

# Confronting Corruption in Defense of Human Rights

Spring 2018 Study Group  
Nye A, Taubman Building 5<sup>th</sup> Floor, HKS



HARVARD Kennedy School  
**CARR CENTER**  
for Human Rights Policy

**Convener: Sherman Teichman**  
**Co-Convener: Prof. Nikos Passas**  
**Research Assistant: Jérôme Krumenacker**

*“Corruption is an enormous obstacle to the realization of all human rights — civil, political, economic, social and cultural, as well as the right to development. Corruption violates the core human rights principles of transparency, accountability, non-discrimination and meaningful participation in every aspect of life of the community. Conversely, these principles, when upheld and implemented, are the most effective means to fight corruption”*

Navi Pillay, High Commissioner for Human Rights 2008-2014

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| <b>January 23</b><br><b>12 – 1:30 pm</b>  | <b><i>The Panama Papers: What Now?</i></b><br><b>Frederik Obermaier</b> , Investigative journalist for the Munich-based <i>Süddeutsche Zeitung</i> , 2017-18 Harvard Nieman Fellow   |
| <b>February 20</b><br><b>12 – 1:30 pm</b> | <b><i>Corruption and Crimes Against Humanity</i></b><br><b>Nicole Barrett</b> , Director, International Justice and Human Rights Clinic, Allard School of Law, University of British Columbia; Executive Director of the Allard Prize Initiative for International Integrity |
| <b>March 9</b><br><b>12 – 1:30 pm</b>     | <b><i>The Interface Between Extractive Industries, Corruption, and Human Rights</i></b><br><b>Keith Slack</b> , Director, Extractive Industries Global Program, Oxfam America  |
| <b>April 3</b><br><b>12 – 1:30 pm</b>     | <b><i>Human Rights in Corrupt Environments</i></b><br><b>Nicolas Giannakopoulos</b> , President of the Geneva-based Organized Crime Observatory  |

## Objective

The objective of this study group is to deepen and expand our understanding of the links between corruption and human rights, to investigate methods exposing corrupt practices, and to enhance global anti-corruption efforts.

This study group is a continuation of our four initial sessions held in Fall 2017, and with our guest speakers we will explore such topics as offshore tax havens, the role of corruption in extractive industries, and the impact of the interface between organized crime and global business. We will build on last semester's exploration, which delved into the transnational nature of corruption networks and examined in particular the alliance between kleptocratic regimes, international criminal organizations, global finance, and private industry. These networks – enabled by a worldwide clandestine pipeline for pilfered resources, embezzled funds, and bribery money – violate human rights by siphoning the wealth of nations, destroying environments, and depriving the commonwealth of goods and services that by rights belongs to ordinary citizens.

In this endeavor, we are seeking to enhance collaboration between professional communities engaged in anti-corruption initiatives with those engaged in human rights advocacy, and to identify research agendas for students and experts alike, strengthening anti-corruption efforts. Please review the research opportunities listed under each of the four presentations described below.

Beyond these activities, we will be exploring opportunities for students deriving from our involvement in diverse projects, including the sending of a delegation to the Human Rights Foundation's [PutinCon](#) on March 16<sup>th</sup> in New York City; our nascent collaborations with the Real Colegio Complutense at Harvard and the Wallenberg Centre for Human Rights on issues of human rights abuses and corruption in Venezuela; with the Americas Society/Council of the Americas on corruption in Latin America more broadly; and with an Afghan researcher on corruption and warlords in Afghanistan.

Professor Passas is interested in collaboration with students on examining the creation and handling of Greek public debt as an example of institutional corruption, and its implications for the violation of human rights; and on his explorations into the integrity and transparency of trade transactions and the control of smuggling and other illicit flows.

## Conveners



**Sherman Teichman** is currently a Senior Fellow at the Carr Center for Human Rights Policy at Harvard University's Kennedy School. As a strategic adviser for the Human Rights Foundation, he will facilitate research opportunities to students on corruption and other human rights themes, especially through the Oslo Scholars Program, an initiative he created for the Human Rights Foundation. Furthermore, as a Senior Fellow at the Wallenberg Centre for Human Rights in Montreal Teichman will continue his work on behalf of prisoners of conscience and on combating all forms of persecution, discrimination and anti-Semitism.

