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One Hundred and Thirteenth Congress  
**Tom Lantos Human Rights Commission**

December 9, 2014

The Honorable John F. Kerry  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

Dear Secretary Kerry:

As Co-Chair of the Tom Lantos Human Rights Commission, I am gravely concerned about the grand corruption – the abuse of public office for private gain by a nation's leaders – that characterizes many countries across the globe and is closely correlated with the most serious human rights abuses. I am writing to urge you to advocate for the creation of an International Anti-Corruption Court to combat grand corruption and the culture of impunity on which it depends.

On November 13, 2014, the Commission held a briefing on the proposal to create an International Anti-Corruption Court. The briefing demonstrated a clear connection between grand corruption and serious violations of human rights. The countries that regularly rank as the most corrupt – such as Somalia, Sudan, Iraq, and Syria – also regularly rank as among the worst abusers of human rights. Grand corruption robs governments of billions of dollars that should be invested in public services such as health and education.

More fundamentally, grand corruption is devastating to democracy and the human rights that governments are constituted to protect and promote. I fully agree with former United Nation's High Commissioner for Human Rights Navi Pillay, who said in 2013: "Corruption is an enormous obstacle to the realization of all human rights – civil, political, economic, and cultural. Corruption violates the core principles of transparency, accountability, non-discrimination, and meaningful participation in every aspect of the life of the community."

Grand corruption depends on the culture of impunity that exists when a nation's leaders will not permit the investigation, prosecution or punishment of their friends, their families and, indeed, themselves. An International Anti-Corruption Court, separate from the existing ICC, that operates on the principle of complementarity, is now essential to

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incapacitate corrupt leaders and deter future abuse of public office and human rights by others.

Since the enactment of the Foreign Corrupt Practices Act in 1977, the United States has led the international effort to combat corruption. As you know, in 2006, President George W. Bush launched an international campaign to make it more difficult for kleptocrats to enjoy the proceeds of their crimes. I support President Obama's initiatives to strengthen that effort, but a global platform for this work is needed.

Therefore, I urge the President and the United States Ambassador to the United Nations advocate for the creation of an International Anti-Corruption Court through the International Law Committee of the United Nations.

The Administration may also consider including this proposal in their agenda for the G20, which in the Seoul G20 Declaration "committed to supporting a common approach to an effective global anti-corruption regime, the provisions of which are enshrined in the provisions of the United Nations Convention Against Corruption."

Thank you for your consideration of my request, and I look forward to working with you in any way we can to combat grand corruption.

Sincerely,



James P. McGovern  
TLHRC Co-Chair  
Member of Congress

cc: Sarah Sewall, Under Secretary for Civilian Security, Democracy, and Human Rights, U.S. Department of State

Tom Malinowski, Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State