

ELSA PORTUGAL

Corruption and
Human Rights

INÉS SOFLA SOUSA REIS

“Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life, and allows organized crime, terrorism, and other threats to human security to flourish.

This evil phenomenon is found in all countries – big and small, rich and poor – but it is in the developing world that its effects are most destructive. Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a government’s ability to provide basic services, feeding inequality and injustice, and discouraging foreign aid and investment.

Corruption is a key element in economic underperformance and a major obstacle to poverty alleviation and development.”

- KOFI ANNAN

Former UN Secretary General

Abstract:

The synergy between the promotion of human rights and anti-corruption efforts is crucial for fostering equitable societies globally. In this essay, it is highlighted that integrity in critical sectors such as healthcare is essential for transparency and service quality. Rigorous oversight and continuous integrity promotion are necessary to effectively address these challenges. International cooperation and civic engagement play pivotal roles in protecting human rights and combating corruption. Ensuring that healthcare and essential services uphold the dignity of all individuals is fundamental for building a fair and sustainable future where everyone can thrive equally.

Index

Introduction.....	5
Fundamental Concepts.....	6
Intersection between Human Rights and Corruption.....	11
I. Health.....	12
Study Cases	14
I. During the Covid-19 pandemic in Brazil	14
II. Use of pesticides in the western region of Paraná.....	16
Conclusion.....	19
Bibliography.....	21

Introduction

This work aims to establish a connection between two fundamental concepts: corruption and human rights, with a specific focus on the healthcare sector. Corruption, as a systemic phenomenon, permeates various spheres of society and can have devastating consequences for the full exercise of human rights, including the right to health.

In investigating this intersection between corruption and human rights, it is essential to understand the underlying fundamental concepts in both areas. A detailed analysis of this complex relationship will allow us to explore case studies that illustrate the practical implications of this connection.

Through concrete examples, such as during the Covid-19 pandemic episode, we can elucidate how corruption directly compromises the ability of healthcare systems to provide adequate and equitable care.

By addressing case studies, we aim to highlight the challenges faced and the lessons learned, with the goal of formulating effective strategies to prevent and combat corruption, thereby protecting human rights, especially the right to health.

Fundamental Concepts

The universalization of human rights, initiated after World War II due to the horrors of the conflict, it became a matter of international concern, moving beyond the exclusive jurisdiction of individual states. Thus, the development of the internationalization movement arose from the genocidal acts during the Holocaust perpetrated by totalitarian regimes, Nazism and Stalinism, and is one of the key objectives of the United Nations¹.

Within a single generation, inherent and inalienable rights, such as peace and stability, are recognized without diminution or denial, resulting in a dual dimension:

- i. a minimum protective standard that States must adhere to, promoting progress and preventing setbacks in the national human rights system;
- ii. a mechanism for human rights protection when national institutions are ineffective or neglectful in their duty to safeguard these rights.

In this framework, international treaties dedicated to human rights protection, while affirming the individual's international legal personality and supporting the universal concept of human rights, impose international obligations on the States that ratify them, especially when these States fail or neglect their duty to protect these rights.

In this context, corruption emerges as a complex and global phenomenon, present worldwide and affecting all nations and societies, none of them are immune to this scourge.

The debate surrounding corruption gained greater international prominence following the exposure of vast corrupt networks on a global scale, such as the Panama Papers², as well as due to various social movements demanding action against corruption and the punishment of wrongdoers.

¹ NOTARI, Márcio Bonini and CARDOSO, Karla Regina, *Corrupção E Direitos Humanos*, Editora Amplamente, 2023, page 5.

² The Panama Papers comprise a vast collection of 11.5 million confidential documents from the Panamanian law firm Mossack Fonseca, leaked in 2016. These documents revealed how politicians, businessmen, celebrities, and other influential figures from around the world used offshore tax havens to conceal assets, evade taxes, and launder money. The scandal exposed the global extent of offshore use for both illicit and legal purposes, leading to investigations and reforms in multiple jurisdictions to combat tax evasion and corruption.

The word "corruption" originates from the Latin term "*corruptio*", which connotes decomposition, putrefaction, alteration of original characteristics, depravity, demoralization, seduction, and bribery³.

In its Greek origin, the word "corruption" refers to two movements: something breaking within a bond and something degrading at the moment of that rupture. The consequences are significant. On one hand, it breaks the principle of trust, the link that allows citizens to join together and influence the life of their country.

