## **GENDER AND CORRUPTION:**

## WHAT DO WE KNOW?

A Discussion Paper





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## **EXECUTIVE SUMMARY**

Corruption is an abuse of power for private gain, and its impacts are far-reaching in terms of stalling economic growth, diverting funds from essential infrastructure and undermining public confidence. Corruption has long been approached as a "gender neutral" subject, but increasingly attention has been given to the fact that women and men have distinctly differing experiences of corruption.

Early academic literature on the nexus between gender and corruption focused on the apparent linkages between higher levels of women's political participation and lower levels of corruption in specific countries. Studies raised a number of theories about whether women hold different attitudes towards corruption than men (are women less prone to corruption?) or whether institutional factors limit women's opportunities to engage in corruption (do the same barriers that hinder women's political participation also mean that they are excluded from corrupt networks?).

Applying a gender perspective to corruption more broadly indicates that women and men have both different levels of exposure to corruption and also that corruption itself has gendered impacts. The different roles and responsibilities of men and women in society mean that in some spheres men are at risk for corruption (for example, as the majority of business owners or informal workers). However, because women tend to have more interaction with public services they are exposed to other forms of corruption (for example, corrupt practices associated with the provision of healthcare or in education). The gendered imbalance

of power and resources also mean that the direct and indirect impacts of corruption are felt differently by women and men. Women face greater risks for poverty and so may be denied services if they cannot afford to make informal payments. Women migrants, internally displaced persons and refugees are at-risk corruption due to their more vulnerable positions. Multiple discrimination, such as based on both gender and minority status, also increases the risks of being targeted by corrupt practices.

Women face exposure to particular forms of corruption, such as sexual extortion in exchange for gain (termed "sextortion"). This gendered form of corruption predominantly affects women in the education sector, during migration and in conflict and humanitarian situations.

Further study is needed to provide a more nuanced picture of the links between gender and corruption, and this paper is intended as the starting point for internal discussions on gender responsive anti-corruption measures. The paper also provides some example of promising practices to include a gender perspective in anti-corruption work. The paper concludes with several recommendations to the OSCE to consider ways of mainstreaming gender into its anti-corruption programmes, projects and activities. Ultimately, the inclusion of women's perspectives in anti-corruption efforts will contribute to better informed decision-making and programming.

## BACKGROUND

The OSCE and its participating States have recognized that "corruption represents one of the major impediments to the prosperity and sustainable development of the participating States, that undermines their stability and security and threatens the OSCE's shared values." The Organization has therefore adopted multiple measures to address the problem.

The OSCE's most recent commitment to preventing and combating corruption through digitalization and increased transparency recalls that "corruption disproportionately affects women and the vulnerable." Ministerial Council Decision No 6/20 calls on participating States to, inter alia, promote "the full, equal and meaningful participation of women in the development and implementation of relevant anticorruption activities, with the view to achieving gender equality..."

This is not the first time that the OSCE has underlined the importance of the full and equal participation of women and men in combating corruption; it is also noted in Ministerial Declaration No. 2/12.4 However, OSCE commitments related to anti-corruption have generally not had a gender dimension - neither mentioning the differential impacts of corruption on women and men nor how a gender perspective can be incorporated into the anti-corruption efforts of participating States. Other commitments on anti-corruption include:

- Ministerial Council Decision No. 5/14 on prevention of corruption;
- Ministerial Council Decision No. 4/16 on strengthening good governance and promoting connectivity; and
- Ministerial Council Decision No. 5/18 on human capital development in the digital area.

The OSCE Secretariat's Programme for Gender Issues commissioned this desk review of academic research in the field of gender and corruption to serve as the basis for internal discussions on gender responsive anti-corruption measures.

The overview provided is by no means exhaustive, but rather it is a point of departure for further knowledge generation and recommendations for OSCE activities. The OSCE/OSG Gender Issues Programme would like to express gratitude to the members of the OSCE internal working group on gender and anti-corruption for their essential feedback and input in drafting the recommnedations included in this paper.

<sup>&</sup>lt;sup>1</sup> MC Decision No. 11/04 on Combating Corruption, 7 December 2004.

<sup>&</sup>lt;sup>2</sup> MC Decision No. 6/20 on Preventing and Combating Corruption through Digitalization and Increased Transparency, 4 December 2020.MC.DEC 06/2020

<sup>&</sup>lt;sup>3</sup> Ibid.

<sup>&</sup>lt;sup>4</sup> Ministerial Declaration No. 2/12 on strengthening good governance and combating corruption, money laundering and the financing of terrorism, 7 December 2012, MC.DOC/2/12.

## INTRODUCTION

Considering the unveiling of past corruption scandals, such as those that were exposed in the leaked documents that came to be known as the Panama Papers, a surprising fact still receives very little attention in international headlines: the gender disparity in those who benefit from large-scale corruption and tax evasion. The vast majority of tax evaders named in the Panama Papers were rich, powerful men, and very few women were mentioned. The case of the Panama Papers is a clear illustration of how the burdens and benefits of corruption are unequally divided, not only between rich and poor but also between men and women. This paper explores how corruption and gender (in)equality are interlinked and why it is essential to apply a gender lens to anti-corruption efforts.

Discussions of the gendered aspects of corruption are not new. Over the past decades, a clear correspondence has been documented between countries that have high levels of corruption and low levels of gender equality, especially in political participation, and vice versa. This observation has prompted discussions about the importance of including a gender perspective in anticorruption policies and research. As this paper will show, the precise links between gender and corruption are still being debated. However, extensive scholarship has helped to untangle the relationship<sup>8</sup> and indicates that the field of anti-corruption is not gender neutral as has long been assumed.

Academic interest in how gender intersects with corruption began to draw substantial interest from 2001 when two seminal papers by Dollar, Fisman and Gatti (2001) and Swamy, Knack and Lee (2001) analyzed the linkages between higher levels of women's political participation and lower levels of corruption. While a substantial part of academic literature still focuses on women's political engagement as the nexus of corruption and gender, other important questions have also gained attention, such as the differential impacts of corruption on women and men and, recently, the different forms of corruption that men and women encounter.

This paper provides an overview of the current state of the art in research on corruption and gender, beginning with the topic of women's political participation. The paper addresses the important question of how men and women are impacted differently by corruption, focusing on areas that are relevant to the OSCE mandate. The discussion highlights the issue of "sextortion", a form of corruption that disproportionately affects women, and particularly women who are in disadvantaged positions due to poverty, migrant status, having disabilities or because they belong to a minority group, for example. The paper concludes by highlighting selected promising practices and proposes several approaches to mainstreaming gender into the anticorruption work of the OSCE.

