



INTERNATIONAL  
ANTI-CORRUPTION  
ACADEMY

# *Ombudsman & the AC mandate ...*

**Martin KREUTNER**  
**IACA, 17 November 2016**

**[www.iaca.int](http://www.iaca.int)**

Um novo vídeo todo dia!



**BACANINHA**

<http://www.bacaninha.com.br>



***“30% of development aid in  
2011 failed  
to reach its final destination  
owing to corruption.”***

U.N. Secretary-General Ban Ki-moon (2012)



- **African countries:  
25% of GDPs**  
(The World Bank 2008)

- **Asian countries:  
17% of GDPs**  
(The Asian Development Bank, 2010)

- **EU-Europe:  
6-7% (990 billion €)**  
(Rand Europe ↔ EU Parliament, 2016)



Source: <https://www.torbenrick.eu/blog/change-management/change-management-comic-strips/>



**SUSTAINABLE  
DEVELOPMENT  
GOALS**

# 17 SUSTAINABLE DEVELOPMENT GOALS



## GOAL 16

# 16 PEACE, JUSTICE AND STRONG INSTITUTIONS



Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

- 16.1 Significantly reduce all forms of violence and related death rates everywhere
  - 16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children
  - 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all
  - 16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime
  - 16.5 Substantially reduce corruption and bribery in all their forms
  - 16.6 Develop effective, accountable and transparent institutions at all levels
  - 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels
  - 16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance
  - 16.9 By 2030, provide legal identity for all, including birth registration
  - 16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements
- 
- 16.a Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime
  - 16.b Promote and enforce non-discriminatory laws and policies for sustainable development