On the other hand, it degrades the sense of the public good. In dictatorships, corruption has a specific function: it serves to ensure the dissipation of public life. In democracies, and within the framework of the Republic, its effect is different, it works to dissolve the political principles that sustain the conditions for the exercise of civic virtue⁴.

Corruption can also be characterized as a continuous sequence of events or operations that exhibit a certain unity or reproduce with some regularity, following a specific *modus operandi*, with method and procedure unique to each situation.

Throughout history, the concept of corruption has evolved and become ingrained in social fabric as societies delineate it within legal boundaries and criminal contexts. This delimitation of the phenomenon, along with its criminalization, stems from the evolution of regulations governing the actions of both public and private actors⁵.

According to BROOKS, corruption, in general terms, is associated with activities such as fraud, bribery, embezzlement, and other forms of misappropriation of funds⁶. However, corruption, as a complex process, cannot be confined solely to the identification of individual acts from a purely legal standpoint. It is necessary to advance towards a concept that is broad enough to adequately characterize it and applicable to the multifaceted forms this phenomenon assumes in practice⁷.

³ BARROS FILHO, PRAÇA, S. *Corrupção: parceria degenerativa*, São Paulo, Papirus 7 Mares. 2014, page 12.

⁴ TARLING, Heloisa Maria Murgel, *Ditadura Militar in AVRITZER, Leonardo, Corrupção: ensaios e críticas*, Belo Horizonte: UFMG, 2008, page 259.

⁵ SILVA, M.F, *A economia política da corrupção no Brasil*, SENAC São Paulo, 2001, page 20.

⁶ BROOKS, R.C. *The Nature of Political Corruption*. *Political Science Quarterly*, Março de 1909, page 1-22. Available at: <https://archive.org/details/jstor-2141078/page/n11/mode/2up>

⁷ BROOKS, R.C. *The Nature of Political Corruption*. *Political Science Quarterly*, Março de 1909, page 1-22.

Within the international context, the United Nations employs a broad concept of corruption, primarily focusing on actions within the public sector, defining it as "*the misuse of public office for direct or indirect personal gain*". Meanwhile, both the World Bank and the International Monetary Fund essentially adopt the same definition as Transparency International, which describes it as the abuse of entrusted power for private gain⁸.

Corruption is not limited to developing countries, affecting both developed and developing nations indiscriminately. However, its manifestations vary considerably among countries, influenced by individual and structural characteristics. Put simply, personal characteristics are related to character deviations that translate into ambitious, greedy, or susceptible-to-temptation behaviours, in other words, unethical conduct.

Structural characteristics, as observed by NAS, PRICE, and WEBER, are mainly manifested in three factors: bureaucratic or organizational environment, quality of social participation, and congruence between the legal system and social demands⁹.

- i. The first factor addresses the degree of difficulty imposed by bureaucratic or organizational structures on economic agents, which can increase or decrease the propensity for corruption to circumvent obstacles in transactions. This is generally associated with a high degree of regulation and institutional inefficiency.
- ii. The second factor refers to the involvement of the population in the public sphere, which can inhibit corruption by questioning inappropriate practices of politicians and bureaucrats, or even by not re-electing politicians recognized as corrupt. People's participation in public life depends on the accumulation of social capital in a community, which is determined by traditions of civic engagement and networks of trust.
- iii. The third factor concerns the congruence between social demands and the legal system, where the probability of compliance with regulations is higher the more aligned social expectations are with the legal framework. A contemporary example of this is the case of illicit drugs, where the demand for these substances in contrast to their legal

⁸ Transparency International, What is Corruption? Available at: <https://www.transparency.org/what-is-corruption/>.

⁹ NAS, T.; PRICE, A.; WEBER, C., A Policy-Oriented Theory of Corruption, NBER, Cambridge, MA, page 8154.

prohibition increases the likelihood of corruption, as both public and private agents can be corrupted to facilitate their sale and consumption.

It can be argued that the congruence between the legal system and social demands achieves a higher degree of coherence as the quality of social participation reaches higher levels of effectiveness, since this participation influences both the formulation of the legal system and public policies.

Corruption requires a comprehensive approach that draws from various disciplines such as political science, economics, and sociology, each offering its unique perspective on the issue. Political scientists view corruption as an abuse of governmental power stemming from inadequate oversight¹⁰. Economists, meanwhile, identify corruption when public resources are exploited for personal gain or when officials misuse their authority for economic advantages. Sociologists see corruption as a reflection of societal norms and values, particularly prevalent in regions with historical socio-economic tensions¹¹. Each of these fields contributes distinct insights into understanding the origins, impacts, and strategies to address corruption.

