**RE-SUBMISSION OF BEST PRACTICE THAT LINK ANTI-CORRUPTION MEASURES WITH THE REALIZATION AND PROTECTION OF HUMAN RIGHTS**

1. **THE NEGATIVE IMPACT ON CORRUPTION ON THE ENJOYMENT OF HUMAN RIGHTS:-**

Corruption negatively impacts the enjoyments of all human rights- civil, political, economic, social and cultural as well as the right to development which underscores the indivisible and interdependent nature of human rights. The impact on the realization of human rights depends on the level of pervasiveness, the different forms and levels of corruption. Corruption can affect human rights as an obstacle to their realization in general and as a violation of human rights in specific cases.

Corruption in the public and private spheres and its proceeds are not confined within national borders, nor is its impact on human rights.

It typically diverts funds from state budgets that should be dedicated to the advancement of human rights. It therefore undermines a state’s human rights obligations to maximize available resources for the progression realization of rights recognized in article 2 of the international covenant on economic, social and cultural rights.

1. **Corruption undermines the fairness of institutions and process and distorts policies and priorities.**

As a result corruption damages the legitimacy of regimes leaders to a loss of public support and trust for state and government institutions. Corruptions impacts on the ability of the state to protect and fulfill its human right obligations and to deliver relevant services including a functioning judiciary law enforcement, health, education and social services.

In countries where corruption pervades government and legal systems law enforcement, legal reforms and the fair administration of justice are impeded by corrupted politicians, judges, lawyers, prosecutors, police officers investigations and auditors. Corruption in the rule of law system weaken the very accountability structures which are responsible for protecting human rights and contributes is a culture of impunity since illegal actions are not punished accountability may be diverted to and innocents redress may be frustrated and laws not consistently up held.

1. **Human rights based approach to corruption calls for a comprehensive strategy to promote effective institutions appropriate laws, good governance and the participation of all effective concerned stakeholders.**

A human right based approach to anticorruption means putting the international human rights entitlements and claims of the people (the right- holders) and the corresponding obligation of the state (the duty bearer) I the center of the anti-corruption debate and efforts at all levels and integrating international human rights principles including non-discriminations and equability, participation and inclusion accountability, transparency and the rule of law.

1. **How is corruption a cause of human right violation and how effective remedial can be taken?**

The term human rights denote all rights which are inherent in our nature and without which we cannot live as human beings. Human rights such as civil rights and political rights are basic, inherent, fundamental natural and inalienable right of human beings. However, one tends to forget the most fundamental human right to life and safety. These human rights include justice tolerance mutual respect and above all human dignity. They are considered indispensable for dignified human life.

The purpose of securing human rights as such are to provide protections to these rights against the abuses of power by state organs to establish institutions for the promotion of living of human beings and for obtaining redress in the event of violation of these rights. Corruption and the violation of human rights comprise a social phenomenon which concerns the distribution of benefits among different groups of people and individuals. In the discourse of international law also, the prevalence of corruption is now considered to be a violation of basic human rights. Corruption is like a dangerous plague that has a wide range of corrosive effects on societies. It is an important contributing factor to the violation of human right by facilitating, serving or creating an environment in which the violation can take place. All corruption practices may, in the long run affect a human right. In real sense, there is a conceptual linkage between corruption and human rights. The paper analysis when and how a corruption practice entails a human rights violations. The basic forms of corruption such as bribery and embezzlement and complex forms of corruptions such as trading in influence, abuse of functions or positions and illicit enrichment have also been discussed. Corruption threatens human right of people like women, children and people leaving in poverty. This paper identifies the state human rights obligation and evaluation the responsibilities of the state for damage caused. The abuse of human rights well be persistent if corruption does not cease. Human right principles that are relevant to the prevention of corruption are also discussed.

1. **Corruption as a general term for the misuse of a public position of trust for private gains and that its specific definition and applications vary with time, place and culture. Corruptions as putridity taint debasement, spoliation, impurity, perversion bribery, dishonesty, venality, rottenness and immortality.**

(Religious books) definition like bible regards idolatry covertness, oppressions and violence. Corruption of princes’ prophets and priest, wickedness pride and greed as corruption. It is an important contributing factor to the violation of human rights by facilitating, serving or creating an environment in which the violation can take place. The fight against corruption is central to the struggle for human rights (Julio 2008) it has always aerated the wheel of the exploitation and injustice which characterized our world.