<sup>&</sup>lt;sup>5</sup> News outlets that have analyzed the papers have discussed this fact (e.g. Capraro & Rhodes, 2016), but there is no academic literature on the subject yet.

<sup>&</sup>lt;sup>6</sup> For information on the power players in the Panama Papers see ICIJ (n.d.)

<sup>&</sup>lt;sup>7</sup> (Alexander & Bågenholm, 2018). This paper does not focus on exploring the links between women's political participation and corruption, but as the academic interest in this field stems from research on this relationship, a brief summary of this debate is included.

<sup>&</sup>lt;sup>8</sup> (e.g. Bjarnegård, 2013; Dollar et al., 2001; Goetz, 2007; Rothstein, 2017; Stensöta & Wängnerud, 2018; Sundström & Wängnerud, 2016; Sung, 2003; Swamy et al., 2001)

<sup>&</sup>lt;sup>9</sup> Sextortion (sexual extortion) is defined as "the abuse of power to obtain a sexual favor". (IAWJ, 2012, p. 9)

## **CONCEPTS**

Corruption is a multi-layered and complex phenomenon. In this paper, corruption is defined as "the abuse of entrusted power for private gain." Importantly, there are many different definitions of corruption. The United Nations Convention against Corruption (UNCAC) does not define corruption, but rather defines a series of offenses that should be covered by every jurisdiction and criminalized: "bribery of national and foreign public officials and in the private sector, embezzlement, money laundering, concealment, and obstruction of justice." Corruption goes beyond the issue of bribery and includes nepotism, patronage, official theft, fraud, and conflict of interests problems. 12

In order to fully examine the gendered dimensions of corruption, a broad definition is required that includes both traditional concepts, such as nepotism and bribery, as well as more-recently discussed phenomena such as sextortion (sexual extortion). In this context, it is important to understand that "private gain" does not necessarily have to be monetary<sup>13</sup> but can include benefits for political parties or particular group members as well as sexual acts.

<sup>&</sup>lt;sup>10</sup> Transparency International (n.d.)

<sup>&</sup>lt;sup>11</sup> Hechler et al. (2019, para. 4)

<sup>12</sup> Johnston (2005)

<sup>&</sup>lt;sup>13</sup> Bayley (1966)

# OVERVIEW OF DIFFERENT FORMS OF CORRUPTION

Corruption can be classified as grand (political) corruption, which involves the highest political decision-makers, and bureaucratic corruption, which occurs at the level of policy implementation.<sup>14</sup> A corrupt act usually requires at least two parties, who may have different degrees of willingness to be involved. The corrupt act can be willing cooperation between a bribe payer and a receiver, a forceful extraction of bribes, or a bribe payer anticipating future benefits.<sup>15</sup>

## Common types of corruption are summarized in the table below.<sup>16</sup>

Type of Corruption		Definition	Commonly-used terms		
ĘŹ)	BRIBERY	Payment (in money or in kind) that is given or taken in a corrupt relationship	Kickbacks, gratuities, "commercial arrangements," baksheesh, sweeteners, pay-offs, speed- or grease money		
	EMBEZZLEMENT	Theft of resource/s by people who are in positions to manage the resources	Straddling, official theft		
R	FRAUD	Economic crime that involves some kind of trickery, swindle or deceit	Involvement in illegal trade networks, counterfeiting, racketeering, forgery, smuggling		
	EXTORTION	Money and other resources extracted by coercion, violence or threats to use force	Blackmail, protection or security money, informal taxation, sextortion (sexual extortion)		
	FAVORITISM	Mechanism of power abuse implying 'privatisation' and a highly biased distribution of state resources.	Cronyism, nepotism, clientelism, bias, patronage		

The concept of gender as a description of differences in opportunities, relationships, and power and influence attributed to men and women is particularly relevant in this context, as it determines how men and women are affected by corruption (discussed in part 5) as well as the different forms of corruption they encounter (discussed in part 6).

Gendered power imbalances play a large role in corruption. On one hand, as compared to men, fewer women have the means and resources to be included in corrupt networks. On the other hand, women's assigned roles and tasks in society means they face more exposure to some forms of corruption, directly and indirectly.<sup>17</sup>

<sup>&</sup>lt;sup>14</sup> Andvig et al. (2000)

<sup>&</sup>lt;sup>15</sup> Davis (2004)

<sup>&</sup>lt;sup>16</sup> Adapted from Andvig et al. (2001, p8)

<sup>&</sup>lt;sup>17</sup> Goetz (2007)

# WOMEN IN PARLIAMENT – ANTI-CORRUPTION FORCE OR PURITY MYTH? THE ORIGIN OF RESEARCH ON GENDER AND CORRUPTION

Early studies<sup>18</sup> on corruption and gender focused on the relationship between women in politics and levels of corruption and found that a higher number of women in national parliament seemed to be correlated with lower levels of corruption in a given country. These findings were supported by subsequent studies that found the relationship to hold true both at national and regional<sup>19</sup> levels<sup>20</sup> as well as in cabinet positions<sup>21</sup> and in local councils<sup>22</sup> A recent study<sup>23</sup> focusing on Europe found that an increase in local female political representation is linked to reductions of both petty and grand corruption. Another study concluded that the reverse is true, namely that high levels of political corruption and political violence lead to lower numbers of women elected to parliaments.<sup>24</sup> These findings raise questions about the interplay between these two factors, meaning does women's participation in politics in fact reduce corruption (and if so, how?) or does the existence of corruption hinder women's political participation?

While the causality of this relationship is still being debated, several possible explanations for the correlation between increasing female political representation and lower levels of corruption have been raised. Theories include the following: women are inherently more honest than men; women are more risk averse than men;<sup>25</sup> or women politicians are punished more harshly by voters for corruption and this has a deterrent effect.<sup>26</sup> It is also possible that women may simply be excluded from positions that allow for corruption.<sup>27</sup> On the other hand,

several researchers have argued that higher levels of corruption lead to lower levels of women's participation because the climate of corruption privileges men. Corrupt male networks would exclude women to keep profits for themselves.<sup>28</sup> The most recent research suggests that causality might be in both directions, where lower levels of corruption lead to higher rates of female participation and vice versa.<sup>29</sup>

The main discussions center around two arguments, whether women and men hold different attitudes towards corruption or whether institutional factors both limit women's political participation and their opportunities to engage in corruption.

Some have argued that women may be less likely to sacrifice personal gains for the common good and therefore are less prone to be involved in corrupt behaviour. Similarly, it has been proposed that women have higher levels of self-control, to they are more risk adverse and therefore less willing to engage in interactions with criminal or corruption officials. Additionally, women may feel greater pressure to conform to social norms about corruption as they are more likely to be punished for corrupt behavior. However, the argument that evolved from these findings that women are "the fairer sex" or a "new anticorruption cleaner force" has been heavily criticized since then for reinforcing gender stereotypes.