As LAMBSDORFF says, the violation of Fundamental Rights, whether Civil, Political, Social, Economic and Cultural, without distinction, implies high investment and protection costs, deeply affected by corruptive acts that drain public resources: *“The obligation to fulfill requires the state to take measures to ensure that people under its jurisdiction can satisfy basic needs (as recognized in human rights instruments) that they cannot secure by their own efforts. Although this is the key state obligation in relation to economic, social and cultural rights, the duty to fulfill also arises in respect to civil and political rights. It is clear, for instance, that enforcing the prohibition of torture (which requires states to investigate and prosecute perpetrators, pass laws to punish them and take preventive measures such as police training), or providing the rights to a fair trial (which requires investment in courts and judges), to free and fair elections, and to legal assistance, all require considerable costs and investments”*¹².

¹⁰ JOHNSTON, Michael. The political consequences of corruption: a reassessment, Ph.D., Nova York, 1986. Available at: <http://www.jstor.org/stable/421694>

¹¹ SPALDING, Andrew Brady. Corruption, corporations, and the New Human Right. Washington, 2012. Available at: <http://ssrn.com/abstract=2232670>

¹² LAMBSDORFF, Johann Graf. The Institutional Economics of Corruption and Reform: Theory, Evidence and Reform. Cambridge: Cambridge University Press, 2007, page 88.

On the other hand, every individual possesses Human Rights, and all States have the duty to ensure that their populations can enjoy these rights. Additionally, each Human Right entails specific obligations not only on the part of the States but also among individuals themselves.

In FRIEDRICH expression, *"It is widely accepted that states have a duty to protect individuals not just against violations of their human rights by state agents, but also against acts committed by private persons or entities. Indeed, in certain cases states have to take positive measures to ensure that private persons or entities do not impinge on human rights of individuals"*¹³.

The Universal Declaration of Human Rights of 1948, revolutionized the framework of human rights by introducing what is known as the contemporary conception of human rights, characterized by universality and indivisibility. Universality refers to the idea that these rights should be extended to everyone, based on the fundamental premise of recognizing each person's inherent moral worth.

It is the instrument considered the *"fundamental normative framework"* of the United Nations protective system, from which the multiplication of treaties relating to human rights on a global scale was encouraged¹⁴.

ROGÉRIO GESTA LEAL, does it raise an interpretative difficulty regarding the meanings that could be attributed to the expression violation of Fundamental and Human Rights in relation to the concept of corruption. To determine if individual corrupt practices violate human rights, it is essential, first and foremost, to identify the actions or omissions required of the State to protect, respect, and guarantee these rights. Therefore, a clear understanding of the objects and contents of these rights is necessary to delineate state responsibilities. Secondly, corrupt practices need to be analysed within the context of the objectives and content of the human or fundamental rights involved, verifying if they directly or indirectly affect such content and if the State fails to fulfil its obligation to protect, respect, and guarantee them¹⁵.

Thus, to ascertain if a corrupt practice violates a human right, it is necessary to verify the obligations stemming from that right to determine its content and scope, as well as the general

¹³ RIEDRICH, Carl Joachin, *The Pathology of Politics: violence, betrayal, corruption, secrecy, and propaganda*, New York: Harper and Row Publishers, 2000, page 55.

¹⁴ MAZZUOLI, Valério de Oliveira. *Curso de Direitos Humanos*, Editora Método, 2018, page 79.

¹⁵ LEAL, Rogério Gesta, *Coronelismo, enxada e voto: o município e o regime representativo no Brasil*, São Paulo, Companhia das Letras, 2012, page 98.

obligations of respect and guarantee. Subsequently, it will be possible to investigate what the State is obligated to do regarding the violated human right, followed by an analysis of the link between the corrupt conduct and the vulnerability of a human right, the non-fulfilment of an obligation, necessitating a specific case study.

From a general perspective, two types of causal links are distinguished:

- i. corrupt practices that directly violate a human right;
- ii. corrupt practices that lead to human rights violations because they, in themselves, would not violate a right.

An act of corruption directly violates a right when it immediately signifies a failure of a state obligation referenced by that right.

For example, when a judge accepts a bribe, it directly affects their impartiality, violating the right to a fair trial. On the other hand, a corrupt act may also directly violate a right when state officials or institutions act in a manner that prevents one or more individuals from accessing that right.

