

**Open Letter to UNCAC States Parties:
A Call for Action at the 10th UNCAC Conference of States Parties in Atlanta in
December 2023
to Ensure Effective Reparation to Victims of the Harm caused by Corruption**

31 October 2023

Dear States Parties to the UN Convention Against Corruption,

At the upcoming 10th biennial gathering of the 190 States Parties to the UN Convention against Corruption taking place in Atlanta, 11 - 15 December 2023 (the UNCAC Conference of States Parties), you will be reviewing progress in implementing the convention and discussing areas where more work is needed.

Reparation of the harm caused to victims of corruption is a key subject that should be addressed by you, the States Parties, at the conference. The UNCAC provides for such reparation, but weaknesses in the legal frameworks and practices of states mean that corruption's harm to individuals, entities and communities remains largely without remedy.

Members of our [UNCAC Coalition working groups](#), in our network of more than 300 civil society organisations, academics and experts from all over the world, are deeply concerned about the impunity of corruption perpetrators towards those harmed by their crimes, including in cross-border cases involving high-level officials, multinational companies, major financial institutions and professional enablers.

We urge States Parties to agree on concrete steps at the 10th UNCAC CoSP to accelerate efforts to address the consequences of corruption and ensure remedies for the damages caused, particularly at the collective level. States have a duty to protect against and ensure repair of the human rights violations caused by corruption. Only if anti-corruption efforts address the harm to victims, will justice be served.

In 2021, the UNCAC Coalition established a [database](#) to secure and share information on instances of reparation, where countries can profile their tools and cases. The case examples in this database show that in some jurisdictions, only the state is seen as a victim, while citizens and public interest organisations are excluded from representing collective interests. This is inconsistent with international law, basic legal principles and practical realities. In fact, often the representatives of the state at the highest level are the perpetrators of large-scale corruption, causing widespread harm. Moreover, in some countries, judges apply a direct nexus test for collective damage that is only suitable for individual harm. While the collective damage caused by corruption is often diffuse, it is also very real, and a range of quantification methods are available.

The UNCAC Coalition has made a [submission to the 10th UNCAC CoSP](#) outlining the most important issues that need to be addressed to ensure reparation for victims of corruption. The people and communities harmed by corruption depend on your decisive action to make it possible for their harm to be remedied.

on behalf of the UNCAC Coalition's

Asset Recovery Working Group – co-chaired by Sara Brimbeuf, Senior advocacy officer, Illicit Financial Flows at Transparency International France and Jackson Oldfield, Director & Co-founder of the Civil Forum for Asset Recovery (CiFAR), Germany

Gender, Inclusion & Corruption Working Group – co-chaired by Monica Kirya, Deputy Director (interim), U4 Anti-Corruption Resource Center of the Chr. Michelsen Institute; Matthew Gichohi, Researcher, U4 Anti-Corruption Resource Center of the Chr. Michelsen Institute.

Grand Corruption and State Capture Working Group – co-chaired by Cynthia Gabriel, Founding Director of the Center to Combat Corruption & Cronyism (C4Center), Malaysia; and Gillian Dell, Head of Conventions Unit at Transparency International and UNCAC Coalition chair

Victims of Corruption Working Group – chaired by Juanita Olaya, UNCAC Coalition former-chair and board member