

**UNGA High-level Event on
Contributions of Human Rights and the Rule of Law
in the Post-2015 Development Agenda**

Panel:

*“Exploring the contributions of human rights and the rule of law
in supporting national and international efforts towards
poverty eradication and sustainable development”*

Intervention by

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Madame Chair,
Your Excellencies,
Dear Ladies and Gentlemen,
Dear Colleagues and Friends,

I am most honoured to be here with you again, having had the opportunity to listen and discuss with many of you the important topics surrounding the Post-2015 Development Agenda. The challenges facing us have changed in the course of globalization, but the devastating effects of corruption have remained. I will not sit here and lecture you on the havoc corruption wreaks on the common good of humanity, on economic, social, and political prosperity, on the environment, on security, etc. But let us, however, recall that – from a global perspective – a staggering two-digit percentage of GDPs’ wealth are constantly and continuously syphoned away into illegitimate corrupt channels.

It is impossible to look at corruption through any lens and miss the intrinsic link to human rights and development. In a study by the Global Think Tank *Carnegie Endowment for International Peace*, published this week, it reads: *“Acute corruption should be understood not as a failure [...] of government but as a functioning system in which ruling networks use selected levers of power to capture specific revenue streams. [...] Such systematic corruption evokes indignation in populations, making it a factor in social unrest and insurgency. It contributes to other international security threats, such as symbiotic relationships between states and transnational organized crime networks, facilitation for terrorist organizations, permeable international security regimes, and acute economic disruptions. Corruption [...] combines with other risk factors, such as ethnic, religious, or linguistic rifts in a population or severe economic disparities, to increase the likelihood of a security challenge.”* Let us also be reminded that many national and regional conflicts and uprisings of the recent past – including the Arab Spring movement and developments in the Ukraine – have been triggered or were at

least supported by the levels of corruption that the respective populace was no longer ready to accept.

The global economic crisis has further undermined trust in government and institutions. According to a study by the OECD, only four out of ten citizens in OECD countries today, state that they have confidence in their national authorities. Furthermore, Transparency International's Global Corruption Barometer (2010, 2013), a survey conducted in more than 100 countries, found out that six out of ten interviewees believe that corruption has increased in the recent three years. What is more, 54% of all contenders think that their government is largely or entirely run by groups acting in their own interests rather than for the benefit of the citizens. The executive branch and the legislative, to be closely followed by the judiciary and the media, are generally perceived to be among the institutions being the most prone to corruption. It is these powers, however, that our concept of the modern state, of democracy, is being based on. Governments and political institutions must therefore find ways to demonstrate and improve their reliability and accountability and, ultimately, even their legitimacy vis-à-vis the concerns of the citizens. They must show integrity and honesty in the way they operate and deal with their constituents and in the way they serve, preserve, and maintain the common good entrusted to them.

To fill the gaps and accelerate progress we need renewed global commitment and greater collective action among all sectors of society. As no man is an island, our world cannot function as a patchwork of isolated areas alone, and it is our moral responsibility not to leave anyone behind. The MDGs are our promise to those less privileged to do all we can to alleviate their suffering. We do not want to go down in history as the generation that made it worse before it could start getting better. As Desmond Tutu once said, *"Do your little bit of good where you are; it's those little bits of good put together that overwhelm the world"*.

The MDGs have rendered mixed results, but as the United Nations Secretary-General rightly pointed out in his report, *A life of dignity for all*, of August last year, we have nevertheless made remarkable progress: “*The target of halving the percentage of people suffering from hunger by 2015 is within reach*”. As we embark towards the post-2015 era and build on the commitments made in Rio de Janeiro, we must not get distracted in finishing what we started. Still, we can end extreme poverty within a generation.

Madam Chair, there is growing awareness of corruption’s intertwined nature, the multitude of international legal instruments at our disposal, private–public partnerships, and the efforts for robust action. I particularly welcome and commend the United Nations Convention against Corruption (UNCAC) and its 2009 achievement of implementing a state–owned review mechanism; the important Fourth Evaluation Round of GRECO – the Group of States against Corruption of the Council of Europe; the supply–side oriented OECD Anti–Bribery Convention; as well as the recent declaration of the Global Organization of Parliamentarians against Corruption (GOPAC), adopted in the framework of the 5th Conference of the States Parties to the UNCAC, which shines a new light on the nexus between human rights and grand transnational corruption.

But we must go further. Corruption is the antithesis vis–à–vis human rights. Anti–corruption, as a consequence, needs to be an even greater component of our work here at the United Nations and beyond, both for contributing to the MDGs and in creating a new and strong responsive framework in the Post–2015 Development Agenda.