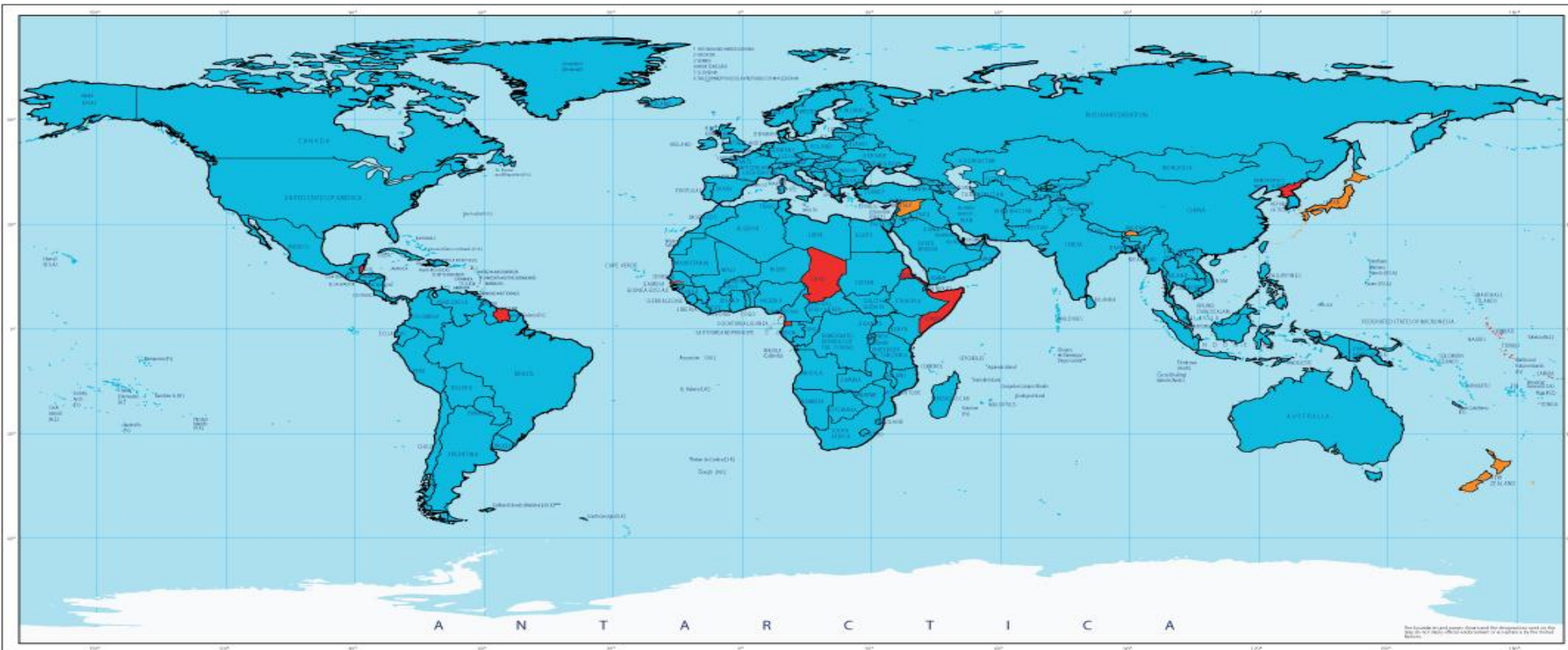




Convención de las Naciones Unidas contra la corrupción  
**United Nations  
Convention  
against  
Corruption**



# UNCAC Signature and Ratification Status



- States Parties
- Signatories
- Countries that have not signed or ratified the UNCAC

**Signatories: 140**  
**Parties: 180**



# ***Corruptive behaviour:***

***= untrustful behaviour?***

***= unethical behaviour?***

***= (social) deviant behaviour?***

***= criminal behaviour?***

***= Human Rights violation?***

9-11 December 2003 **Mérida, México** 9-11 de diciembre de 2003



Convención de las Naciones Unidas contra la corrupción


# United Nations Convention against Corruption



## Art 6 UNCAC: Preventive AC body or bodies

## Art 36 UNCAC: Specialized authorities

Art 13, 32, 33, 38 et mult al.

A close-up photograph of a hand holding a white protest sign against a clear blue sky. The sign features the text 'No to corruption' in a large, bold, black serif font. In the bottom right corner of the sign, there is a small, faint rectangular box containing the text 'You are invited to'.

**No to  
corruption**

You are invited to

***Corruption, Human Rights, Security ...***



## SEWOL ferry disaster, 16 April 2014, Korea

- 297 killed
  - 9 still reported missing
- Conviction for corruption offences followed



## Railway station Once, Buenos Aires/ARG, 22 February 2012

- 51 killed
- 700+ injured
- Multiple convictions for corruption offences



## **SAMPOONG Department Store, 29 June 1995, Seoul/Korea**

- 501 killed
- 937 injured
- The owners bribed gvt. officials to avoid local building codes



## Earthquake in Amatrice, 24 August 2016, ITALY

- 295 killed
  - Hundreds severely injured
  - Thousands homeless for months and beyond
- A school collapsed was supposed to be resistant against earthquakes
  - Officials on reconstruction:

*„But this time we're going to rebuild without corruption ...“*






† Sept. 2014

**A nine-year-old boy, Rausha Kumar, died at a government hospital in the northern India state of Bihar after being fitted with an empty oxygen cylinder allegedly because his family wasn't able to pay a Rs100 (\$1.64) bribe.** The incident was reported by India TV. It took place at Patna Medical College and Hospital late Wednesday night and was reported to police Friday, 19 September 2014. Doctors prescribed oxygen and he was fitted with an oxygen cylinder. The next day, his parents asked the hospital staff to replace the almost-empty cylinder. "However, the pharmacist in-charge, Subhash Prasad, allegedly demanded Rs100 (\$1.64) from his parents to have the cylinder replaced," the report said. After the parents said they were poor and couldn't pay the bribe, Prasad allegedly connected the boy to the empty cylinder. "Sometime later, [our son] died of suffocation," the boy's father Surendra Sao said. Sao later filed a complaint with police against the hospital staff. -

17 Dec 2010, Tunisia:  
26 year old Tarek al-Tayeb Mohammed Bouazizi ...



(†) 04 Jan 2011

A hand is holding a white rectangular sign with a black border. The sign has the text "No to corruption" written in a large, bold, black serif font. The background is a clear blue sky. There are some faint, illegible markings on the sign, possibly from a stamp or another sign.