<sup>&</sup>lt;sup>18</sup> Dollar et al. (2001) and Swamy et al. (2001)

<sup>19</sup> Subregional level (editor's note)

<sup>&</sup>lt;sup>20</sup> e.g. Bjarnegård (2013), Grimes & Wängnerud, (2010, 2012), Jha & Sarangi (2018), Stockemer (2011), Wängnerud, (2015), as an exception Vijayalakshmi (2008)

<sup>&</sup>lt;sup>21</sup> (Stockemer & Sundström, 2019)

<sup>&</sup>lt;sup>22</sup> (Sundström & Wängnerud, 2016)

<sup>&</sup>lt;sup>23</sup> Bauhr, Charron & Wängnerud (2018)

<sup>&</sup>lt;sup>24</sup> Norris (2019)

<sup>&</sup>lt;sup>25</sup> (e.g. Dollar et al., 2001)

<sup>&</sup>lt;sup>26</sup> (e.g. Alatas, Cameron, Chaudhuri, Erkal, & Gangadharan, 2009; Esarey & Chirillo, 2013)

<sup>&</sup>lt;sup>27</sup> (Branisa & Ziegler, 2011; Goetz, 2007; Schwindt-Bayer, 2010; Tripp, 2001)

<sup>&</sup>lt;sup>28</sup> (Bjarnegård, 2013; Stockemer, 2011; Sundström & Wängnerud, 2016)

<sup>&</sup>lt;sup>28</sup> Esarey and Schwindt-Bayer (2019)

<sup>&</sup>lt;sup>30</sup> Dollar et al. (2001)

<sup>31</sup> Swamy et al (2001)

<sup>32</sup> Byrnes, Miller, & Schafer (1999), Eckel & Füllbrunn (2015), Harris, Jenkins, & Glaser (2006)

<sup>33</sup> Frank, Lambsdorff, & Boehm (2011)

<sup>34</sup> Esarey & Chirillo (2013)

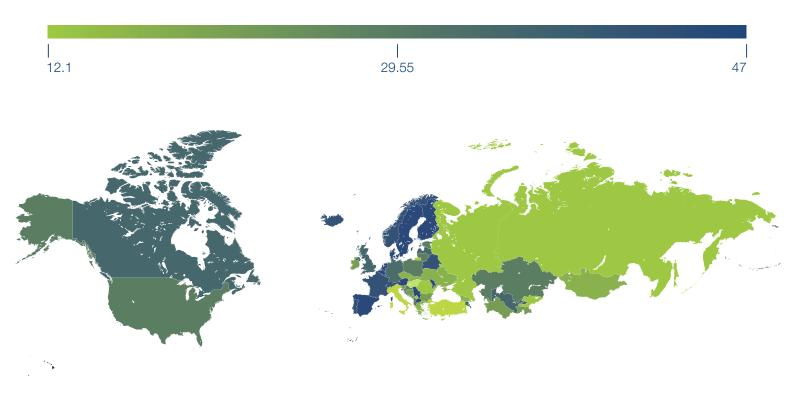
<sup>35</sup> Goetz (2007)

<sup>&</sup>lt;sup>36</sup> UNDP (2012), Goetz (2007), Hazarika (2016)

Institutional factors seem to play a prominent role in explaining the relationship between corruption and women's political participation. Strong, democratic institutions have been linked to lower rates of corruption and higher rates of participation by women.<sup>37</sup> Other studies argue that whether an individual engages in

corruption is a question of opportunity and access to networks rather than one of gender differences.<sup>38</sup> The latter argument is particularly relevant, as women are frequently excluded from power positions and networks that allow corrupt practices.<sup>39</sup>

**Graph:** Percentage of women in parliament in the OSCE region

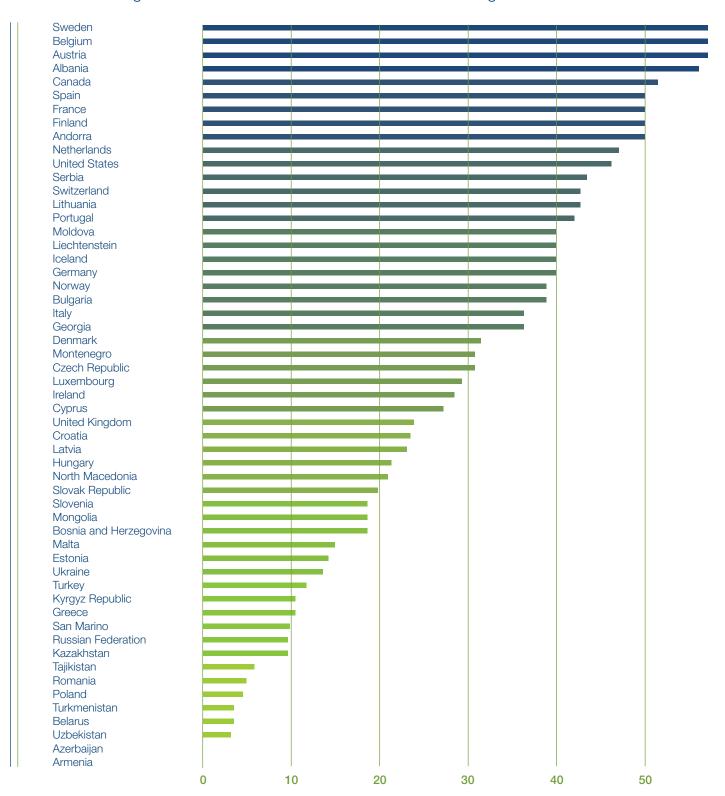


<sup>&</sup>lt;sup>37</sup> Sung (2003), Esarey and Chirillo (2013), Wängnerud (2014)

<sup>&</sup>lt;sup>38</sup> Alolo (2007), Alatas et al (2009)

<sup>&</sup>lt;sup>39</sup> e.g. Alhassan-Alolo (2007), Bjarnegård (2013), Goetz (2007), Grimes & Wängnerud (2012), Stockemer (2011), Barnes (2016), Heath, Schwindt-Bayer, & Taylor-Robinson (2005), Schwindt-Bayer (2010), Arriola & Johnson (2014), Beck (2003) Bjarnegård (2013)

**Table 1:** Percentage of Women in Ministerial Positions in the OSCE region



Source: World Bank Gender Indicators www.worldbank.org/en/data/datatopics/gender Retrieved September 2022

