA has been firmly anchored in GDC within the BMZ's Human Rights Strategy (2011) and the Human Rights Guidelines (2013).

Concrete examples: How to put the interlinkage into practice

Acknowledging the deep interlinkages between AC and human rights efforts, GDC carries out different projects that follow an integrated anti-corruption and human rights approach. They create synergies through connecting AC and human rights agendas.

Here are two examples:

Example 1:

The project **Strengthening Human Rights and Promoting Citizen Participation and Transparency in Zimbabwe** (2021–2024) contributes to the systematic respect, guarantee and protection of human rights in the country through its focus on strengthening access to justice, transparency, and AC measures. By helping to anchor the HRBA, marginalised groups such as young people, people with disabilities and women benefit. The project supports both the national human rights institution and the national AC authority.

Example 2:

The programme **Corruption Prevention in the Forestry Sector** (2021–2025) aims to support rights holders in the provinces of Papua and West Papua in Indonesia. By focusing on the local indigenous population, building inclusive multi-stakeholder partnerships, and working closely with the AC authority, the project strengthens the legal and factual position of rights holders regarding their access to information, law, and public resources. Holders of land titles, customary and social forest use rights are empowered to know, use, and defend their rights against corrupt practices by filing complaints.

Strengthening cross-sectoral capacity and cooperation

Up to now, AC and human rights are mainly being dealt with separately within the landscape of international development cooperation. Fostering the cross-sectional integration of AC and safeguarding human rights, both quality criteria of GDC, helps to efficiently advance the achievement of the Sustainable Development Goals and allows for an exchange of knowledge and tools.

To meet the objective of linking the HRBA and AC approaches, the following measures strengthen cross-sectoral capacity and cooperation on a national, regional, and international level:

- Development of training opportunities for national human rights institutions and AC authorities (i.e., ministries, public authorities) in the respective other subject area to better integrate the AC and human rights nexus
- Advising national AC authorities on human rights risks and prevention approaches
- Supporting applied research on transformative approaches to corruption prevention based on the HRBA
- Advising partner countries on the inclusion of AC approaches in National Business and Human Rights Action Plans
- Use of human rights tools in corruption prevention and prosecution, e.g., reparation, transitional justice, and strategic litigation
- Supporting the mainstreaming process of AC and human rights within the UN system through cooperation with UNODC and OHCHR

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