

## Promoting Policy Coherence Through the Systemic Integration of International Human Rights Law<sup>1</sup>

Submission by the Global Civil Society Coalition for the UNCAC's Working Group on Human Rights & Corruption<sup>2</sup> and the Cyrus R. Vance Center for International Justice

**21 November 2025**

### Introduction

Anti-corruption and human rights frameworks are mutually reinforcing. Both address structural drivers of injustice rooted in concentrated power, weak institutional checks, restricted access to information, and systemic inequality.<sup>3</sup> A human rights-based approach strengthens anti-corruption efforts by grounding them in States' obligations to respect, protect, and fulfil rights, prevent abuses, and ensure victims receive remedies that include restitution, rehabilitation, satisfaction, and guarantees of non-repetition.<sup>4</sup>

This approach is essential in contexts of systemic corruption, where domestic accountability mechanisms may be captured or weakened. While anti-corruption frameworks often focus on institutional reforms, they can fall short when political and economic elites obstruct enforcement or institutions lack independence. Human rights law closes this gap by establishing that States are internationally responsible not only for corrupt acts committed by their agents but also for omissions, such as failure to prevent, investigate, or sanction corruption that results in rights violations. Human rights mechanisms also address structural

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<sup>1</sup> UNCAC Coalition. "Systemic Integration of Human Rights in Anti-Corruption Frameworks: A Policy Guide," accessed on 21 November 2025.

<https://uncaccoalition.org/systemic-integration-of-human-rights-in-anti-corruption-frameworks/>.

<sup>2</sup> The Global Civil Society Coalition for the UNCAC's Working Group on Human Rights and Corruption comprises almost 240 members, from civil society organizations, activists, academia and other stakeholders. This platform serves to foster discussions, exchange knowledge, and share experiences among experts on human rights and corruption. Additionally, the Working Group provides a space for the coordination of advocacy efforts and the advancement of international and regional laws and policies in this regard. UNCAC Coalition. "Human Rights and Corruption," accessed 20 November 2025. <https://uncaccoalition.org/get-involved/working-groups/human-rights-and-corruption/>.

<sup>3</sup> Betina Pasteknik, Isabella Moggs and Nicoletta Zappile, "Bridging Anti-Corruption and Human Rights Efforts: A Guide for Anti-Corruption Advocates to Engage in the Universal Periodic Review," UPR Info and Global Civil Society Coalition for the UNCAC, 2025. <https://uncaccoalition.org/bridging-anti-corruption-and-human-rights-efforts-a-guide-for-anti-corruption-advocates-to-engage-in-the-universal-periodic-review-process/>.

<sup>4</sup> International Commission of Jurists. "Background information concerning the right to remedy and reparation," UN Mechanisms (2002). <https://www.icj.org/resource/background-information-concerning-the-right-to-remedy-and-reparation/>;

and institutional dimensions of corruption, drawing on well-established doctrines on State responsibility and patterns of abuse.

## **The Added Value of Human Rights for Anti-Corruption Efforts**

Human rights law strengthens anti-corruption efforts by:

- Clarifying State responsibility for corruption-related harms, including failure to prevent or investigate corruption and enforce relevant laws.<sup>5</sup>
- Enhancing the effectiveness of anti-corruption measures by requiring responses to structural, systemic and individual acts of corruption that undermine rights.
- Expanding accountability and access to remedies through human rights mechanisms, increasing legitimacy, participation, transparency, and inclusiveness.<sup>6</sup>
- Reinforcing binding State obligations already assumed under human rights treaties, preventing fragmentation across international legal regimes.
- Fostering coherence within the UN system, ensuring anti-corruption policies align with human rights standards.
- Providing additional tools to tackle entrenched impunity, including strengthened judicial independence, transparency, and civic participation.
- Applying established doctrines on presumptions and inferences developed to address widespread violations, adapting them to contexts of large-scale corruption.