**No to  
corruption**

***National vs. trans-national vs. international  
jurisdiction***

***What jurisdiction?***



# Prosecuting Grand Corruption as an International Crime



*The Global Organization of Parliamentarians Against Corruption (GOPAC) is committed to establishing grand corruption as a crime of international law, to enable international institutions and alliances to apprehend, prosecute, judge, and sentence the guilty, as our members mandated at the fifth Global Conference of Parliamentarians Against Corruption and again at the fifth Forum of Parliamentarians.*

**5th session CoSP to the UNCAC; Panama 2013**

***„The AC conventions do not frame corruption as a human rights violation, (and the human rights instruments do not even mention corruption).“***

**Murray, M. & Spalding, A. (2015)**

- **The AC approach**
- **The HR avenue**



United Nations General Assembly  
A/HRC/29/L.19,  
29 June 2015

## Human Rights Council, 29<sup>th</sup> session

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

### 29/... **The negative impact of corruption on the enjoyment of human rights**

[...]

*Stresses* that preventive measures are one of the most effective means of countering corruption and of avoiding its negative impact on the enjoyment of human rights, calls for the strengthening of prevention measures at all levels, and underlines that one key aspect of preventive measures is to address the needs of groups in vulnerable situations who may be the first victims of corruption;

*Recognizes* that **the negative impact of corruption on human rights and sustainable development can be combated through anti-corruption education**, and notes with appreciation the capacity-building activities and specialized curricula developed by relevant institutions, such as the United Nations Office on Drugs and Crime and the International Anti-Corruption Academy.

[...]



*Photo: Alice Archer*

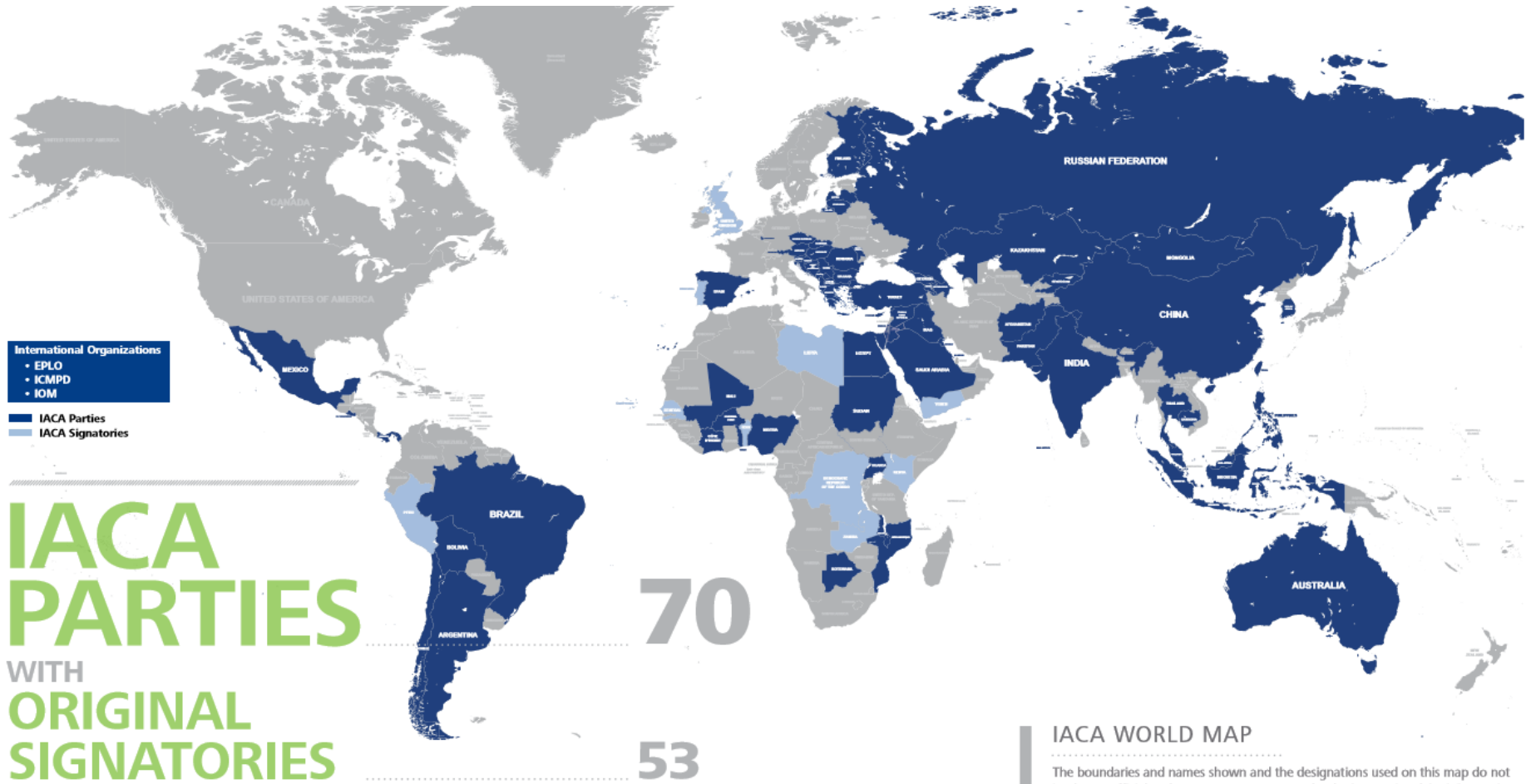
*An International Centre of Excellence for a  
New and Holistic Approach to Fighting Corruption*

