

***OUTCOME DOCUMENT OF THE 7TH INTERNATIONAL SEMINAR
OF THE OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION***

**ISLAMABAD DECLARATION ON COMBATTING CORRUPTION FOR FULL REALIZATION
OF ALL HUMAN RIGHTS AND SUSTAINABLE DEVELOPMENT**

Islamabad, 7th January 2022: The Independent Permanent Human Rights Commission (IPHRC) of the Organization of Islamic Cooperation (OIC), in partnership with the Government of the Islamic Republic of Pakistan, the Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Office on Drugs and Crime (UNODC), and United Nations Development Programme (UNDP) held its 7th International Seminar on the subject of ‘*Combating corruption – a pre-requisite for the full realization of all human rights and sustainable development*’ in Islamabad on 6-7 January 2022. Besides Commission Members, the Seminar was attended by experts from relevant organizations such as the OHCHR, UN Committee on Economic, Social, and Cultural Rights, UNDP and UNODC. A large number of representatives from a number of OIC Member and Observer States including their National Human Rights Institutions (NHRIs) as well as civil society also actively participated in the Seminar.

In addition to the comprehensive presentations made by the experts/panellists, participants of the Seminar analyzed the impact of corruption on human rights and sustainable development; highlighted key challenges related to corruption in different countries, which prevent the full realization of human rights and proposed ways and means to strengthen the role of existing national, regional and international human rights mechanisms in building resilient systems based on rule of law that prevent corruption and enable sustainable development. Based on the comprehensive deliberations and concrete recommendations during the Seminar, IPHRC adopted the following as outcome of the Seminar:

Affirmed that the fundamental principles of Islam emphasize high moral standards, ethics, values and norms of behavior, which govern personal, professional and business life. As such, there is a rich tradition in Islamic heritage, which presents a normative framework to address corruption in a comprehensive and holistic manner. Indeed, corruption is taken very seriously in Islam, including all its types and manifestations, such as bribery, extortion, nepotism and favoritism. The *Prophet Mohammed, peace be upon him*, has duly cautioned that: “*Damned is the bribe-giver (or ‘corrupter’), the bribe-taker (or ‘corrupted’), and he who goes between them*”.¹ This stern rebuke illustrates the severity with which bribery and corruption is viewed in Islam.

Recalled that Islamic history and jurisprudence are replete with instances of anti-corruption measures taken by the governments. The concept of “*Al-Amanah*”² (trust) in Islam entails that every human being is a trustee on earth and is enjoined to carry on actions with honesty and corresponding accountability³ to rid the society from all harmful consequences. These standards, ethics and values have much in common with other religions. Hence, we must invoke these as common cultural values to create a unified opposition to end corrupt practices for safeguarding human rights for all and everywhere.

Further recalled that the OIC Charter and the 2nd Ten-Year Program of Action 2015-2025⁴ (TYPOA) have recognized the importance of fighting corruption for prosperity and progress of

¹ Narrated by Imam Ahmed, Ibn Majah and authenticated by Al-Albani.

² Surah al-Ahzab 33: Ayah 72

³ Islam MS, Samsudin S. Interpretations of Al-amanah Among Muslim Scholars and Its Role in Establishing Peace in Society. *Social Change*. 2018;48(3):437-450

⁴ <https://www.oic-oci.org/docdown/?docID=16&refID=5>

Member States', Muslim Ummah and the world as a whole. Cognizant of their interdependence, the OIC TYPOA puts human rights, anti-corruption and accountability under one cluster with interconnected goals, and calls for pitching efforts towards creating enabling environment for active participation of all relevant stakeholders and providing the normative framework for the eradication of corruption in all its forms, as a necessary requirement for good governance.

Noted that corruption is a widespread global problem causing a staggering \$3.6 trillion annually in the form of bribes and stolen money⁵ that has far-reaching negative consequences at all levels of society and State. It is of particular importance for developing world as corruption related crimes cost these countries about \$1.26 trillion annually⁶. This waste and diversion of public funds leave governments with fewer resources to fulfil their human rights obligations, deliver required services and improve the standard of living of their citizens. Hence, it is a serious impediment to sustainable development, especially in developing countries.

Further noted that corruption, as aptly stated in the UN Convention Against Corruption, “is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life, allows organized crime, terrorism and other threats to human security to flourish.”⁷

Stressed that corruption is the antithesis of the core human rights principles of transparency, accountability, non-discrimination and meaningful participation in the life of a community or society as well as presents a structural barrier against the full enjoyment of all human rights. As corruption and human rights are mutually exclusive; systematic and systemic responses to combat corruption is a prerequisite for the full realization of human rights in any given society.