## **Legal Foundations for Systemic Integration**

Systemic integration between anti-corruption and human rights law is grounded in well-established international law principles. The Vienna Convention on the Law of Treaties (1969)<sup>7</sup> provides key interpretive rules. Article 31(1) requires treaties to be interpreted in good faith and in light of their object and purpose, while Article 31(3)(c) requires consideration of other applicable rules of international law. Article 30 provides harmonization rules for overlapping obligations. The UN Charter<sup>8</sup> further reinforces this. Article 1(3) identifies the promotion of human rights as a core UN purpose. Article 55(c) commits the UN to universal respect for

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<sup>5</sup> U4 Anti-Corruption Resource Centre. “Basic guide to corruption and human rights,” 2025.

<https://www.u4.no/topics/human-rights/basics>.

<sup>6</sup> U4 Anti-Corruption Resource Centre. “Basic guide to corruption and human rights,” 2025.

<https://www.u4.no/topics/human-rights/basics>.

<sup>7</sup> Articles 30 and 31 of “Vienna Convention on the Law of Treaties,” done at Vienna on 23 May 1969, entered into force on 27 January 1980, United Nations Treaty Series no.1155: 331,

[https://legal.un.org/ilc/texts/instruments/english/conventions/1\\_1\\_1969.pdf](https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf).

<sup>8</sup> Articles 1(3), 55(c), 103 of the “United Nations Charter,” 24 October 1945, United Nations,

<https://www.un.org/en/about-us/un-charter>.

rights, and Article 103 gives Charter obligations primacy over conflicting treaties. The UNCAC must therefore be interpreted consistently with human rights obligations. The UNCAC<sup>9 10</sup> itself anticipates integration. Its preamble recognizes that corruption undermines democratic institutions and justice, concepts central to human rights. Several UNCAC provisions intersect directly with human rights, including: Article 5 on preventive measures, Article 13 on civil society participation, Article 32 on witness protection, Article 33 on protection of reporting persons, and Articles 34 and 35 on consequences of corruption and compensation.

The practice of the General Assembly (GA), Human Rights Council (HRC), and human rights treaty bodies also reflects recognition of the links between corruption and rights violations. Numerous GA<sup>11</sup> and HRC resolutions<sup>12</sup> underline that corruption undermines human rights and emphasise transparency, accountability, and civic participation as essential safeguards.

When UNCAC and human rights obligations are implemented in isolation, risks arise: narrow interpretations may ignore existing human rights duties, creating gaps in protection. Anti-corruption measures may unintentionally restrict civic space, undermine due process, or reduce institutional safeguards. Fragmented implementation weakens regimes and legitimacy, undermining coherence. Systemic integration, by contrast, fosters legitimacy and enhances both accountability and the effectiveness of anti-corruption work.

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<sup>9</sup> “United Nations Convention Against Corruption,” United Nations, New York, 2004, [https://www.unodc.org/documents/brussels/UN\\_Convention\\_Against\\_Corruption.pdf](https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf).

<sup>10</sup> Betina Pasteknik, Isabella Moggs and Nicoletta Zappile, “Bridging Anti-Corruption and Human Rights Efforts: A Guide for Anti-Corruption Advocates to Engage in the Universal Periodic Review,” UPR Info and Global Civil Society Coalition for the UNCAC, 2025. <https://uncaccoalition.org/bridging-anti-corruption-and-human-rights-efforts-a-guide-for-anti-corruption-advocates-to-engage-in-the-universal-periodic-review-process/>.

<sup>11</sup> United Nations General Assembly. “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation,” A/RES/S-32/1, June 7 2021. <https://docs.un.org/en/A/RES/s-32/1>; United Nations General Assembly. “Resolution adopted by the General Assembly on 16 December 2021,” A/RES/76/181, 11 January 2022. <https://docs.un.org/en/A/RES/76/181>.

