German statement

Meeting for the preparation of UNGASS

Thank you Ms/Mr chair for the floor!

Germany welcomes the special session of the UN’s general assembly to be held in 2021. We believe that UNGASS can provide a unique opportunity to renew and reinforce the global political will to fight corruption and to make substantial and sustainable progress in this fight.

The UNGASS needs intensive and careful preparation and its success should not be taken for granted. This is why we very much welcome the holding of this preparatory meeting and the opportunity to submit, until January, written contributions for the UNGASS declaration. The European Union has already tabled its contribution and as a EU member state we would like to make reference to this document. We would like to thank the CoSP’s president and UNODC for initiating this preparatory process.

On the outcome document, I make reference to the EU’s statement and I would only like to highlight the following points.

Firstly, we believe that tailor made, gender sensitive and effective technical assistance can play a crucial role in the fight against corruption. The UNCAC’s implementation review mechanism provides for a good tool for identifying technical assistance needs. However, its potential has not yet been fully used. Therefore, the UNGASS could call for more coordination of technical assistance with implementation reviews’ outcomes aiming at better matching technical assistance needs with technical assistance offers. This coordination needs to be done in the first place on country level, but should also feed into better coordination at a regional and global level.

Secondly, we believe that the fight against corruption should be backed by a strong commitment to the rule of law and to fundamental freedoms. Due process safeguards and fair trials might sometimes appear as an obstacle to investigating and prosecuting corruption. However, ultimately, the rule of law and fundamental freedoms, including the freedom of the press and civil society participation, are essential for preventing and prosecuting corruption.
The respect for the rule of law including fundamental freedoms and the fight against corruption are mutually reinforcing. Where people can rely on the rule of law and trust its institutions they will not resort to corruption. At the same time, an independent judiciary and due process safeguards are the best guarantee that anti-corruption legislation will be enforced both effectively and fairly. This is why the UNGASS declaration should include a strong commitment to strengthen the right to an independent and impartial judge, the right to a fair hearing and the rights of defense. Fair trial rights of suspects and accused persons are essential to build trust in judicial authorities.

We also believe that fighting corruption should be based on a holistic approach and should not only rely on criminal law responses, but on combination of prevention and prosecution that addresses root causes, vulnerabilities and risk sectors. For prevention, the integrity of the public sector is crucial that starts with a merit based recruitment of civil servants.

To conclude I would like to underline the importance of the participation of business and civil society in the UNGASS process. Governments cannot fight corruption alone and we need to listen to and work with actors outside the public sector to make UNGASS a success and bring us closer to our anti-corruption goals.

We hope that this UNGASS sends a clear and credible signal followed by actions that corruption is not to be tolerated.