I look at the vision of the Post–2015 Development Agenda and the proposed Sustainable Development Goals with hope. I welcome the work of the Open Working Group of the General Assembly and, in particular, the inclusion of proposed goal 16, “*Achieving peaceful and inclusive societies, rule of law, effective and capable institutions*”. But I must also confess some concerns. All the aforementioned universal goals, which we all agree on, run the risk of being severely undermined by corruption. It

is therefore obvious that the prevention of and fight against corruption needs to constitute a more prominent and explicit component of this ambitious agenda, from social inclusion to economic growth and poverty alleviation. If we are to strengthen the accessibility, availability, and sustainability of human rights, relevant goods and services, and bring poverty to an end, we must openly, steadily, and straightforwardly staunch corruption. And to avoid any misunderstandings or wrongful (self-) perceptions: This is true in every nation and in every region.

Excellencies, Ladies and Gentlemen, let us also be frank and forthright. In several countries, including some in the so-called developed world, we continue to see – what one might have felt anachronistic – discussions on questioning the separation of powers, on dispensing or neglecting the fundamental principles of the rule of law. Some states still witness debates to bring under the control of one power, i.e. the government or the parliament, the other pillar, i.e. the judiciary, including the prosecution services, and/or the media. Instead of reducing or abolishing immunity and impunity regimes for privileged groups of society, including the political sphere, some states still witness deliberations on extending and enlarging them. What is more, such impunities and immunities are apparently too often striking and attractive for power-holders to hide behind and thus become de-facto extra- or supra-legal. Such developments, however, distinguished delegates, are diametrically opposing fundamental global values. They deeply disrespect the concepts of equality and equity, of justice and fairness, human dignity, and run the risk of reverting any forward trajectory to square one.

This brings me to another point. How can we possibly oversee the implementation of the Sustainable Development Goals? Apart from all the international, regional, and other inter-state mechanisms and fora, countries may wish to consider developing instruments to review and scrutinize their own implementation. They may do so by strengthening and working with, e.g., Supreme Audit Institutions, independent anti-corruption authorities or other relevant independent national bodies. IACA, as an independent international organization which provides neutral ground, stands ready to

contribute as well. We stand ready to empower professionals, to provide technical assistance, and to guide states, organizations, and corporations in achieving their full potential.

Much of what we as a global community will do in the upcoming months and years is contingent on financial resources. In these unsure times of a global financial crisis which has had severe effects on national budgets and international development aid, we must consider alternative ways of funding. At IACA, for example, which relies on voluntary contributions by its Parties, we promote the *“let crime pay principle”* as one of these options. It is also a means to an end unanimously approved by our own constituency last December in Bangkok, Thailand, and also recognized by the UNCAC (in its Art. 62). Member States may give special consideration to contributing a percentage of the money or a corresponding value of proceeds of crime or property confiscated to this cause. We are aware of the limitations, but if only a single-digit percentage of these criminal proceeds could eventually be dedicated and facilitated accordingly, programmes would be well-funded for decades and poverty eradication soon a worry of the past.

Likewise, in providing neutral ground and on a voluntary basis, international organizations as the UN, IACA or others could offer a clearing and facilitating position in guiding penalties and settlements (between one body and another) resulting from corrupt offences. In other words, the organizations could be instrumental in consulting how such penalties and settlement money is handled in accordance with international rules and frameworks. They could at the same time offer their services if parts of such money are allocated to support anti-corruption, capacity building, and poverty eradication initiatives and trainings at these institutions or elsewhere.

Madam Chair, I am especially honoured to be part of this important panel as Dean of the International Anti-Corruption Academy (IACA), an international organization located outside Vienna, Austria. It was established to address deficiencies in anti-

corruption and provide technical assistance for countries, organizations, and corporations seeking to strengthen their anti-corruption and compliance regimes. As a young intergovernmental organization, we have enjoyed the richness of the fabric of our constituency of 55 Parties (having originally started with 53 Signatories) that represents half of this planet's population and stretches from every corner of the globe. We have been an observer to this forum since December 2013, in addition to the same with the Council of Europe's Group of States against Corruption (GRECO), and our consultative status with the United Nations Economic and Social Council (ECOSOC).

In his opening speech yesterday, the Secretary-General stressed the importance of the empowerment of the individual. Also knowing this, we have incorporated both the standards set out in the United Nations Convention against Corruption (UNCAC) and the Universal Declaration of Human Rights in our efforts at the organization. We have integrated the best from the public and private sector and built on good practices to support national, regional, and international efforts towards good governance and sustainable development. We have empowered and continue to empower professionals who will pass these lessons on and act as multipliers.

In concluding, I would like to take the liberty of reiterating our invitation to all UN Member States and international organizations which have not done so yet to join IACA – an ever-growing group of states cooperatively working together in the important global endeavour of fighting corruption.

Excellencies, Ladies and Gentlemen, complement and augment the rule of law with integrity and credibility, with a fair structure of checks and balances, as well as a sincere system of separation of powers, strong anti-corruption mechanisms, and credible compliance frameworks, and you will have what we all call and seek for: good governance. Good governance including a strong anti-corruption commitment, however, is a most essential anchor and lighthouse of national and international efforts towards

poverty eradication and sustainable development, and a fundamental component of the Post-2015 Development Agenda.

Thank you very much for your kind attention.