Further stressed that human rights violations usually occur where appropriate safeguards do not exist to address the corruption of public officials or private-to-private corruption. Importantly, corruption undermines the functioning and legitimacy of institutions and processes, the rule of law, and ultimately, the State itself. Corruption is detrimental to social cohesion and trust in institutions and authorities. It deepens grievances, drives protests and contributes to tensions and conflicts.

Affirmed that corruption drains public resources away from education, health-care and effective infrastructure - the kinds of investments needed to improve economic performance and raise living standards for all. Thus, corruption impacts the fundamental human rights of all segments of society in particular the poor and marginalized as well as those in vulnerable situations in any society.

Underscored that without meaningful action against corruption, progress towards the full realization of the SDGs and the Right to Development would be limited, hampering economic growth, increasing inequality and inhibiting prosperity. Therefore, all States must make full use of their political, moral and legal authority to combat all forms of corruption to ensure equality, non-discrimination, and the rule of law to foster development.

Further underscored that corruption not only distorts policies, but it also nullifies the efficiency of socio-economic reforms and development efforts. The 2030 Agenda for Sustainable Development has acknowledged this challenge in Goal 16 which calls upon States to “*significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime*”. The agenda also calls for “substantial reduction of corruption and bribery in all their

⁵ <https://www.weforum.org/agenda/2018/12/the-global-economy-loses-3-6-trillion-to-corruption-each-year-says-u-n>

⁶ <https://www1.undp.org/content/brussels/en/home/sustainable-development-goals/goal-16-peace-justice-and-strong-institutions.html>

⁷ https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf page. iii

forms.” Corruption also has a negative impact on all SDGs, and should therefore be seen as a cross-cutting impediment in realization of all human rights for all.

Highlighted that corruption is often transnational in nature, which requires strong international cooperation, including with relevant UN agencies, for the prevention, detection, investigation and prosecution of corruption offences, as well as in the recovery and return of illicit assets in accordance with the UN Convention against Corruption (UNCAC). Particularly, **stressed** that returning/repatriation of illicit funds belonging to the developing countries, particularly the least developed countries, cannot be achieved without full cooperation of safe haven/countries of destinations and their financial institutions where these funds are being transferred. Also called for abolition of safe havens for stolen money, assets, and corrupt individuals by States in their territories and in territories under their control. To this end, appreciated the role played by some of the OIC member States in proposing a relevant resolution on the subject during the Conference of the State Parties to UNCAC in 2021.

Underscored that the control and exploitation of natural resources of developing countries by foreign companies/institutions, is an example of transnational corruption that deprive the people of those States of the opportunities to benefit and develop their national economies. Hence, **called** for early restoration of peoples’ sovereignty over their own natural resources.

Expressed particular concerns over increased risks of corruption during the ongoing Covid-19 pandemic, which is more damaging in the context of emergent economic and health relief spending. The solicitation of undue advantages during times of crises undermines fair and equitable access to life-saving services, including inequitable distribution of vaccines within and among the countries, which exacerbates poverty and inequality and disproportionately affect the most disadvantaged individuals in society.

Highlighted that a robust model of fighting corruption should inevitably be people-centric and follow human rights-based approach with particular focus on the protection of right to information, freedom of expression, freedom of assembly and association, an independent judiciary and a free and independent media equipped to protect whistle blowers, witnesses and anti-corruption activists.

Stressed that human dignity and equality of all cannot be achieved without strong political will to fight corruption while ensuring that anti-corruption laws are not to be used for political victimization and that the right to free and fair trial is fully guaranteed in line with the International Human Rights Law.

Further highlighted that the FACTI Panel’s report and first-ever UN General Assembly Special Session against Corruption with its Political Declaration adopted in 2021 serve as important milestones in the global efforts to prevent and combat corruption. These need to be transformed into meaningful actions on ground through strong political support. Additionally, the UN may also consider establishing a global beneficial ownership registry and review and revise the unequal investment treaties procured through corruption.

Emphasized the importance of principles of shared responsibility, accountability, participation and non-discrimination as crucial elements to combat all forms of corruption by engaging all stakeholders, including governments, UN development agencies, private sector, and civil society. To this end, human rights mechanisms and institutions at the national, regional and global levels can make invaluable contributions for developing a holistic approach to the fight against corruption, within the entire spectrum of social development eco-system with specific attention to good governance, SDGs, human rights, social inclusion, and rule of law.

