

# **Minimize the impacts of corruption on the exercise of human rights in the Comprehensive Action Plan to implement the UPR (2nd cycle) recommendations**

## **Submission on the Comprehensive Action Plan to Implement the Universal Periodic Review Recommendations of the United Nations Human Rights Council (2<sup>nd</sup> Cycle)**

Towards Transparency, Transparency International's National Contact in Vietnam, welcomes the opportunity to make a submission on the Government of Vietnam's Comprehensive Action Plan to Implement the Universal Periodic Review Recommendations of the United Nations Human Rights Council (2<sup>nd</sup> Cycle).

Towards Transparency recognises and commends the Government's achievements in relation to human rights over the past few years and its efforts in preparing the Comprehensive Action Plan.

Towards Transparency also congratulates the Government on Vietnam's membership of the United Nations Human Rights Council.

Drawing on its expertise in transparency and anti-corruption, Towards Transparency makes the following recommendations regarding the Comprehensive Action Plan.

### **1. The Action Plan needs to acknowledge the connection between corruption and human rights and the impact of corruption on the exercise and realisation of human rights.**

The United Nations Office of the High Commissioner for Human Rights has stated that 'corruption is an enormous obstacle to the realisation of all human rights'.<sup>[1]</sup>

A number of studies, including by Towards Transparency and Transparency International, have demonstrated that corruption is a barrier to equity of access in health, education, water or justice<sup>[2]</sup>.

Significantly from a human rights perspective, corruption is known to have a disproportionate impact on women and children, minorities, indigenous peoples, migrant workers, people with disabilities, people with HIV/AIDS and those who are poor<sup>[3]</sup>.

Commitments relating to vulnerable groups as identified in the Government's Action Plan, need to include specific actions to minimize the impacts of corruption on the exercise of human rights in order to be truly effective.

**2. The Action Plan also needs to demonstrate integration and connection with the National Anti-Corruption Strategy Towards 2020.** This Strategy is the cornerstone of the Government's Anti-Corruption efforts and, as such, should be integrated into the Government's Action Plan on Human Rights.

**3. That the Government consider:**

**Creating a mechanism for the exchange of information** between anti-corruption agencies and agencies responsible for implementing and monitoring the Action Plan.

**Conducting a periodical review and report on the impact of corruption and anti-corruption efforts on the exercise of human rights.** This would provide an opportunity for the Government to show-case the widespread impact of anti-corruption efforts across areas such as access to health, education or justice services.

**Including more specific actions, timelines and indicators to measure progress and success in implementing the Action Plan,** as called for by other organisations providing submissions to the consultation process.

Within its capacity, Towards Transparency would be pleased and ready to assist the Government in implementing these recommendations and to continue contributing to the national efforts in anti-corruption and realization of human rights in Vietnam.

[1] United Nations OHCHR, Human rights and anti-corruption, <http://www.ohchr.org/EN/Issues/Development/GoodGovernance/Pages/AntiCorruption.aspx>, viewed 21 August, 2015.

[2] Transparency International, 2007, Global Corruption Report 2007: Corruption in Judicial Systems, Cambridge University Press, Cambridge; Transparency International, 2008, Global Corruption Report 2008: Corruption in the Water Sector, Cambridge University Press, Cambridge; Transparency International/Towards Transparency, 2011, Towards a Transparent and Quality Healthcare System Hanoi; Transparency International, 2013, Global Corruption Report: Education, Routledge, Oxon; Towards Transparency, 2011, Forms and Effects of Corruption on the Education Sector in Vietnam, Hanoi.

[3] International Council on Human Rights Policy, 2009, Corruption and Human Rights: Making the Connection, Geneva, p. 7.