Intersection between Human Rights and Corruption

The preamble of the United Nations Convention against Corruption (UNCAC) expresses the concern of the State Parties regarding the threats posed by corruption, which promote instability and insecurity in societies. Corruption undermines institutions, democracy, and ethical values, while also compromising the sustainable development of a state governed by the rule of law.

Similarly, the Council of Europe has highlighted the phenomenon of corruption as a threat not only to the rule of law and democracy but also to human rights. Corruption has harmful impacts on good governance and justice, distorts competition, hinders economic development, and endangers the stability of democratic institutions¹⁶.

As a social, political, and economic adversary, corruption directly and indirectly leads to violations of fundamental rights and freedoms, this phenomenon undermines the very essence of equality and human dignity. The 11th International Anti-Corruption Conference emphasized the incompatibility of corruption with the humanitarian ideals espoused by the Universal Declaration

¹⁶ KOECHLIN, Lucy; CARMONA, Magdalena Sepúlveda, apud ROTBERG, Robert I. Corruption, global security and world order, Washington D.C., Brookings Institution Press, 2009, pages 310 to 340.

of Human Rights. Moreover, the African Union Convention on Preventing and Combating Corruption explicitly states that corruption poses a threat to human rights, highlighting the connection between corruption and human rights¹⁷.

I. Health

As early as 1950, criminologist EDWIN V. SUTHERLAND highlighted the issues associated with corrupt exchanges in the field of healthcare: "*In the medical profession, used here as an example because it is probably less criminal than others, one observes the illegal sale of alcohol and narcotics, abortions, illicit services for criminals, fraudulent issuance of prescriptions and accident certificates, extreme cases of unnecessary treatments and surgeries, fake specialists, cartels, and commission schemes*"¹⁸.

A situation conducive to corrupt behaviour is clearly evident. This is due to the wide variety of products on the market and the fierce competition among healthcare companies, combined with the significant discretionary power that doctors have when prescribing procedures. Consequently, the relationship between doctors and sector entrepreneurs is inherently risky.

In any circumstance and regardless of available resources, the State has the duty to ensure access to maternal and child health care, including family planning, immunization against major infectious diseases, appropriate treatment for common illnesses and injuries, essential medications, adequate supply of clean water and basic sanitation, and protection against serious threats to environmental health.

Within this domain, corruption can manifest across three tiers, encompassing:

- i. the management of financial resources,
- ii. oversight of medical supplies,
- iii. interactions between healthcare providers and patients.

Consequently, corruption not only impinges upon the government's ability to allocate funds to the sector but also undermines the quality of medications and services delivered¹⁹.

¹⁷ GEBEYE, Berihun Adugna., Corruption and Human Rights: exploring the relationship. Etiópia, 2012. Available at: <https://korbel.du.edu/>

¹⁸ SUTHERLAND, Edwin H., Crimes de colarinho branco: versão sem cortes. Rio de Janeiro: Revan, 2015. page 36.

¹⁹ TERRACINO, Julio Bacio., Hard law connections between corruption and Human Rights. Genebra, 2010. Available at: http://www.ichrp.org/files/papers/130/131_-_Julio_Bacio_Terracino_-_2007.pdf

Execution Audits in Liberia report serious irregularities committed by officials of the Ministry of Health and Social Welfare, identifying an approximately 4 million dollars difference in unaccounted funds. Even well-planned healthcare programs are compromised by bribery practices and other acts of corruption, such as mismanagement of medications, leading to alterations and misclassifications, resulting in two hundred to three hundred thousand deaths annually in China. Findings based on statistics from sixty-four countries suggest that an increase in corruption is associated with a rise in maternal mortality, regardless of a country's wealth or the amount it invests in healthcare²⁰.

Misappropriation of goods, public resources, and services for private use significantly contributes to the deterioration of public health and safety, especially among the most disadvantaged individuals. Widespread corruption, through these diversions for private use, adversely affects new investments and economic growth, discouraging the entry of new investors into countries with corruption problems.

In most cases, violations occur within the spectrum of regulatory issues involving healthcare professionals: offering gifts and entertainment, commissions for prescriptions - which often leads to unnecessary prescriptions, such as in the case of prosthetics - misuse of participation in medical conferences, and other infractions that may seem minor but are recurrent, such as the promotion of medications through off-label communication²¹.