*Empowering professionals*

**INTERNATIONAL ANTI-CORRUPTION ACADEMY**

[www.iaca.int](http://www.iaca.int)





### IACA WORLD MAP

The boundaries and names shown and the designations used on this map do not imply any official endorsement or acceptance by the International Anti-Corruption Academy (IACA). No official endorsement or acceptance is implied with regard to the legal status of any country, territory, city, or any area or its authorities, or with regard to the delimitation of frontiers or boundaries. This map was produced to the best of common knowledge.

STATUS AS OF 10 NOVEMBER 2016

[WWW.IACA.INT](http://WWW.IACA.INT)

- **United Nations (Cooperation Agreement)**
- Organization of American States (OAS)
- Organisation for Economic Cooperation and Development (OECD)
- Organization for Security and Co-operation in Europe (OSCE)
- World Bank (INT)
- Global Organizations of Parliamentarians against Corruption (GOPAC)
- World Economic Forum (WEF)
- Int. Association of AC Authorities (IAACA)
- International Association of Prosecutors (IAP)
- **International Ombudsmen Institute (IOI)**
- European Partners against Corruption (EPAC/EACN)
- and many others



INTERNATIONAL  
ANTI-CORRUPTION  
ACADEMY

## Master in Anti-Corruption Studies (MACS)

- Just started: Oct 2016 – Dec 2018
- Next class starts: Oct 2017
  - APPLICATIONS OPEN

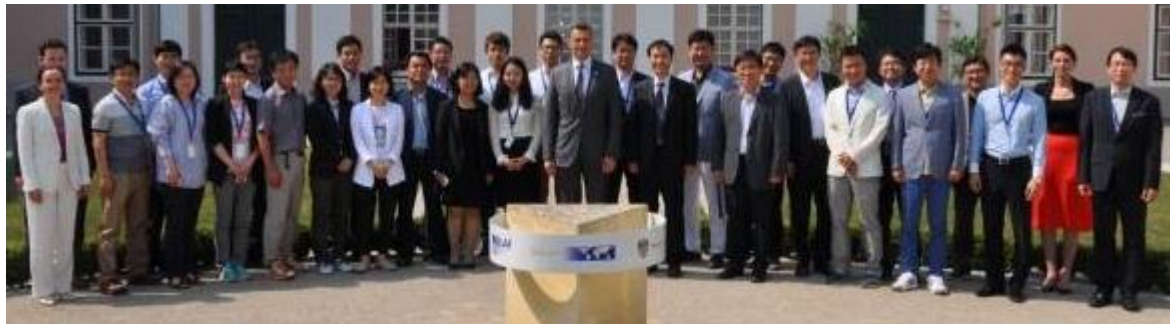




# TAILOR-MADE TRAININGS

## An Overview

- Customized for groups of different sizes
- Developed in response to the unique challenges that states, organizations, or companies face in preventing and fighting corruption
- To upgrade practical skills, build a common knowledge base to address future challenges, or increase sector performance
- E.g., for for anti-corruption commissions, **ombudsman offices**, and the private sector