Further emphasized the vital role and contribution of civil society actors, media, human rights institutions, and other non-governmental and community-based organizations, including the NHRIs, in the fight against corruption. Particularly, a vibrant civic space and open access to information are essential requirements to eradicate corruption. Accordingly, **urged** all governments to engage civil society and local communities in public affairs for effectively combatting all types of corruption in both the public and private sectors.

Recognized the valuable achievements made by OIC member States in the fight against corruption, and urged them to intensify their efforts by developing robust guidelines to advance their commitments as signatories of the UNCAC to prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery, including by sharing best practices and enhancing cooperation at the OIC level, particularly in the fields of prevention practices; strengthening cooperation between audit institutions and anti-corruption authorities, while fully respecting the principles of sovereign equality and non-intervention in the domestic affairs of other States. In this regard, also **welcomed** the concrete guidance provided by the UNODC for States and others actors on preventing corruption in the manufacture, allocation and distribution of vaccines; emergency rescue packages; fiscal responses to Covid-19⁸; as well as a Good Practices Compendium on combating corruption in Covid-19 responses.

Encouraged all OIC States to undertake accelerated actions to combat corruption in a comprehensive manner through:

- a. Strengthening the legal frameworks, with human dignity at the heart of policies, to address existing structural disadvantages and inequalities which reflect both causes and consequences of various forms of corruption in respective societies and systems;
- b. Establish cross-cutting national action plans dedicated for combatting corruption across governmental institutions in order to enhance transparency and efficiency in the public sector;
- c. Enhancing the capacity of the judiciary, prosecution service and law enforcement agencies to combat corruption, including through providing continued training with adequate resources for implementation of laws;
- d. Establishing fully equipped, empowered and independent accountability institutions, which are capable to investigate crimes of corruption, including sophisticated transnational crimes, in an independent and impartial manner;
- e. Mobilizing all relevant national mechanisms to fight corruption in close cooperation with media, religious institutions and civil society, while ensuring that victims and all those involved in reporting, investigating and prosecuting corruption are protected from any intimidation and harm.
- f. Establishing accessible, visible and independent channels for reporting corruption as well as clear procedures that enable all individuals and groups to claim rights violated because of corruption and to demand redress;
- g. Integrate human rights into the policies and activities of agencies working to fight corruption, and other relevant stakeholders including NHRIs, civil society and media;
- h. Promote civic engagement and social accountability through participation of civil society and media in carrying out responsible awareness-raising campaigns on the economic and social costs of corruption directed at politicians, government officials, business sector and the population in general;

⁸ https://www.unodc.org/documents/corruption/COVID-19/Policy_paper_on_COVID-19_vaccines_and_corruption_risks.pdf

- i. Expand political and normative agenda on anti-corruption to development plans by integrating anti-corruption policies in service delivery and other sectors;
- j. Strengthen collaboration between international efforts in the fields of anti-corruption through greater normative and policy coherence while following a human rights approach;
- k. Concrete follow-up on the recommendations of this Seminar, including by establishing an OIC intergovernmental working group (IGWG) to actively explore innovative ideas and initiatives to strengthen the existing international framework to prevent corruption and to end impunity. The IGWG may also explore developing coherent and transparent mechanisms under the OIC and the UN auspices for mutual legal assistance on issues of corruption and stolen legal assets.
1. Integrate the role of technology in promoting increased transparency, accountability, accessibility and citizen participation. Also, use cyber space/digital governance including data-driven digital transformations and data quality management and analytics to track financial flows and their sources to detect, analyze, predict, and therefore deter and prevent corruption.

Urged all States to introduce strong anti-corruption legalisations and step-up efforts to address the injustices and other negative consequences caused by corruption, with the main purpose of ending impunity for corruption offences. Recovering and returning confiscated assets and illicit financial flows, in accordance with UNCAC, can contribute to effective resource mobilization, poverty eradication, sustainable development and the enjoyment of all human rights, particularly for the developing countries.

Called upon the international community to translate the global focus on human rights protection and SDGs, which has been a central issue for international cooperation, into concrete, measurable actions on the ground to effectively address the issue of transnational corruption. Also **encouraged** States to cooperate with international partners to reinforce efforts and resources to assist in implementing integral measures that end corruption, enhance accountability, and contribute to the promotion and protection of human rights.

Appreciated the leading and commendable role played by Pakistan in highlighting the scourge of corruption and its impact on human rights of all at the national and international levels and emphasized the need to develop collaborative linkages among all Member States and IPHRC for eradicating corruption in accordance with Islamic teachings and relevant international laws.