Teichman is a non-resident Research Associate in the Department of Politics and International Relations at the University of Oxford; a Senior Fellow for the Lichtenstein Institute of Strategic Development; a Strategic Advisor for Cambridge-based RefugePoint; an Advisory Board member of the Council for European Studies; a Board member of VII Photo Agency Foundation; and a Board member of the Mind/Brain Center on War and Humanity at Stony Brook University.

Teichman has a distinguished educational career of five decades, working on diverse security issues including international terrorism, the Israel – Palestine dispute, 21<sup>st</sup> century conflict, civil-military relations, and global health and security. For the last thirty years, Teichman was the Founding Director (Emeritus since 2016) of the Institute for Global Leadership at Tufts University, acknowledged by the Carnegie Corporation of New York, as the "proven breeding ground for the next generation of international relations and international security leadership." In 1999, the yearlong theme for the Institute was [Global Crime, Corruption, and Accountability](#).



**Nikos Passas** is professor of criminology and criminal justice at Northeastern University, and co-director of the Institute for Security and Public Policy. He is also visiting professor at the Basel Institute on Governance, the Vienna University of Applied Sciences for Management & Communication, the Beijing Normal University, and the Financial Integrity Institute at Case Western Reserve Law School. He serves as the head of UN Sanctions Implementation Legal Review Services at Compliance Capacity and Skills International (CCSI) and chair of the Academic Council of the Anti-Corruption Academy in India.

Professor Passas specializes in the study of corruption, illicit financial/trade flows, sanctions, informal fund transfers, remittances, terrorism, white-collar crime, financial regulation, organized crime and international crimes. He has authored, co-authored, and edited more than two hundred works on these topics, including the *Nations Non-Proliferation Sanctions on Iran and North Korea* (2016), the *Informal Value Transfer Systems (IVTS) and Criminal Activities* (2004), the *Legislative Guide for the Implementation of the UN Convention against Corruption*, the *Legislative Guide for the Implementation of the UN Convention Against Transnational Organized Crime* (2003), *IVTS and Criminal Organizations* (1999) and *Transnational Financial Crimes* (2013), the *United Nations Convention against Corruption as a Way of Life* (2007), *International Crimes* (2003), and *It's Legal but It Ain't Right: Harmful Social Consequences of Legal Industries* (2004). He serves as editor-in-chief of the international journal *Crime, Law and Social Change* and associate editor in a number of journals.

Professor Passas also offers training to law enforcement, intelligence and private sector officials on regulatory and financial crime subjects. He regularly serves as expert witness in court cases or public hearings and consults with law firms, financial institutions, private security and consulting companies and various organizations, including the Financial Crimes Enforcement Network (FinCEN), OECD, OSCE, the IMF, the World Bank, other multilateral and bilateral institutions.

Tuesday, January 23

12 – 1:30 pm Nye A, 5<sup>th</sup> Floor Taubman Building, HKS



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## ***The Panama Papers: What Now?***

*Reflections from a journalist's perspective on necessary steps in the anti-corruption-fight*



**Frederik Obermaier** is an investigative reporter for the Munich-based *Süddeutsche Zeitung*, Germany's largest broadsheet newspaper. He is one of the two reporters first contacted by the anonymous sources of the Panama Papers and the Paradise Papers, the leaked documents that prompted two global investigations involving hundreds of journalists. That reporting earned a Pulitzer Prize. Obermaier is a member of the International Consortium of Investigative Journalists and is the author of several books including *Panama Papers*. He is studying how to probe the global implications of tax havens, with a focus on the role of banks, lawyers, wealth managers and consulting firms.

In our discussion with Frederik, he identified the following research agendas in which he is interested in participating, and to which he believes academic expertise would be invaluable:

1. Quantitative research on the role of shell companies in major corruption cases
2. Qualitative research on the level of transparency of company registries in different countries, and the impact of transparency on corruption
3. Exploring the creation of a Hackathon bringing together the anti-corruption and human rights communities, with the help of IT-specialists, academics, investigative reporters, practitioners, and lawyers, to find simple technical things that can have a huge impact in the field of anti-corruption and human-rights-work (e.g. the [GVA Dictator Alert](#) set up by the Swiss journalist Francois Pilet, which caused a huge debate in Switzerland about the country being used to launder money or evade taxes)

We would like to create a small task-force to investigate how to engage such organizations as Global Witness, Transparency International, the ICIJ, the New York Times, and the OCCRP, to prepare and participate in this Hackathon, to be held in 2018-19.