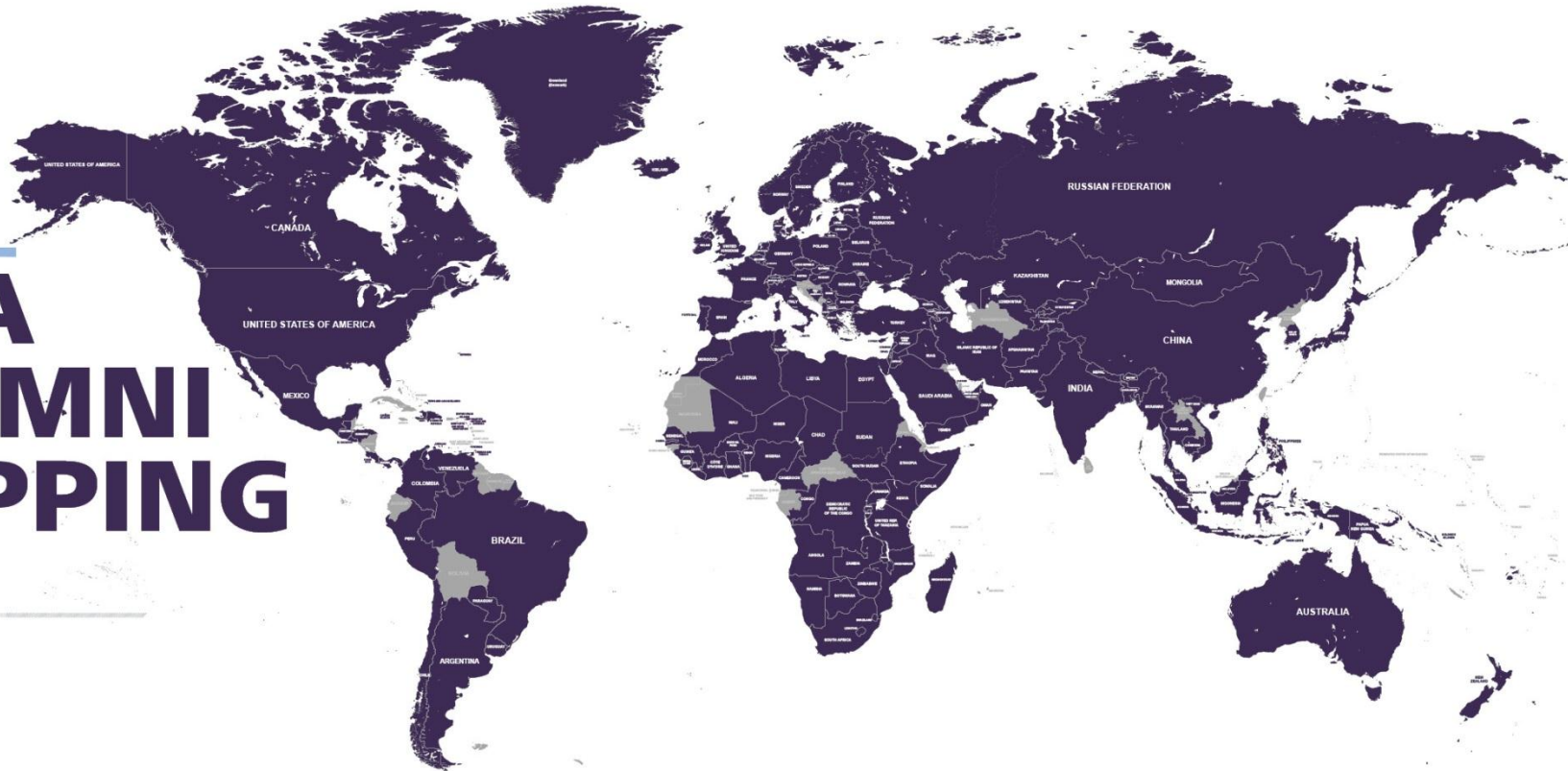




**May 2015  
CURACAO**

# IACA ALUMNI MAPPING

STATUS AS OF 12 AUGUST 2016



## 145 countries and jurisdictions

English class ....







***"Corruption is the antithesis vis-à-vis human rights,  
the venom vis-à-vis the rule of law,  
the poison for prosperity and development,  
the reverse of equity and equality.***

***Investing in anti-corruption education and empowerment is  
therefore the smart way towards  
sustainable development,  
safeguarding human rights,  
and strengthening the rule of law."***

**IACA, at the UN SDG Summit,  
UNNY 25 September 2015**

*„Education is hope, education is peace!“*





INTERNATIONAL  
ANTI-CORRUPTION  
ACADEMY

***Thank you***

**[www.iaca.int](http://www.iaca.int)**

**[martin.kreutner@iaca.int](mailto:martin.kreutner@iaca.int)**

[www.iaca.int](http://www.iaca.int)