In a highly regulated and competitive market context like the medical industry, it is concerning to observe the recurring practice of companies offering commissions, trips, and gifts to doctors. This creates an environment conducive to influencing medical decisions, often to the detriment of patients' best interests. Such practices can compromise medical integrity and ethics, undermining public trust in the healthcare system.

It is worth noting that the costs of medical procedures can easily reach thousands of dollars, further fostering the existence of corrupt exchanges, as ALESSANDRA GONSALES points out: *“The treatments and procedures are costly, sometimes reaching tens of thousands of dollars. Therefore, the relationship between the market and healthcare professionals is always high-risk, forcing sector companies to be much more cautious. Regulatory agencies worldwide keep an eye on both parties' actions to prevent the system from being harmed*

²⁰ Transparência Internacional., The anti-corruption catalyst: realising the MDGs, Berlim, 2010. Available at: http://issuu.com/transparenciainternacional/docs/2010_mdg_en?e=2496456/2052732

²¹ GONSALES, Alessandra., Compliance: a nova regra do jogo., São Paulo: Lex Editora, 2016. page 32.

*by individuals more interested in business than people's health, potentially disrupting fair competition worldwide. This is a sector where, most of the time, the bill is footed by a third party, whether it's a health insurance plan or, primarily, governments.*²²

The damages caused by corruption in the medical field extend far beyond mere economic losses, directly impacting patient safety. Patients may undergo unnecessary treatments and surgeries, potentially leading to fatal consequences. Victims of these practices can be categorized into three distinct groups. Firstly, there are patients deceived by corrupt professionals, subjected to unnecessary medical procedures or prescribed medications solely to serve the financial interests of the doctors. Next, we have honest entrepreneurs and doctors who face competitive disadvantages compared to corrupt competitors.

Finally, there are those who bear the costs of these practices, such as the government and health insurance plans. Identifying and proving the negative effects of these practices is challenging, especially due to the complexity of medical processes and consumers' lack of awareness about the risks involved. Furthermore, direct victims are often scattered and disorganized, complicating efforts to combat this harmful reality affecting society as a whole.

Study Cases

I. During the Covid-19 pandemic in Brazil

Three news stories were presented, aired in online media during the Covid-19 pandemic, aiming to identify the perspective of political culture in the analyses.

The news items correspond to the North region (state of Acre), Southeast region (state of Rio de Janeiro), and South region (state of Santa Catarina), selected due to their significant media coverage. The chosen headlines were: "Health Department in Rio Branco targeted by Federal Police after fraud in contracts for alcohol gel acquisition"; "Scandal in healthcare during pandemic imploded Witzel"; and "Federal Police carries out warrants against governors of SC for corruption in healthcare".

- i. In the northern region of Brazil, on June 10, 2020, the headline "Health Department in Rio Branco targeted by Federal Police after fraud in contracts for alcohol gel acquisition" was published on the G1 website, owned by Globo.com. The news

²² GONSALES, Alessandra, *Compliance: a nova regra do jogo*, São Paulo: Lec Editora, 2016, page 32.

revealed that the Federal Police, together with the Office of the Comptroller General, is investigating fraud in the acquisition of hospital supplies (masks and alcohol gel) by the Municipal Health Department of Rio Branco for combating the pandemic. These alleged frauds may have caused damage to the public treasury of approximately R\$ 1,000,000.00 (one million reais), as 32 thousand liters of alcohol gel have already been paid for. According to Agência Brasil (2020), if the total payment is made, the damage could amount to R\$ 2,300,000.00 (two million three hundred thousand reais), in a contract amounting to R\$ 6,993,950.00 (six million nine hundred and ninety-three thousand nine hundred and fifty reais). The investigation's evidence points to crimes of misappropriation, criminal association, passive corruption, active corruption, and ideological falsehood, as well as undue waiver of bidding and money laundering.