Significant attention has been given to the question of whether and how corruption hinders women's participation in politics. Research shows that corruption can be an additional barrier for women to campaign, run for public office and be elected, when for example, illicit funds are used in elections.<sup>40</sup> Corruption, especially within male dominated networks and within parties can hinder women's potential to be selected as candidates.<sup>41</sup>

<sup>&</sup>lt;sup>40</sup> Norris (2019)

<sup>&</sup>lt;sup>41</sup> E.g. Bjarnegård (2013), Franceschet & Piscopo (2014), Norris & Lovenduski (1995), Stockemer & Sundström (2019), Alhassan-Alolo, (2007), Goetz (2007), Stockemer, (2011), Sundström & Wängnerud (2016), Grimes and Wängnerud (2012), Bjarnegård and Kenny (2016)

# WHAT ROLE CAN WOMEN PLAY IN ANTI-CORRUPTION?

Women and men bring different issues to the policy agenda, and this diversity is a prerequisite for a holistic approach to anti-corruption. Practice has shown that female politicians and activists tend to raise issues concerning women's rights,42 child protection,43 and the wellbeing of disadvantaged groups. This tendency is especially relevant when developing anti-corruption initiatives, especially those that focus on often overlooked and marginalized populations. Greater attention to and oversight leads to improvements in service delivery and also to lower levels of corruption in public services.44 Gender parity in politics not only brings a focus on different policy areas, but the presence of more women can influence or even break up male-dominated, corrupt networks and therefore fight grand corruption.45

However, the mere presence of women does not always have the intended effect. If women are not given decision-making authority or are part of the same corrupt networks, this may camouflage issues of corruption in a country.<sup>46</sup> As such, the institutional

and political context also plays a role in determining whether women will be an anti-corruption force. Women are more likely to oppose corruption in democratic settings than in authoritarian ones, which supports the argument that democracy is a mediating factor in the relationship between women's political participation and corruption.<sup>47</sup>

Importantly, research has also shown that women tend to focus on "lack of protection, fear of reprisals and the level of confidentiality" when deciding whether they weill report corruption. This was also confirmed in Albania, where one of the main findings of a workhop on corruption and women was to creating safe, gender-inclusive reporting mechanisms.

When considering the role women can play in anticorruption efforts it is essential to look beyond merely increasing the numbers of women involved and to consider ways to support women's networks and organizations which will have a greater impact on anticorruption efforts.

<sup>42</sup> e.g. lyer, Mani, Mishra, & Topalova (2012), Rehavi (2007)

<sup>43</sup> e.g. Bhalotra & Clots-Figueras (2014), Brollo & Troiano (2016)

<sup>44</sup> Alexander & Bågenholm (2018, p. 173), Jha & Sarangi (2018)

<sup>45</sup> Bauhr et al (2018)

<sup>46</sup> Nistotskaya & Stensöta (2018)

<sup>&</sup>lt;sup>47</sup> Esarey & Chirillo (2013)

<sup>&</sup>lt;sup>48</sup> UNODC (2021, p.82)

<sup>49</sup> ibid

# WHAT ARE THE DIFFERENTIAL EFFECTS OF CORRUPTION ON MEN AND WOMEN?

Applying a gender perspective to anti-corruption requires consideration of how corruption affects women and men differently, directly and indirectly. Unequal power relations between women and men and gender roles may lead to different levels of exposure to corruption. A recent study on discrimination and corruption discusses:

Systematic discrimination against women produces social dynamics that generate power imbalances and facilitate corruption, including gendered forms of corruption, while also making it harder for women victims of corruption to seek justice for corrupt abuses of power.<sup>50</sup>

For example, in the business sector, men make up the majority of enterprise owners and are typically represented in larger businesses than women (who are more likely to operate micro or small-sized-enterprises), which means that in absolute terms men are more likely to encounter corruption in this sector.

However, women can still be "proportionally more vulnerable" to corruption in this sector.<sup>51</sup>

Corruption negatively impacts economic growth, increases income inequality, and diverts funds from essential infrastructure and services that benefit the poor. When funds intended for public services are diverted to programmes or projects that give more opportunity to hide and collect bribes, essential services and social security systems, especially used by women, become underfunded.

To truly understand the gendered nature of corruption, one needs to consider both its direct and indirect effects. A corrupt act does not only affect the parties involved directly, but also "third parties, including the general population, taxpayers, specific professions, or communities." 52

<sup>&</sup>lt;sup>50</sup> Transparency International and Equal Rights Trust (2021,p.22)

<sup>&</sup>lt;sup>51</sup> Boehm & Sierra (2015, p. 2)

<sup>&</sup>lt;sup>52</sup> Boehm & Sierra (2015, p. 2)

# THE LINKAGES BETWEEN POVERTY AND CORRUPTION

It has been well established that corruption disproportionally affects the poor, as it takes up a larger share of their income.53 While both men and women experience poverty, research shows that single mothers and older women living alone face a higher risk of poverty than men do in similar households.54 There is a gender dimension to poverty. Globally, "[I]ower proportions of women than men have their own cash income from labour as a result of the unequal division of paid and unpaid work" and women, especially when they have dependent children and no partners are more likely to be poorer than men.<sup>55</sup> Corruption reduces state revenues and therefore lowers the amount of money available for public services and lowers the efficiency of service delivery, which is assumed, on average, to impact women more than men. Even when men and women access services at the same rate, women are often expected to be more vulnerable to corruption as they have less agency and recourse than men.<sup>56</sup>

While corruption is especially detrimental to women who are already at greater risk for poverty, corruption in the area of service delivery may also result in women being denied access to services. For instance, if the bribe receiver assumes that women do not have the resources to actually pay a bribe, they may not ask

them for bribes and this, in turn, results in problems for women accessing services.<sup>57</sup> It is important to note that this also directly linked to women playing an important role in anti-corruption efforts. As research has shown repeatedly, women in political office tend to focus on policies that improve the living conditions of women and girls, they also improve monitoring and delivery of public services, which lowers corruption in those sectors.<sup>58</sup> A study looking at the local council level in Europe found, for example, that an increased gender balance in local councils is linked to lower levels of corruption in public procurement.<sup>59</sup>

Social security programs aimed at poverty relief may also be targeted for corruption. Social security in the form of the redistribution of resources "across ages, classes, occupations and genders" is largely done through social programmes, including unemployment benefits and pensions, that usually have very high monetary value. Such programmes are therefore an 'interesting target' for corruption, leaving those most vulnerable without protection.

