

SYSTEMIC INTEGRATION OF HUMAN RIGHTS IN ANTI-CORRUPTION FRAMEWORKS

A Policy Guide

The UNCAC Coalition Working Group on Human Rights & Corruption and the Cyrus R. Vance Center for International Justice



INTRODUCTION

Anti-corruption and human rights legal frameworks are complementary and mutually reinforcing. Both address structural drivers of injustice that often arise from the same root causes: **concentrated power, weak or absent institutional checks and balances, limited access to information, and systemic inequality.**

A human rights-based approach enhances anti-corruption efforts by grounding them in States' obligations **to respect, protect, and fulfill rights**. This includes preventing violations and abuses by both public and private actors and ensuring that victims have [access to remedies](#) that go beyond compensation to include restitution, rehabilitation, satisfaction, and guarantees of non-repetition.

This perspective is particularly critical in contexts of systemic or large-scale corruption, where domestic accountability mechanisms are often captured or undermined by those benefiting from impunity. While anti-corruption frameworks primarily require States to adopt and implement legal and institutional measures, they often fall short when those in power deliberately obstruct enforcement or when corruption corrodes the very institutions tasked with oversight.

Human rights law helps close this gap by establishing that States are internationally responsible not only for acts of corruption committed by their agents but also for omissions - such as the failure to prevent, investigate, or sanction corruption linked to violations of rights.

It also extends accountability beyond individual wrongdoing to the structural and institutional dimensions of corruption, engaging well-established legal standards designed to address widespread and systemic human rights violations, including principles on state responsibility, presumptions and inferences arising from patterns of abuse.

THE ADDED VALUE OF HUMAN RIGHTS FOR ANTI-CORRUPTION EFFORTS

Human rights law strengthens anti-corruption frameworks by:

- Clarifying [state responsibility for corruption-related harms](#), including omissions such as the failure to prevent, investigate and prosecute corruption as well as to enforce relevant anti-corruption laws and policies;
- Strengthening the effectiveness and reach of anti-corruption measures by ensuring they address both systemic patterns and individual acts of corruption that undermine the enjoyment of human rights;
- Expanding **accountability** and access to **remedy**, [enabling victims](#) to seek **reparations** through human rights mechanisms and reinforcing the **legitimacy, transparency and inclusiveness** of anti-corruption frameworks;

- Reaffirming state binding obligations under international human rights treaties and conventions as well as other commitments, such as the SDGs, already undertaken in other fora, reinforcing consistency and avoiding fragmentation across international legal regimes;
- **Fostering institutional coherence and cooperation** within the UN system and among international and regional mechanisms, ensuring that anti-corruption policies and measures are consistent with human rights standards and principles;
- **Providing States with additional legal and policy tools to tackle corruption effectively**, especially in contexts where impunity is entrenched, including through strengthening judicial independence, transparency, and civic participation;
- **Applying established doctrines of human rights law**, such as presumptions, inferences and principles of state responsibility, developed to tackle widespread and systemic violations, and adapting them to contexts of large-scale or institutionalised corruption.

LEGAL FOUNDATIONS FOR SYSTEMIC INTEGRATION

The legal foundations for systemic integration between **international human rights law and the anti-corruption framework** are well established in international law.

The Vienna Convention on the Law of Treaties (1969) provides several key provisions.

- **Article 31(1)** requires that treaties be interpreted in good faith, in their context, and in light of their object and purpose, which necessarily includes other relevant agreements.
- **Article 31(3)(c)** obliges States to take into account other applicable rules of international law, embedding cross-referencing into treaty interpretation.
- Article 30 provides harmonization rules for resolving overlapping treaty obligations, ensuring that treaties are not read in isolation but as part of a broader international system.

The **UN Charter** provides an equally strong foundation:

- **Article 1(3)** identifies the promotion of human rights and international cooperation as core purposes of the UN.
- **Article 55(c)** commits the UN to universal respect for human rights and fundamental freedoms.
- **Article 103** establishes that Charter obligations prevail in the event of conflict with other treaties.

These provisions make clear that UNCAC must be read, interpreted and implemented consistently with the broader objectives of the UN system, particularly in relation to the respect, protection and fulfilment of human rights.

The **UNCAC** itself anticipates such integration. Its preamble explicitly recognizes that corruption undermines democratic institutions, justice, and ethical values, concepts deeply connected to human rights.

