



Organization for Security and  
Co-operation in Europe  
**Presence in Albania**

## **CORRUPTION AND HUMAN RIGHTS**

*An op-ed by Head of Presence Ambassador Bernd Borchardt on the International Human Rights Day, published in Panorama and Albanian Daily News on 10 December 2016*

**A time to consider.** International Anti-Corruption Day has been observed every year, on 9 December, since the passage of the United Nations Convention against Corruption in 2003. Human Rights Day is observed by the international community on 10 December, commemorating the day the United Nations General Assembly adopted the Universal Declaration on Human Rights in 1948. I do not believe that the fact that these two days are neighbours in the calendar is a coincidence. Certainly they have a common meaning, a timely reminder to consider that corruption leads to human rights violations and corruption is at the core of many human rights violations.

**A serious problem.** Corruption is a global challenge, and Albania is seriously affected. The 2015 report of the ad hoc parliamentary committee on justice system reform cited allegations that Albanian judges were paying up to 300,000 euros to be appointed in city courts where they would be able to extract bigger bribes during the course of their work and that prosecutors would accept bribes of over 1,000 euros not to bring charges. In 2014, a former director of a regional education directorate was sentenced to 9 years for accepting bribes for teachers' employment in schools. Approximately 2 in 3 businesses who responded to a 2015 OSCE survey said that bribery and corruption were an inevitable cost of doing business in Albania. Allegations of vote buying surface regularly. A corrupt environment raises the costs of doing business, increases informality, discourages foreign investors, distorts the markets and investment priorities and damages public trust in the administration. About 16,000 reports are submitted in 22 months by citizens to the government unified portal on complaints and corrupt practices to the tax office, education, health and police authorities.

**A human rights issue.** We must recognise that corruption is not merely a financial issue, but a key factor undermining human development, democracy and the rule of law. It diverts funds intended for development projects, it reduces a government's ability to provide basic services, and it feeds inequality and injustice. The vulnerable and marginalised - children, women, ethnic minorities and the disabled generally have the lowest level of influence in society. They are powerless to resist requests for bribes and suffer most when forced to pay. For the rich, bribery is an inconvenience. For the poor, the impact on finances can mean going to bed hungry or worse. An inability or refusal to pay could mean an unlawful denial of bail, a delayed heart operation, a baby born without medical assistance, an unregistered property, a trafficked teenager, an unsafe working environment, an ungranted visa, a rapist unpunished, a polluted spring, a child who doesn't attend school, a student who fails her degree. These injustices violate rights guaranteed under the UDHR and other human rights conventions including the right to a fair trial, the right to education, the right to life, the right to health, the right to property, the right to non-discrimination, the right to freedom from slavery or servitude, the right to universal and equal suffrage. Human rights can only be fully safeguarded when integrity, accountability and transparency are embraced by all state actors.

**A work in progress.** Despite progress acknowledged by the OSCE and other partners of Albania corruption remains a serious problem for the country. The independence and effectiveness of institutions which are supposed to fight corruption remains continues to be limited by political pressure and weak administrative capacity. The OSCE supports the fight against corruption because it undermines their stability and security and threatens the OSCE's shared values. In Albania, we focus on diminishing the causes of corruption by supporting prevention, education and awareness raising anti-corruption activities. We have worked with the business community by devising practical anti-corruption guidelines, and with civil society to encourage the use of anti-corruption complaints mechanisms and to enable effective monitoring of the national anti-corruption action plan. We encourage youth to fight social acceptance of bribery and increase public participation and civic engagement in the fight against corruption. At local level, we have worked with the municipalities to design anti-corruption measures. The policy and legislative framework is impressive, but more needs to be done by public authorities to enforce anti-corruption legislation. Sustained progress on implementation of law and policy, combined with the expected visible change in the judiciary, and an enhanced understanding of the corrosive impact of corruption on human rights amongst stakeholders should improve citizens' trust in institutions. Still, more needs to be done starting by every single one of us, speaking up, reprovig and denouncing. We should all engage in fighting corruption and putting an end to human rights violations. Corruption undermines the central principle of the universal declaration: the human dignity!

Human Rights and Anti-Corruption days belong together, have a common meaning, have a strong message for all of us: fight for Human Rights, fight against corruption.