

DEALING WITH THE CONSEQUENCES OF CORRUPTION

- * Fighting corruption needs to translate directly into the **well-being of citizens and a better world**
- * **Reparation of the damages caused by corruption** ensure that public goods and services derailed by corruption actually reach citizens!
- * What is the point of having more enforcement if there won't be **justice?**



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Citizens and their rights should be at the centre:



Article 13. Participation of society

1. Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, **to promote the active participation of individuals and groups outside the public sector**, such as civil society, non-governmental organizations and community-based organizations, **in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption.**

The UNGASS 2021 political declaration does not address the consequences of corruption. Citizens all over the world are left without the public good and services corruption derailed.

The UNGASS 2021 political declaration includes vague qualifiers such as “within your means” which give the sense that involvement of non-state actors is conditioned.

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The framework is there what we need is action:

UNCAC Article 34. Consequences of acts of corruption

With due regard to the rights of third parties acquired in good faith, each State Party shall take measures, in accordance with the fundamental principles of its domestic law, **to address consequences of corruption**. In this context, States Parties may consider corruption a relevant factor in legal proceedings to annul or rescind a contract, withdraw a concession or other similar instrument **or take any other remedial action**.

UNCAC Article 35. Compensation for damage

Each State Party shall take such measures as may be necessary, in accordance with principles of its domestic law, to ensure that **entities or persons who have suffered damage as a result of an act of corruption have the right to initiate legal proceedings against those responsible for that damage in order to obtain compensation**.



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A better declaration yes, but what we need to see is action:

**Enforcement
with Justice**

- A clear statement that the consequences of corruption need to be addressed and repaired, in and out of litigation.
- More prosecutors leading claims to adjudicate reparation and judges **recognising legal standing for collective victims of corruption and adjudicating reparation for collective damages**
- Government entities addressing **reparation on time** while judicial authorities investigate and prosecute those responsible
- More citizens bringing claims for **collective reparation** before tribunals and their right to do so is secured, **protected and respected**
- **Hold States accountable for their international obligations**
- More protection of our collective interests : **citizens' well-being!**

**Citizens at
the centre**