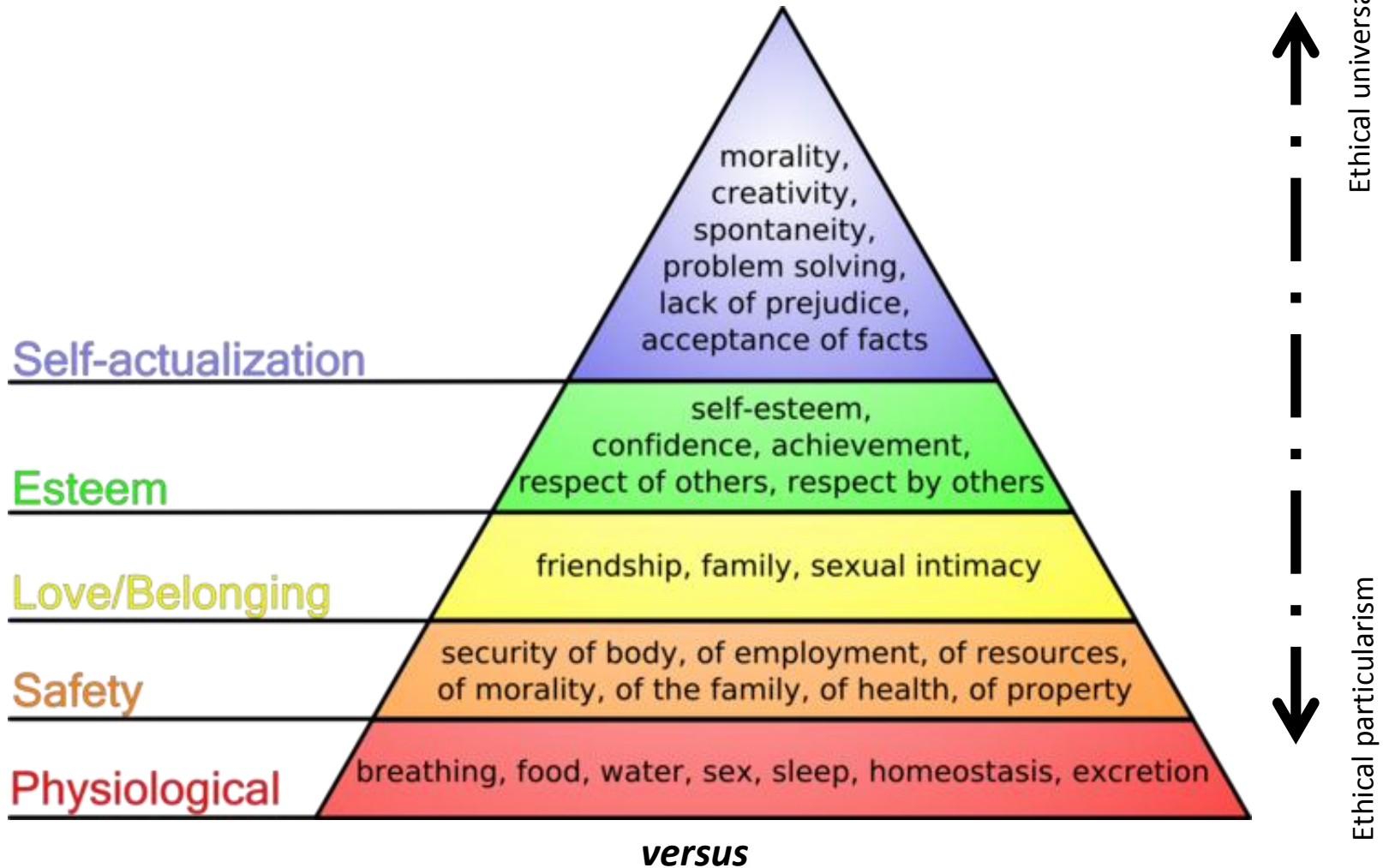
Welcome to SIERRA LEONE



If You Cannot Help Us

**PLEASE DO NOT CORRUPT US**

# Maslow's hierarchy of needs



**Sociological frameworks of reference (continuum)**



***“Corruption is a root cause of violent extremism. Violent extremist groups use humiliation, marginalization, inequality and poverty caused by corruption as recruitment tools.  
The fight against corruption has to be a global security priority of the first order.”***

**John Kerry, US Secretary of State (August 2016)**