<sup>53</sup> Hunt & Laszlo (2012), Justesen & Bjørnskov (2014)

<sup>&</sup>lt;sup>54</sup> UNSD (2015)

<sup>55</sup> United Nations (2015, p. xiv)

<sup>&</sup>lt;sup>56</sup> UNODC (2020.p. 43)

<sup>&</sup>lt;sup>57</sup> Chêne et al. (2010)

<sup>58</sup> Alexander and Bagenholm (2018)

<sup>&</sup>lt;sup>59</sup> Bauhr et al. (2019)

## ACCESS TO SERVICES

A larger share of men are employed outside the household, whereas women are overrepresented among those not in the labour force because they take on the primary responsibility for unpaid household and care work. These care responsibilities mean that women are more likely than men to interact with certain service providers (e.g. health care, education and social services) and are therefore more exposed to corruption in these sectors. 60 This situation is evident in the fact that women face gender-specific challenges in accessing reproductive health care services. For instance, a case study from Ukraine found widespread corruption as about 50 percent of in-patients have reported paying informal payments for health care services in cases of pregnancy or delivery. 61 While women tend to be more exposed to corruption in these sectors, one can assume, that bribe payments that have to be given here, impact the financial situation of the entire household, especially when women are not engaging in paid work.

The Covid-19 pandemic has impacted women in a number of ways. Not only do they make up the majority of health care workers, but also often constitute a large part of the essential low-skilled workers that are still working during this crisis.<sup>62</sup> During the Covid-19 pandemic, women have also disproportionally taken on extra care responsibilities, which might further increase their vulnerability to corruption in those sectors.

Previous research has also shown that during humanitarian crisis women are facing higher risks of sexual exploitation, this might includes an increased risk to face sextortion. 63 In addition, women were more likely to lose their employment, due to existing gender inequalities. 64 Women tend to be overrepresented in sectors that were hit hardest by the pandemic, such as hospitality and food service, retail, and other services. 64

Police corruption<sup>65</sup> also has a gender dimension. In some instances, men might more frequently encounter such corruption because they spend more time outside the home and potentially have more contacts with the police (for instance, bribes and informal payments related to traffic stops). On the other hand, corruption in the law enforcement and judicial systems can have a profound effect on women who are victims of gender-based violence. Women are less likely to seek help from police or the courts if they lack financial resources and/or a fear of corruption. Women and girls are also frequently more at risk of facing corruption when accessing the justice sector, even when they technically have the same rights as men, it might often not be possible to access them in the same way. 66 This is especially also the case when reporting corruption. As discussed previously, for many reasons, such as gender norms, often have less resources available than men. In a corrupt justice sector this will mean that the party with more resources can push for better outcomes and therefore prevent women from seeking justice. Women may also be subjected to specific types of corruption such as sextortion by law enforcement (for a detailed discussion on this form of corruption see part 6).

The links between corruption, law enforcement and the justice system in the context of Gender Based Violence need further exploration.

<sup>60</sup> For examples from Ukraine see Gerasymenko, G. (2018)

<sup>61</sup> Stepurko et al. (2015)

<sup>62</sup> Transparency International (2020)

<sup>63</sup> Gichohi and Kirya (2021)

<sup>&</sup>lt;sup>64</sup> Madgavkar, 2020

<sup>&</sup>lt;sup>65</sup> Police corruption is defined as "an officer knowingly doing or not doing something that is against his or her duty for some form of financial or material gain or promise of such gain" (Punch, 2009, p. 18).

<sup>66</sup> Transparency International (2019)

#### EDUCATION

Corruption in the education sector is not a rare phenomenon and it plays a role at different phases of the educational process, such as during entrance exams and the admission process, when grades are assigned, when scholarships or stipends are awarded, and in the preparation of (falsified) research.<sup>67</sup> Corruption also lowers government spending in the education sector.<sup>68</sup> As women and girls, especially those who are poor, rely more on the public provision of education as they are particularly negatively affected by this. Using the case of Uganda, 69 a study shows that implementing transparency measures decreased the amount of funds diverted to private pockets and increased student enrolment and learning in Uganda. Corruption in the education sector hampers the educational success of individuals, when corruption lowers the quality of public education, poor and marginalized women cannot affort to attend private schools or tutoring services or potentially divert money from other areas

of life, such as healthcare or rent payments. <sup>70</sup> It also lessens the quality of education overall, which in turn lowers economic growth and decreases the economic rates of return to higher education. <sup>71</sup> Corruption in the education sector is especially problematic as "[s] ystemic education corruption (...) involves minors or young people, and damages the ability of education to serve a public good, most notably the selection of future leaders on fair and impartial basis [...]"<sup>72</sup>.

Sextortion, or demands for sexual favors, is a particularly problematic form of corruption that exists in the education sector. Sextortion is itself a gendered form of corruption that has particularly negative impacts on the school attendance and academic achievement of girls and women.<sup>73</sup> The topic of sextortion is discussed in part 6 of this paper.

#### EMPLOYMENT

Corruption in employment is closely associated with work in the informal sector. Informal work refers to activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements. The informal sector offers mixed benefits for workers. While some might see better opportunities than they would in the formal sector, for others it is a last resort to avoid unemployment. Informal workers face precarious working conditions with "various risks – health, safety at work, loss of earnings – without adequate protection" (such as access to health insurance, social security and pensions).

While women in many countries are overrepresented in the informal sector, <sup>76</sup> where data is available for specific sub-regions of the OSCE, men make up a majority of informal workers. However, men and women perform distinctly different types of informal work (for example

construction work for men and domestic work for women) which leaves them vulnerable to specific forms of corruption. Furthermore, in countries in which girls do not have the same access to education and vocational training, women are more likely to join the informal<sup>77</sup> sector. Informal workers in general are more vulnerable to corruption and often seen as perfect targets for law enforcement agencies and street level bureaucrats to demand bribes.<sup>78</sup> While men and women in the informal sector are both vulnerable to corruption, it remains to be studied how this vulnerability is gendered. Women might however often have less means to fight corruption attempts by officials<sup>79</sup> and are more likely to face sextortion as a form of corruption. The later has two reasons. For one, it is well known that being a women by itself can make someone a target for sexual abuses, in addition, in the informal sector, women often do not have the same control over financial assets as men.80

<sup>67</sup> For a detailed overview of types and perpetrators of education corruption see Heyneman (2011) and Heyneman et al. (2008).

informal economy to encompass "all economic activities by workers and economic units that are, in law or in practice, not covered or insufficiently covered by formal arrangements" (OECD/ILO, 2019,p. 16)

<sup>68</sup> Mauro (1995)

<sup>&</sup>lt;sup>69</sup> Reinikka and Svensson (2005)

<sup>70</sup> Bullock and Jenkins (2021, p.9)

<sup>71</sup> Heyneman (2011, p. 19)

<sup>&</sup>lt;sup>72</sup> Heyneman (2011, p.13)

<sup>&</sup>lt;sup>73</sup> Leach et al. (2014)