Several UNCAC provisions already intersect directly with human rights, including:

- Article 5 on preventive measures,
- Article 13 on civil society participation,
- Article 32 on protection of witnesses,
- Article 33 on whistleblower protection,
- Article 34 on consequences of corruption,
- Article 35 on compensation for damage.

This demonstrates that systemic interpretation is not only legitimate but consistent with UNCAC's objectives.

The practice of the **General Assembly and other UN organs** further reinforces systemic integration:

- GA resolutions regularly recall or reaffirm commitments made in other fora, thereby promoting coherence across the international legal system.
- The International Law Commission's 2006 report on the **Fragmentation of International Law** also confirmed that international law should be read as a coherent whole and that cross-referencing is a practical and necessary means of achieving this.

Recognition of the interdependence between anti-corruption and human rights is already reflected in international practice. UN Member States and

international mechanisms have repeatedly acknowledged that corruption undermines the enjoyment of human rights. Numerous General Assembly and Human Rights Council resolutions emphasize the role of good governance, democracy, and the rule of law in protecting rights and freedoms. Examples include:

- **General Assembly resolutions** [A/RES/S-32/1](#) (2021), [A/RES/76/181](#) (2022), as well as
- **HRC resolutions** [A/HRC/RES/59/6](#) (2025), [A/HRC/RES/52/21](#) (2023), [A/HRC/RES/46/11](#) (2021), [A/HRC/RES/47/7](#) (2021), [A/HRC/RES/41/9](#) (2019), [A/HRC/RES/29/11](#) (2015), and [A/HRC/RES/23/9](#) (2013).

In addition, the interpretive work of [human rights treaty bodies](#) under core conventions has [clarified States' obligations](#) in ways directly relevant to anti-corruption efforts. These precedents provide a solid foundation for building stronger linkages between UNCAC and human rights frameworks.

Despite these solid normative foundations, significant risks of reducing effectiveness remain when international obligations, particularly those derived from the UNCAC, are read in isolation from broader human rights obligations

Fragmented interpretation creates gaps in protection, as a State may implement anti-corruption obligations narrowly, without due regard to their current duties under human rights treaties. This can result in measures that, while aimed at combating corruption, inadvertently restrict civic space, compromise due process rights, or weaken institutional safeguards. Contradictions can also arise when States prioritize one treaty or convention over another, thereby weakening the legitimacy and authority of both.

This isolationist approach diminishes:

- policy coherence,
- undermines the effectiveness of anti-corruption measures,
- weakens accountability and
- erodes public trust in international law.

By contrast, systemic and integrated interpretation fosters:

- consistency,
- strengthens legitimacy,
- enhances accountability, and
- enhances the overall effectiveness of anti-corruption and human rights frameworks alike.

EMERGING CASE LAW ON THE CONVERGENCE OF ANTI-CORRUPTION AND HUMAN RIGHTS OBLIGATIONS

In contemporary international and national law, national courts and states' adjudicatory bodies play a crucial role in ensuring the application of international norms.

Fragmentation in international law, however, is not limited to the danger of divergent interpretations. An equally pressing concern is that, due to jurisdictional constraints, courts or adjudicative bodies are often forced to adjudicate disputes in a fragmented manner, narrowing them to the scope of their competence.

With the expansion of international law and the multiplication of adjudicatory bodies, these disparities have become more pronounced. To address this, the International Law Commission has promoted the concept of [systemic integration](#), not only as a tool to avoid contradictory rulings, but as a framework to interpret treaties in light of their broader normative environment. This approach seeks to connect separate treaty provisions as parts of a coherent whole, ensuring that international obligations operate in a more meaningful and consistent manner.

UNCAC influence has significantly extended into national judicial systems in different countries. In particular, regional tribunals and national courts have increasingly cited and relied on its provisions as a normative parameter when interpreting cases involving corruption, transparency, and human rights violations. This practice demonstrates how the UNCAC, even without its own adjudicative body, becomes embedded in judicial processes through systemic integration in cases connected to human rights. In this way, judicial decisions, whether from national supreme courts or regional bodies such as

the Inter-American Court of Human Rights or the European Court of Human Rights, actively contribute to the construction of a common legal framework, where UNCAC's anti-corruption standards interact with the human rights norms. This interconnection strengthens both the fight against corruption and the protection of human rights.