- ii. In the Southeast region, the selected headline was published on August 28, 2020, in the newspaper O Estado de São Paulo, titled "Scandal in healthcare during pandemic imploded Witzel". It was reported that the Federal Police and the Public Prosecutor's Office conducted operations to investigate indications of corruption in healthcare purchases during the Covid-19 pandemic. Expenditures without bidding amounted to over R\$ 1 billion and involved the outsourced hiring of field hospitals, most of which were not completed, and the acquisition of respirators. It was found that the devices were not suitable, and most were not delivered. In May, preventive detention of Mário Peixoto, a businessman involved in the fraud of contracts for the construction of field hospitals, had already been carried out. Additionally, it was presented that the governor of Rio de Janeiro, Wilson Witzel, has close ties to the businessman. The Public Prosecutor's Office of Rio de Janeiro opened a local investigation that probes the former health secretary, Edmar Santos, appointed as Extraordinary Secretary of Integrated Government Actions for Covid-19, identified as one of the perpetrators of the alleged corruption scheme. One of the addresses linked to his name had approximately R\$ 8,500,000.00 (eight million five hundred thousand reais) seized. Edmar Santos was released in August after reaching a plea deal with the Federal Public Ministry, and at the time, the governor stated he was innocent and had been betrayed by the former secretary. As a result of the investigation, the Superior Court of Justice suspended Witzel from office for 180 (one hundred and eighty) days. The Attorney General's Office also charged Witzel with the crime of criminal organization.

- iii. The third selected news item was reported in the South region of the country, published on September 30, 2020, by *Veja* magazine, titled "Federal Police carries out warrants against governors of SC for corruption in healthcare". The news corresponds to the execution of search and seizure warrants against the governor of Santa Catarina, Carlos Moisés, investigated for alleged fraud in the purchase of respirators for Covid-19 response. The investigation aims to gather evidence demonstrating the governor's relationship with the businessmen who sold 200 (two hundred) respirators to the state. The contract in question would have amounted to R\$ 33,000,000.00 (thirty-three million reais), and there are indications of a criminal scheme of diversion of public resources. The investigation also encompasses the investigation of "money laundering resulting from the practice of the antecedent crime against public administration, through the concealment and distancing of the origin of public resources diverted from the purchase of respirators". Justice Minister Benedito Gonçalves argued that it is not a case of ordinary criminality but rather of acts committed in a context of alleged organized, sophisticated, and structured crime with the highest levels of power apparatus, involving agents with economic power, high legal knowledge, strong political influence, and even the highest authority of the Santa Catarina Executive Power²³.

After analyzing the three news reports detailing cases of corruption in the healthcare sector during the Covid-19 pandemic, it becomes evident that corruption knows no geographical or political boundaries. These cases not only expose the vulnerability of the healthcare system to corruption but also highlight the urgent need for effective measures to combat this practice. Corruption in healthcare not only diverts precious resources that should be used to save lives but also undermines public trust in public institutions and political leaders. It is essential that there be transparency, accountability, and accountability on the part of public authorities at all levels of government.

II. Use of pesticides in the western region of Paraná

The unconscious use of pesticides, whether permitted or banned, including those stemming from smuggling, can lead to serious harm to the environment and, especially, to the health of living

²³ BORGES, Marcia Leite, DUPUY PATELLA, Ana Paula, OLIVEIRA DOS SANTOS, Caricia Hercilia A., A corrupção na saúde durante a pandemia da Covid-19 no Brasil, Campos Neutrais - Revista Latino-Americana De Relações Internacionais, Rio Grande, Jan- Abril De 2022, V. 4, N. 1, page 70-73.

beings. According to the National Cancer Institute, the indiscriminate use of these products can produce adverse effects on the human body. As an illustrative example, consider that Brazilians consume annually an amount of pesticides equivalent to a five-liter can of poison per person.

Two hundred and eighty studies are published annually in international scientific journals establishing the relationship between cancer and pesticides, a number four times higher than two decades ago. These numbers refer to the widespread use of pesticides that occurs throughout the country, with this relationship being more evident in the Western region of Paraná²⁴.

According to the World Health Organization, among developing countries, pesticides cause seventy thousand acute and chronic poisonings annually. Acute intoxication is characterized by exposure to these products over a short period, mainly affecting individuals exposed in their workplace, known as occupational exposure. Chronic intoxication occurs through prolonged contamination and can affect the entire population, causing infertility, congenital malformations, and cancer.

Despite being little publicized, there are medical reports about diseases caused by the use of pesticides in populations in the Western region of Paraná, especially in the municipality of Marechal Cândido Rondon. It is noteworthy that the indiscriminate use of poisons in agriculture and its consequences for human health are highlighted, especially in rural areas such as Marechal Cândido Rondon, where agricultural activity is extensive.

However, the dissemination of these cases is limited due to the lack of protocols in public health and the fear of health professionals in facing large farmers and local businessmen. Furthermore, a recent study by the Oswaldo Cruz Foundation, covering the years 1994 to 2014, revealed the misuse of pesticides, especially in the municipality of Cascavel, also located in the Western region of the state²⁵.