 $<sup>^{74}\,\</sup>mbox{The International Labour Organization (ILO)}$  broadly conceptualizes the

<sup>75</sup> Jütting & de Laiglesia (2009, p. 18)

<sup>&</sup>lt;sup>76</sup> Chen (2001)

<sup>77</sup> Otobe (2017)

<sup>78</sup> Bullock and Jenkins (2020)

<sup>79</sup> Boehm, F. and Sierra, E. (2015)

 $<sup>^{\</sup>rm 80}\,\text{Transparency International}$  and Equal Rights Trust (2021)

Corruption can lead to the growth of the informal sector as the costs and time needed to set up a business in the formal sector increases through bribes for bureaucrats and regulators. Corruption can also negatively affect employment opportunities in the formal sector. Nepotism and patronage networks can exclude qualified individuals from employment in both the public and private sector. Nepotism in the private

sector has not received widespread attention in the academic debate, yet anecdotal evidence indicates that "nepotism is a well-established part of business culture." Dedicated research is needed on the connections between corruption and informal as well as precarious employment overall. Most importantly, a gender perspective needs to be integrated.

### CONFLICT AND CRISES

Corruption is associated with conflict-affected countries, fragile States and post-conflict societies. The likelihood of violent conflict increases when corruption is rampant and justice systems do not function properly. Corruption negatively impacts state legitimacy.82 This can encourage citizens to rebel,83 which can quickly turn into violent conflict. At the same time, corruption can decrease social cohesion84 and increase instability. It has been well-documented that the effects of conflict are highly gendered. While men have a higher risk of battle-related mortality and injury, women and children are at higher risk of being displaced.85 Conflict also brings about shifts in gender roles within society and the household. Women are required to take on a more active role in the labour market. However, during conflict they may only have access to jobs in precarious, low skilled and low paid sectors.86

Crisis also significantly adds to the scope and volume of women's care work.<sup>87</sup> Importantly women face an increased risk<sup>88</sup> of gender-based violence during and after conflict, especially sexual violence, which have significant physical and mental consequences.<sup>89</sup>

Corruption in the humanitarian sector affects men and women differently. The urgency of humanitarian aid and the high vulnerability of recipients can make corruption easier. In crisis contexts, women may be particularly vulnerable due to the pre-existing inequality and particularly, due to their increased caring responsibilities. Women also have an increased need for health services during conflict and humanitarian crisis, "due to both social and biological vulnerabilities". Female migrants and refugees also face an increased risk of being exposed to corruption as will be discussed in the next section.

<sup>81</sup> Mulgan (2000)

<sup>82</sup> Rose-Ackerman (1996)

<sup>83</sup> Clausen, Kraay, & Nyiri (2011)

<sup>&</sup>lt;sup>84</sup> An example of the negative effect of corruption on building social cohesion is rampant corruption in the education sector. See this study on Georgia, Kazakhstan and Kyrgyzstan: Heyneman (2007).

<sup>85</sup> Buvinic et al. (2013)

<sup>86</sup> Justino et al. (2012)

<sup>87</sup> Editor's note

<sup>&</sup>lt;sup>88</sup> Men and boys can also be victims of gender-based violence, especially during conflicts, and this form of violence is generally underreported. However, existing data suggest that women are girls face high risks for gender-based violence during conflict, and other crises, as in peace time.

<sup>89</sup> Sivakumaran (2010)

<sup>90</sup> Editor's note

<sup>91</sup> Chene (2009, p.2)

#### MIGRATION

Corruption can play a role in migration. Both women and men who are engaged in irregular migration can experience corruption at various points throughout the journey. However, the way corruption is experienced fundamentally differs by gender, not only the form of corruption but also the repercussions for non-payment of bribes.

During the process of irregular migration, women who encounter corruption often "pay" bribes with sexual acts, whereas men pay with money and goods.<sup>92</sup> Migrant women in reception or transit centres face particular risks of sextortion. A similar situation has

been reported concerning women refugees.<sup>93</sup> In such instance, both migrant and refugee women are highly susceptible to exploitation where they are coerced into sexual services to cover their most basic needs.<sup>94</sup> To this date there is no study on the particular corruption risks unaccompanied minors face, however, based on what is known on (sexual and gender based) violence and exploitation of this group during migration, one must assume that they are particularly vulnerable to non traditional forms of corruption such as sextortion.<sup>95</sup> Note that the specific form of corruption, sextortion, is explored in more detail in part 6 of this paper.

## MINORITY GROUPS

Corruption can lead to the marginalization of national, ethnic, religious, and other minorities in the economic and political sphere, as corruption will further divert resources from these communities, exacerbate inequalities and further undermine economic development. 96 Only very recently has more research covered how discrimination and corruption are linked. It is important to note that people also often face multiple-discrimination (Ruwanpura, 2008), for example an ethnic minority woman, likely faces discrimination both because of her gender and her ethnicity.

A recent study by Transparency International explores further how corruption and discrimination are interlinked:

The crosscutting nature of discrimination means that corruption penalises these marginalised groups twice. Not only do individuals from these communities struggle with forms of corruption that result in the particularistic allocation of resources but discrimination against these groups can create additional opportunities for corrupt officials to exploit them. (Bullock and Jenkins, 2020,p.4)

This is also linked closely to a lack of political representation. What has been discussed in much detail for women (see section above), is also true for other marginalized communities, such as indigenous groups, ethnic minorities or people with disabilities: without political representation, and economic and social visibility, these groups are even more vulnerable to corruption.

Ethnic minorities are especially affected by corruption, where "The fact that many ethnically differentiated societies are also ethnically stratified (some ethnic groups have higher economic and political status than others) presents another dynamic related to the spoils of corruption".97 Even in systems where ethnicitybased favoritism or clientelism is prevalent, minorities will be excluded, which will not only limit their social and economic well-being but will also erode trust in the government.98 A study on the Western Balkans shows that in areas where ethnic minorities are neglected by the government they are more likely to use informal practices to access basic services. 99 Using a large sample of countries, another study shows that high ethnic inequality is positively correlated with higher levels of corruption.<sup>100</sup>

<sup>92</sup> Merkle et al. (2017)

<sup>&</sup>lt;sup>93</sup> United Nations Refugee Agency, United Nations Population Fund, & Women's Refugee Commission (2016)

<sup>94</sup> Zimmermann, MCAlpine, & Kiss (2016)

<sup>95</sup> Freccero et al. (2017)

<sup>96</sup> Bullock and Jenkins, 2020,p.3

<sup>97</sup> Edwards (2021, p.2)

<sup>98</sup> Bullock and Jenckins (2021)

<sup>99</sup> Skendaj (2016)

<sup>100</sup> Alesina et al. (2016)