<sup>12</sup> UN Human Rights Council. “The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation: Resolution adopted by the Human Rights Council on 23 March 2021,” A/HRC/RES/46/11, 26 March 2021. <https://docs.un.org/en/A/HRC/res/46/11>; UN Human Rights Council. “The negative impact of corruption on the enjoyment of human rights: resolution adopted by the Human Rights Council on 12 July 2021,” A/HRC/RES/47/7, 26 July 2021. <https://docs.un.org/en/A/HRC/RES/47/7>; UN Human Rights Council. “The negative impact of corruption on the enjoyment of human rights: resolution adopted by the Human Rights Council on 11 July 2019,” A/HRC/RES/41/9, 18 July 2019. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/214/60/PDF/G1921460.pdf>; UN Human Rights Council. “The negative impact on the enjoyment of human rights: resolution adopted by the Human Rights Council on 13 June 2013,” A/HRC/RES/23/9, 20 June 2013. <https://docs.un.org/en/A/HRC/RES/23/9>; UN Human Rights Council. “The negative impact of corruption on the enjoyment of human rights: resolution adopted by the Human Rights Council on 2 July 2015,” A/HRC/RES/29/11, 22 July 2015. <https://digitallibrary.un.org/record/802805?ln=en&v=pdf>; Human Rights Committee. “General Comment No. 32 (2007) on Article 14 ICCPR, Access to Justice and Fair Trial,” CCPR/C/GC/32, 23 August 2007. <https://undocs.org/CCPR/C/GC/32>.

## Emerging Case Law on the Convergence of Anti-Corruption and Human Rights Obligations

An emerging body of jurisprudence shows that courts, both national and regional, are increasingly interpreting corruption-related disputes through the lens of international human rights law. This trend demonstrates that, even in the absence of a dedicated UNCAC tribunal, judicial bodies are giving normative effect to UNCAC provisions by integrating them into human rights adjudication. This reinforces systemic coherence and validates the need for the interpretive approach outlined above.

National courts have applied UNCAC as a complementary framework when examining rights such as equality, due process, access to information, and participation in public affairs. For example, a national supreme court linked the right to equality in public employment (ICCPR Article 25) with UNCAC Article 7, highlighting the obligation to ensure objective, transparent, and merit-based recruitment criteria.<sup>13</sup>

Regional human rights courts have also begun to reference UNCAC to clarify States' duties in corruption-related contexts. The European Court of Human Rights, for instance, drew on UNCAC Article 7(3) in a case involving political party financing, underscoring that accountability measures must comply with the principles of legality and foreseeability in order to safeguard political rights. These cross-references confirm that corruption-related obligations are being absorbed into the broader human rights framework.<sup>14</sup>

Together, these developments illustrate a growing judicial practice: courts are treating 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

Systemic integration must translate into implementation and legal procedural practice. This means embedding human rights standards not only in legal frameworks but also in institutional mandates, monitoring, and enforcement practices. To make integration effective

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<sup>13</sup> Corte Constitucional de Colombia. "Sentencia C-077/21 (Cosa juzgada constitucional – Elementos)," 19 julio 2021. <https://www.corteconstitucional.gov.co/relatoria/2021/C-077-21.htm>.

<sup>14</sup> European Court of Human Rights. "Case of Cumhuriyet Halk Partisi v. Turkey, Judgment (Merits and Just Satisfaction)," App. No. 19920/13, 26 April 2016. <https://hudoc.echr.coe.int/eng?i=001-162211>.

at the national level, States should incorporate human rights into legislation, administrative regulations, judicial training, and oversight mechanisms related to corruption. Internationally, treaty bodies, peer review systems, and CoSP resolutions should operationalise cross-referencing with human rights obligations.

Examples of integrated implementation include:

- a) 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.
- b) 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 strengthen policy coherence, States Parties should:

1. Include language in CoSP<sup>11</sup> resolutions that recalls or reaffirms relevant human rights law and Human Rights Council and General Assembly resolutions.
2. Systematically integrate human rights principles into national anticorruption policies, particularly regarding due process, access to justice, civic participation, freedom of expression, association, peaceful assembly, whistleblower protection, and effective remedies for victims.
3. Align anti-corruption measures with human rights obligations, ensuring consistency and resilience across legal frameworks.
4. Mainstream systemic integration into capacity-building and technical assistance, ensuring UNODC and partners design programmes that explicitly link UNCAC with human rights standards.
5. Reinforce coherence through monitoring and documentation, including the use of human rights-based indicators within the Implementation Review Mechanism to assess States' efforts to prevent, investigate, and remedy corruption.

Embedding human rights into UNCAC implementation strengthens governance, prevents impunity, and enhances accountability. Integrating anti-corruption efforts within the broader international legal system reinforces their legitimacy and ensures reforms deliver meaningful, sustainable improvements for individuals and communities most affected by corruption.