This research identified a relationship between the use of these products in monocultures and congenital malformations, with 192 cases of nervous system problems and 177 cases of cleft lip and palate registered in the Cascavel region. In summary, the right to health is intrinsically linked

²⁴ PIGNATI, W., Os efeitos dos agrotóxicos na saúde coletiva. Audiência Pública na Assembleia Legislativa do Estado do Mato Grosso, convocada pelo deputado Wilson Santos, 2015.

²⁵ DUTRA, Lídiane Silva. FERREIRA, Aldo Pacheco., Associação entre malformações congênitas e a utilização de agrotóxicos em monoculturas no Paraná, Brasil. Revista Saúde em Debate, v. 41, n. 2, Jun. 2017. Available at: http://www.scielo.br/scielo.php?script=sci_arttext&pid=S0103-11042017000600241&lng=pt&nrm=iso&tlng=pt

to other fundamental rights, such as the right to life, human dignity, and equal access. It is essential to have effective regulation and rigorous oversight of pesticide use to protect public health and the environment. The state must impose sanctions on behaviours that pose risks to public health, as provided for in criminal and environmental legislation²⁶.

The extensive use of pesticides poses a significant threat to both human health and the environment, as highlighted by the alarming statistics and case studies presented. It is evident that the indiscriminate application of these chemicals, whether legally permitted or obtained through illicit means, has dire consequences, including acute and chronic poisonings, congenital malformations, and cancer. The cases reported in the Western region of Paraná underscore the urgency of addressing this issue and implementing stricter regulations to safeguard public health.

Furthermore, the reluctance to publicize these cases due to fear of reprisal from powerful agricultural interests exacerbates the problem, hindering efforts to raise awareness and implement effective measures to mitigate pesticide-related health risks. It is imperative that health authorities and policymakers prioritize the protection of human health over economic interests, ensuring that adequate protocols and regulations are in place to prevent further harm.

In conclusion, there is a pressing need for comprehensive action to address the health impacts of pesticide use, including robust enforcement of existing regulations, public education campaigns, and support for sustainable agricultural practices. By prioritizing the health and well-being of citizens, we can strive towards a future where access to safe and nutritious food is not compromised by the harmful effects of pesticide contamination.

²⁶ BASTOS, Geíza Nepomuceno, ESQUIVEL, Carla Liliane Waldow, Smuggling Of Agrochemical In The West Region Of Paraná And The Violation Of The Fundamental Right To Health, *Ciências Sociais Aplicadas em Revista - UNIOESTE/MCR* - v.17 - n. 33, 2017, page 170 – 186.

Conclusion

In summary, the intersection of human rights promotion and anti-corruption efforts is crucial for building more just and equitable societies. In the current context, human rights are recognized as inherent and inalienable, requiring states to uphold a minimum standard of protection, promoting continuous progress, and preventing regressions. This commitment is not only national but also international, where global protection mechanisms come into play when local institutions are ineffective or negligent. International human rights treaties reaffirm the international legal personality of the individual, imposing clear obligations on signatory states, especially when they fail or neglect their duty of protection.

Corruption, in turn, emerges as a complex and global phenomenon, infiltrating all nations and societies without exception. Debates on corruption have gained international prominence, especially following the exposure of vast corrupt networks, such as the Panama Papers, and social movements demanding decisive action against corruption and the punishment of perpetrators. Corrupt practices not only break the trust between citizens and governments but also compromise the public good, leading to significant social impacts.

Case studies illustrate how corruption and harmful practices permeate various sectors, directly affecting the population. These examples highlight the urgent need for transparency and accountability in all spheres of public and private administration.

To tackle these challenges, it is imperative to adopt a comprehensive and multidisciplinary approach. This includes the rigorous enforcement of regulations, conducting public education campaigns, and supporting sustainable practices, especially in agriculture. Additionally, protecting human rights requires close collaboration between states, international institutions, and civil society, ensuring that populations can fully enjoy their rights.

The fight against corruption must be intrinsically linked to the promotion of a culture of integrity and ethics. This entails the implementation of transparency policies, regular audits, strengthening control institutions, and promoting citizen participation in decision-making processes. Public education and awareness play a crucial role in creating a society that values honesty and holds offenders accountable.

Therefore, promoting human rights and combating corruption are interdependent and fundamental for sustainable development and social justice. Prioritizing transparency, accountability, and citizen participation is essential to address these challenges. International

cooperation, strengthening democratic institutions, and empowering communities are indispensable pillars to ensure that human rights are effectively protected and that corruption is combated efficiently and continuously. By adopting these measures, we will be building a more just, equitable, and sustainable future for all.