As could be seen in the United States, "the role of law enforcement in reproducing forms of discrimination intimately connected to corruption" has been brought to forefront by recent events such as the Black Lives Matter protests. 101 This is mirrored in how law enforcement agencies are perceived by different parts of the population. In 2017, a survey in the United States found that one in three African Americans found the police to be highly corrupt while only/fith of the total population shared this opinion. 102 That ethnic minorities are more affected by corruption in the criminal justice system is also confirmed in a study in the Western Balkans<sup>103</sup> showing that ethnic minorities have a higher likelihood of being asked for a bribe by a state official. Similarly, a study in the US<sup>104</sup> determined that "African American politicians have been disproportionally targeted by law enforcement bodies on charges of misconduct and corruption". 105

One example of an ethnic minority are Roma and Sinti. A history of discrimination and persecution has pushed the Roma and Sinti to the margins of society, making them one of the most vulnerable and disadvantaged minorities in Europe. <sup>106</sup> Roma and Sinti people face

barriers to accessing health care and education, the services they receive are of often of lower quality and registration procedures can be challenging to navigate. Each of these problems is exacerbated when corruption is also present. As one study<sup>107</sup> noted, Roma are especially vulnerable to extortion when trying to access government services. In particular circumstances, such as the conflict in Ukraine, whole Roma communities may be displaced, and this makes them even more vulnerable to discrimination and extortion and hence, large-scale community insecurity.

A recent study also highlights how closely religious discrimination and corruption are linked. While research on this still needs to be expanded, the authors argue that in govenments that "regularly interfere in the practices of religious and belief communities [the] desire for control on the part of states leads to the imposition of restrictive policies and practices that permit significant discretion among duty-bearers, which in turn provides the perfect breeding ground for corruption". 108

## LAND AND NATURAL RESOURCES

Land is a critical productive resource and a key factor in economic growth, rural development and food security. As the Food and Agricultural Organization points out, "the livelihoods of many, particularly the rural poor including women, are based on secure and equitable access to and control over land and

other natural resources."<sup>109</sup> Globally women own less land and have less secure rights over land than men. Women make up on average less than 20 percent of the world's landholders, but make up an estimated 43 percent of the agricultural labor force. <sup>110</sup>

<sup>101</sup> Bullock and Jenckins (2021, p.5)

<sup>&</sup>lt;sup>102</sup> Transparency International (2017)

<sup>&</sup>lt;sup>103</sup> Skendaj (2016)

<sup>104</sup> Musgrobe (2012)

<sup>105</sup> Bullock and Jenkins (2021, p.8)

<sup>&</sup>lt;sup>106</sup> Editor's note: www.osce.org/roma-and-sinti

<sup>&</sup>lt;sup>107</sup> Merkle, Reinold and Siegel (2017b)

<sup>&</sup>lt;sup>108</sup> Transparency International and Equal Rights Trust (2021, p.52).

<sup>&</sup>lt;sup>109</sup> FAO, Why Gender Equality Matters when dealing with governance of land, <a href="http://www.fao.org/3/a-ax507e.pdf">http://www.fao.org/3/a-ax507e.pdf</a>

<sup>&</sup>lt;sup>110</sup> Editor's note: UN Women, Facts & Figures, <u>www.unwomen.org/en/news/in-focus/commission-on-the-status-of-women-2012/facts-and-figures</u>

## The Table 2 below shows how land ownership is distributed between women and men in the OSCE region

## Distribution of Agricultural Holders by Sex (Female) in the OSCE region

Country	Year	Total	% female	Country	Year	Total	% female
Armenia	2007	NA	29.70%	Latvia	2010	83,390	46.80%
Austria	2010	150,170	34.50%	Lithuania	2010	199,910	47.70%
Belgium	2010	42,850	15.10%	Luxembourg	2010	2,200	15.90%
Bulgaria	2010	370,490	22.80%	Malta	2010	12,530	11.10%
Canada	2011	293,925	27.40%	Montenegro	2010	48,870	12.90%
Croatia	2010	233,280	22.00%	Netherlands	2010	72,320	6.10%
Cyprus	2010	38,860	20.60%	Norway	2010	46,620	14.10%
Czech Republic	2010	22,860	15.10%	Poland	2010	1,506,620	29.70%
Denmark	2010	42,100	9.00%	Portugal	2010	305,270	29.30%
Estonia	2010	19,610	35.80%	Republic of Moldova	2011	902,214	36.30%
Finland	2010	63,870	11.10%	Romania	2010	3,859,040	32.40%
France	2010	516,100	22.70%	Serbia	2002	778,891	18.10%
Georgia	2004	728,950	29.10%	Slovakia	2010	24,460	17.00%
Germany	2010	299,130	8.40%	Slovenia	2010	74,650	27.20%
Greece	2010	723,060	27.70%	Spain	2010	989,800	21.70%
Hungary	2010	576,810	26.30%	Sweden	2010	71,090	15.40%
Iceland	2010	2,590	15.40%	Switzerland	2010	59,070	6.50%
Ireland	2010	139,890	11.50%	United Kingdom	2010	186,800	13.10%
Italy	2010	1,620,880	30.70%	United States of America	2012	2,109,303	13.70%
Kyrgyzstan	2002	244,404	12.40%				

**Source:** FAO (2021). Gender and Land Rights Database – Gender and Land Statistics. www.fao.org/gender-landrights-database/data-map/statistics/en/?sta\_id=982

Not all OSCE members are covered in the database

As is the case with other sectors, corruption can negatively impact the recognition of land rights. Bribery makes the transfer of land very costly and hampers the possibilities of protection of land.<sup>112</sup> Corruption can be linked to land registration, dispute resolutions, resource management and investments.<sup>113</sup> Corruption can exacerbate preexisting gender inequalities in access to land and this further threatens women's economic and social wellbeing and ultimately impacts the livelihoods of their households. Much of the insecurity around land ownership for women is tied directly to gender roles and women's access to decision making opportunity.<sup>114</sup>

<sup>\*\*</sup>The agricultural holder is the civil or juridical person who makes the major decisions regarding resource use and exercises management control over the agricultural holding. The agricultural holder has technical and economic responsibility for the holding. "(FAO, 2021)

<sup>&</sup>lt;sup>112</sup> Transparency International, 2011.