The corruption is the abuse of entrusted power for private gain. All corrupt practices may in the long run affect human rights

Bribery

Illicit enrichment

**FORMS OF CORRUPTION**

Embezzlement

Trading Influence

Abuse of functions of partition

**Impact of Corruption on people**

1. **While corruption violates the rights of all those affected by it.**

It has a disproportionate impact on people that belong to groups that are exposed to particular risks such as minorities, in Indigenous people, migrant worker, disabled people, those with HIV/AIDS, refuges, prisoners and those who are poor. It also disproportionately affects women, children and peoples living in poverty.

**Continuation of that triangle sharp**

 Elements contributing to effectiveness of NHRIS

In short, national Institutions be more -

e.g a bribe offered to a judge directly affects the independence and impartiality of that judge and hence violates the right to a fair trail. Or when a state or somebody, acting in an official capacity act or fail to act in away that prevents individuals from having access to that right.

Direct Violation.

TYPES OF VIOLATION

Indirect Violation .

Remove Violation .

1. **It is important that institutions like NHRC provide a frame work to table up cases of corruption acts of individuals and institutions that result in human right violations**.

There is casual link between corruption and human rights because all forms of corruption practices may in the long run have an impact on human right, it cannot be concluded mechanically that a given act of corruption violate a human right. This means that, to apply the human right have work usefully( that is to say , with potential effect in law), It is necessary to distinguish corruption practice that directly violate a human right how corruption practice that lead to violation of a human right( but do not themselves violate a right), and from corrupt practice where a casual link with a specific violation of rights cannot practically be established. The links between corruption and human rights on the assumption that if corruption occurs where there is iodination and opportunity in human rights that leads to violation. Corruption is particularly likely of human Right. There are many places and many instances where these human rights are deliberately ignored. The greed for power and false pride of being better than others makes one forget the rights of others. Before any one tries to violate the fundamental human right of any individual, one should spare a thought that same thing could soon happen to them too.

1. **Fighting corruption while safeguarding human rights.**

United Nation conference on anti-corruption measures. Good governance and human rights (how ombudsman offices can play a role in combating corruption in government while safeguarding human rights.

**The effect of corruption on human right health**.

Grand corruption as crime against humanity:- Effect of corruption on human health. Corruption in the health sector causes and effect human rights. Corruption is a cancer that eats away at nation’s ability to progress in providing adequate health care delivery to citizens. It manifests in the health sector, where it has resulted in death and poor services delivery of essential services, it emerges from the lowest grassroots levels such as dispensaries and graduals creeping into national health care providers resulting in a failed system.

Of the many lenses that corruption can be viewed from, health care is a conspicuous due to the fact it touches on every single person from birth to old age. It should therefore be a source of great concern on stakeholders to remedy the vices. It is a crime against humanity because it affects abortions, procurement of drugs, equipment and distribution of drugs. At times public funds lost is enough to take care of perennial problem such as famine thus making it a crime both economically and from the Len of human rights.

They are summarized thus:-

1. Abortion, health and corruption
2. procurement of drugs/ medical equipment
3. Distribution of drugs.

There should be human dignity and corporate accountability for human right violations.

**Effects of corruption on humanity.**

For one to fight corruption he or she should understand what corruption is. Corruption is defined as the misuse of entrusted power for private gain. In health sector, it encompass bribery of health professionals, regulation and public officials unethical, research diversion/theft of medicines and medical supplies fraudulent overbilling of health services absenteeism, informal payments embezzlement and corruption in health procurement. In a nutshell, corruption is seen as a dishonest, illegal and improper use of public power and authority contrary to the rights of citizens. Human right on the other hand are fundamental and inalienable rights which are essentials for life as a human being.

The corruption can cause, great suffering or serious injury to body or to mental of physical health.

It is set out in article 6 as being murder extermination, enslavement deportation and other inhuman acts committed against any civilians population before or deriving the war or persecution on political, social or religious grounds in execution or is connection with any crime within the jurisdictions of the tribunal whether or not is violation of domestic law of the country where perpetrated.

**Recommendation**

Imposing high penalty on corruption or management offenders’ enforcement of regulations condemnation and rejection of acts of corruption related offenses and impunity. Strengthen the witness protection agency to give corruption witnesses confidences to testify against corrupt person. Prosecuting all officers who are corrupt.

Provision of incentives to reduce neglect and corruption at once rather than trying to excise corruption surgically while consciously avoiding related forms of miss-governance combating corruption needs changes in institutions attitudes and behaviours government providers, citizen and service users each have a role to play in promoting good governance for better health by made grand corruption a crime against humanity and putting in place structure to prosecute. It will trickle down to reducing more mundane and pedestrian forms corruptions in the countries/ society.

Submitted by

**Prince Emeka Mgbemere**

**Executive Director/Security Advisor**

**Center for Grassroot Development and Crime Prevention**

**(A member of UNODC,Non-Governmental Organization)**