Bibliography

BARROS FILHO, PRAÇA, S. Corrupção: parceria degenerativa, São Paulo, Papirus 7 Mares. 2014.

BASTOS, Geíza Nepomuceno, ESQUIVEL, Carla Liliane Waldow, Smuggling Of Agrochemical In The West Region Of Paraná And The Violation Of The Fundamental Right To Health, Ciências Sociais Aplicadas em Revista - UNIOESTE/MCR - v.17 - n. 33, 2017.

BORGES, Marcia Leite, DUPUY PATELLA, Ana Paula, OLIVEIRA DOS SANTOS, Caricia Hercília A., A corrupção na saúde durante a pandemia da Covid-19 no Brasil, Campos Neutrais - Revista Latino-Americana De Relações Internacionais, Rio Grande, Jan-Abril De 2022, V. 4, N. 1.

BROOKS, R.C. The Nature of Political Corruption. Political Science Quarterly, Março de 1909. Available at: <https://archive.org/details/jstor-2141078/page/n11/mode/2up>

DUTRA, Lidiane Silva. FERREIRA, Aldo Pacheco., Associação entre malformações congênitas e a utilização de agrotóxicos em monoculturas no Paraná, Brasil. Revista Saúde em Debate, v. 41, n. 2, Jun. 2017. Available at: http://www.scielo.br/scielo.php?script=sci_arttext&pid=S0103-11042017000600241&lng=pt&nrm=iso&tlng=pt

GEBEYE, Berihun Adugna. Corruption and Human Rights: exploring the relationship. Etiópia, 2012. Available at: <https://korbel.du.edu/>

GONSALES, Alessandra., Compliance: a nova regra do jogo., São Paulo: Lex Editora, 2016.

JOHNSTON, Michael. The political consequences of corruption: a reassessment, Ph.D., Nova York, 1986. Available at: <http://www.jstor.org/stable/421694>

KOECHLIN, Lucy; CARMONA, Magdalena Sepúlveda, apud ROTBERG, Robert I. Corruption, global security and world order, Washington D.C., Brookings Institution Press, 2009.

LAMBSDORFF, Johann Graf. The Institutional Economics of Corruption and Reform: Theory, Evidence and Reform. Cambridge: Cambridge University Press, 2007.

LEAL, Rogério Gesta, Coronelismo, enxada e voto: o município e o regime representativo no Brasil, São Paulo, Companhia das Letras, 2012.

MAZZUOLI, Valério de Oliveira. Curso de Direitos Humanos, Editora Método, 2018.

NAS, T.; PRICE, A.; WEBER, C., A Policy-Oriented Theory of Corruption, NBER, Cambridge, MA.

NOTARI, Márcio Bonini and CARDOSO, Karla Regina, Corrupção E Direitos Humanos, Editora Amplamente, 2023.

PALDING, Andrew Brady. Corruption, corporations, and the New Human Right. Washington, 2012. Available at: <http://ssrn.com/abstract=2232670>

PIGNATI, W., Os efeitos dos agrotóxicos na saúde coletiva. Audiência Pública na Assembleia Legislativa do Estado do Mato Grosso, convocada pelo deputado Wilson Santos, 2015.

RIEDRICH, Carl Joachin, The Pathology of Politics: violence, betrayal, corruption, secrecy, and propaganda, New York: Harper and Row Publishers, 2000.

SILVA, M.F, A economia política da corrupção no Brasil, SENAC São Paulo, 2001.

SUTHERLAND, Edwin H., Crimes de colarinho branco: versão sem cortes. Rio de Janeiro: Revan, 2015.

TARLING, Heloisa Maria Murgel, Ditadura Militar in AVRITZER, Leonardo, Corrupção: ensaios e críticas, Belo Horizonte: UFMG, 2008.

TERRACINO, Julio Bacio., Hard law connections between corruption and Human Rights. Genebra, 2010. Available at: http://www.ichrp.org/files/papers/130/131_-_Julio_Bacio_Terracino_-_2007.pdf

Transparency International., The anti-corruption catalyst: realising the MDGs, Berlim, 2010. Available at: http://issuu.com/transparencyinternational/docs/2010_mdg_en?e=2496456/2052732

Tranparência Internacional., What is Corruption? Available at: <https://www.transparency.org/what-is-corruption/>