Some examples:

- The [Constitutional Court of Colombia](#) (Sentencia C-077/21) affirmed the right to equality in access to, and promotion within, public employment, as enshrined in article 25 of the International Covenant on Civil and Political Rights and further developed by the United Nations bodies. At the same time, it linked this right to the standards set out in Article 7 of the UNCAC, which requires that public sector recruitment systems be based on objective criteria such as merit, fairness, transparency, and efficiency.
- In a precedent concerning the confiscation of a political party's assets due to allegedly unlawful expenditures, the European Court of Human Rights in the case of [Cumhuriyet Halk Partisi v. Turkey](#), relied on Article 7(3) of UNCAC as a normative framework. The Court emphasized that while States have a duty to adopt measures ensuring accountability and integrity in political finance, such measures must also respect the principles of legality and foreseeability so as not to undermine the effective exercise of political rights.

Together, these developments illustrate a growing judicial practice: courts are starting to treat anti-corruption and human rights norms as mutually reinforcing rather than separate regimes.

This practice not only strengthens legal coherence but also provides a pathway for integrating UNCAC obligations into national and regional adjudication systems, thereby enhancing the protection of rights in contexts affected by corruption.

FROM INTEGRATION TO IMPLEMENTATION: STRATEGIES AND MECHANISMS

Systemic integration cannot remain confined to the courts; it must also translate into concrete implementation strategies and policies by governments. This means embedding human rights standards not only in the wording of anti-corruption frameworks but in the design of institutions, processes, monitoring mechanisms, and enforcement practices. Implementation requires multi-layered approaches:

- at the national level, incorporating systemic integration into legislation, administrative regulations, monitoring and reporting bodies and judicial training;
- at the international level, ensuring that UN human rights treaty bodies, human rights and anti-corruption peer review mechanisms, and CoSP resolutions operationalize cross-referencing with human rights standards.

Policies such as national anti-corruption strategies, whistleblower protection programs, judicial integrity safeguards, and victim-centered remedies should be explicitly aligned with human rights obligations. In doing so, States move from abstract commitments toward measurable reforms, ensuring that systemic integration delivers tangible impact for individuals and communities most affected by corruption.

Some examples include:

- Establishing legal frameworks that protect whistleblowers against retaliation is both an anti-corruption and a human rights obligation. An integrating process would ensure that whistleblower protection policies include measures to safeguard the rights to freedom of expression and access to justice.
- Ensuring that those whose human rights are affected by corruption are recognised as victims, have legal standing and access to remedies. Mechanisms such as collective legal standing or reparations programmes rooted in human rights principles would enhance the implementation of UNCAC Articles 34 and 35.

RECOMMENDATIONS

To ensure that UNCAC remains **a powerful and relevant instrument**, States Parties should adopt a more systematic approach to integration with human rights law. Specifically, we recommend that:

1

UNCAC resolutions should cross-reference language that recalls or reaffirms relevant human rights law and resolutions of the Human Rights Council and General Assembly.

2

Human rights standards and principles should be systematically integrated into the implementation of UNCAC, particularly in relation to due process guarantees, access to justice, public participation and civic space. This includes the rights to seek, receive and impart information, freedoms of association and peaceful assembly, whistleblower protection, and effective remedies for victims.

3

States Parties should ensure that anti-corruption measures are aligned with their existing human rights obligations thereby strengthening consistency, coherence, and resilience across international legal frameworks.

4

States Parties should ensure that systemic integration is effectively mainstreamed across all capacity-building and technical assistance initiatives. UNODC and other implementing bodies should design training, model laws, and technical cooperation programs that explicitly connect UNCAC provisions with human rights standards, helping national authorities operationalize this integration in practice.

5

Monitoring and reporting mechanisms under the UNCAC should incorporate human rights-based indicators and benchmarks, allowing for regular assessment of compliance with States' obligations to prevent, investigate, and remedy corruption in line with human rights norms. The inclusion of these indicators in the Implementation Review Mechanism would strengthen accountability and promote coherence between anti-corruption and human rights monitoring systems.

Embedding human rights within UNCAC strengthens governance, prevents impunity, and enhances accountability. By situating anti-corruption measures firmly within the broader system of international law, States reinforce the legitimacy and sustainability of their efforts, ensuring that anti-corruption reforms deliver long-term impact.