Tuesday, February 20  
12 – 1:30 pm Nye A, 5<sup>th</sup> Floor Taubman, HKS

## *Corruption and Crimes Against Humanity*



**Nicole Barrett** is the Executive Director of the Allard Prize Initiatives for International Integrity, and Director of the International Justice and Human Rights Clinic at the Allard School of Law. She was previously a Trial Lawyer and a Legal Officer for the International Criminal Tribunal for the former Yugoslavia in The Hague and a Senior Scholar in Residence at NYU Law School’s Center for Human Rights and Global Justice, where she directed legal projects with international criminal courts and tribunals. Before moving to Vancouver in 2009, Nicole served as an international humanitarian law advisor for the defense of several Guantanamo detainees and monitored military commissions in Guantanamo Bay, Cuba for Human Rights First.

In conversation with Nicole, we learned that she will soon be briefing prosecution experts at the International Criminal Court on the following topics, on which she will be soliciting feedback and welcoming input:

1. How should corruption be prosecuted internationally? Should corrupt acts become a core concern of the International Criminal Court?
2. How does corruption facilitate land-grabbing as a crime against humanity, and can the mitigation of corruption lessen this human rights-violating practice?



Friday, March 9  
12 – 1:30pm Nye A, 5<sup>th</sup> Floor Taubman, HKS

## ***The Interface Between Extractive Industries, Corruption, and Human Rights***



**Keith Slack** is the Director of Extractive Industries Global Program of Oxfam America. He worked previously for the Robert F. Kennedy Memorial Center for Human Rights in DC and Catholic Relief Services in Peru. He has published articles in *Ethics and International Affairs*, *Human Rights Quarterly* and the *Los Angeles Times*. His work with Oxfam focuses on the “resource curse” and the lack of financial transparency in oil and mining industries.

In our discussion with Keith, he identified the following Oxfam research agendas, to which he would invite expert and student participation:

1. Haiti is preparing to develop its large-scale gold-mining sector with companies like US-based Newmont preparing to make large investments. Given Haiti’s history and governance weaknesses, how could mining worsen corruption in the country? What measures could be taken to reduce corruption in the nascent sector?
2. Mining companies operating in countries like Ghana often make payments to traditional authorities or chiefs as a tribute, or to curry favor. Could such payments be considered violations of anti-corruption regulations such as the Foreign Corrupt Practices Act?
3. How does corruption in the EI sector impact women? Can empowering women’s rights organizations be an effective means for combating corruption in the sector?
4. Can contracts between EI companies and governments be cancelled if it is clear that the terms embedded in them were secured through corrupt practices?

Tuesday, April 3  
12 – 1:30 pm Nye A, 5<sup>th</sup> Floor Taubman, HKS

## ***Human Rights in Corrupt Environments***

*Experience from the Ukraine, Bosnia, Serbia, Africa, Asia and Latin America*



**Nicolas Giannakopoulos** is President and co-founder of OCO, the Organized Crime Observatory and Director of the Geneva-based criminal investigation company. He was in charge of a three-year research program financed by the Swiss Confederation entitled “Swiss Corruption and Organized Crime”. Prior to this, he has been active in many research programs and has carried out numerous analyses for large institutions. He has closely collaborated with magistrates and police services and was rewarded with the medal of Merit from the Brazilian judicial authorities. Mr. Giannakopoulos has published significant material concerning the different aspects of modern criminal organizations. He currently is Vice-Director of the University Observatory on Security at the University of Geneva and works as an expert for the Academic Group of the United Nations Office on Drugs and Crime and on corruption issues for the Anti-Corruption Academic Initiative (ACAD).

In discussion with Nicolas, he has expressed interest in working with us to identify new methods and possibilities in the development of human rights practices within hostile environments where corruption is systematic.