<sup>&</sup>lt;sup>113</sup> Amanda Richardson, Stephanie Debere, Annette Jaitner and Rukshana Nanayakkara: Gendered Land Corruption and the Sustainable Development Goals (Transparency International 2018)

<sup>&</sup>lt;sup>114</sup> Transparency International (2018)

# DO MEN AND WOMEN EXPERIENCE DIFFERENT FORMS OF CORRUPTION?

## THE ROLE OF SEXTORTION

Our typical conception of "corruption" is of an exchange of money, goods or power. However, research has shed light on another "currency" of corruption- sexual services. The term that is used to describe this specific type of corruption- sextortion<sup>115</sup> (sexual extortion), was coined by the International Association of Women Judges (IAWJ). Sextortion is defined as "the abuse of power to obtain a sexual favor." This form of corruption is widespread, and while it disproportionally affects women, men and boys can also be subjected to sextortion.<sup>117</sup>

For an act to be considered as sextortion two elements must be present: a corruption and a sexual component.

For one, the "perpetrator must occupy a position of authority and must abuse that authority by endeavoring to exact, or by accepting, a sexual favor in exchange for exercise of the power entrusted to him" [the corruption component].118 Secondly, the act "must involve a request -whether explicit or implicit- to engage in sexual activity" [the sexual component].119 In order to distinguish sextortion from other forms of sexual abuse, three components are present in an incident of sextortion:

- a) there must be an abuse of authority;
- b) it must include a quid pro quo exchange, and
- c) sextortion relies on psychological coercion rather than physical force.<sup>120</sup>

Note that this conceptualization of sextortion is not a legal definition but a description of a phenomenon. However, sextortion is addressed through laws on sexual harassment, specifically on quid pro quo sexual harassment.

Sextortion occurs in the work place, but it is not limited to this sector. It may occur in the justice sector, in educational settings or in migration reception centres or refugee camps, among others.

Little research has been conducted on this type of corrupt exchange specifically, 121 yet existing studies suggests that the problem is widespread and also that certain factors leave some individuals particularly vulnerable to sextortion. In addition to gender, these factors include age, having a disability, having an undocumented status and other social norms. 122 However, a much more nuanced discussion about how vulnerable and marginalized populations are affected by sextortion is still needed. Likewise, qualitative and quantitative research would help to clarify the prevalence and long-term consequences of this form of corruption on those affected by it.

Because sextortion is not widely recognized, in the law or in other settings, there is limited data about this form of corruption, and such corrupt acts would rarely be charged as such, if at all. Until recently, not only have corrupt exchanges that included sexual acts as a form of corrupt payment been widely ignored, it has seldom be understood as corruption, and therefore officials were rarely charged. This situation creates impunity and denies victims justice.

<sup>&</sup>lt;sup>115</sup> A wide variety of terms are used across cultural and legal systems to describe this phenomenon at the moment, such as "sexual favors", "sexual harassment", "quid pro quo harassment" or "transactional sex". The problem with using this terminology is that they often negating the aspect of extortion, and the underlying power mechanisms. In addition, these terms do not make the aspect of corruption clear enough (Merkle, 2018)

<sup>&</sup>lt;sup>116</sup> IAWJ (2012, p. 9)

<sup>117</sup> Feigenblatt (2020)

<sup>&</sup>lt;sup>118</sup> IAWJ (2012, p. 9)

<sup>&</sup>lt;sup>119</sup> IAWJ (2012, p. 9)

<sup>&</sup>lt;sup>120</sup> IAWJ (2012)

<sup>121 (2015),</sup> Wängnerud (2012).

<sup>&</sup>lt;sup>122</sup> Merkle et al. (2017 Feigenblatt (2020)

<sup>123</sup> Feigenblatt (2020)

Where studies have been conducted into sextortion, the data is staggering. The Global Corruption Barometer for the Middle East and North Africa found that one in five people have experienced corruption or know someone who has experienced it.<sup>124</sup> In Latin America and the Caribbean, one in five people have experienced sextortion or know someone who has, and 71 percent of respondents think that sextortion happens at least occasionally.<sup>125</sup> The absence of data on gender and corruption in OSCE region suggests a need for targeted surveys that would inform anti-corruption initiatives and policies. Research into sextortion occurring in the workplace indicates that it has profound impacts on psychological and physical health.<sup>126</sup>

Sextortion in the workplace is associated with such negative outcomes as decreased job satisfaction, lower organizational commitment, withdrawing from work, ill physical and mental health, and even symptoms of post-traumatic stress disorder.<sup>127</sup>

Even from the limited available academic research on sextortion or sexual corruption, there is a clear need to broaden the standard male-centric view of corruption that focuses on the exchange of money and goods and to include sexual acts as the currency of exchange. Likewise, discussions on corruption should include sextortion as "[f]ocusing on the gendered nature not only of the consequences or causes of corruption but the act itself should help reshape and broaden the definition of corruption and generally lead to a more inclusive conceptualization, which will also assist in describing women's substantially different experiences of corruption." 129

<sup>124</sup> Kukutschka & Vrushi, 2019.

<sup>&</sup>lt;sup>125</sup> Pring & Vrushi, 2019.

<sup>126</sup> Fitzgerald (1993), O'Connell & Korabik (2000), Willness et al. (2007)

<sup>&</sup>lt;sup>127</sup> Willness et al. (2007)

<sup>&</sup>lt;sup>128</sup> Merkle et al. (2017).

<sup>&</sup>lt;sup>129</sup> Merkle (2018, p. 57)

## **CONCLUSIONS AND RECOMMENDATIONS**

Academic research on corruption and gender has made important contributions to our understanding of the phenomenon, not only pertaining to the nature of corruption and anti-corruption efforts but also about the practical realities of men and women affected by corruption. However because much of the research has focused on the relationship between political participation of women and corruption, there remain

important questions about the impacts of corruption on women and men in other sectors and settings. Despite the lack of academic study, anti-corruption efforts are underway in many sectors. These measures, while not necessarily developed with a gender lens, are nevertheless promising in terms of being adaptable to broader gender-sensitive anti-corruption initiatives and policies.

#### **EMERGING GOOD PRACTICES**

This paper includes the results of a preliminary review of good practices in anti-corruption among participating States. The examples, provided below, suggest that more in-depth study would be valuable to identify effective approaches for possible replication.

## **EDUCATION:**



The Integrity of Education Systems (INTES) is a corruption risk assessment methodology that has been specifically designed for the education sector and has been used by the Open Society Foundation in Armenia and by the Organisation for Economic Co-operation and Development (OECD) in Ukraine. INTES could be adapted to also highlight the specific gender aspects of corruption in the education sector and create tools to tackle it.

## **PUBLIC PROCUREMENT:**



Female entrepreneurs only make up about one percent of the market worldwide, and women's businesses often face barriers accessing procurement tenders and winning contracts. Making procurement processes more inclusive for women not only generates positive outcomes for female entrepreneurs but also often leads to better performing contracts and larger savings for the government. In addition, gender smart procurement can help decrease corruption by making the process more accountable, transparent and participatory. The Albanian Institute of Science conducted a study on the procurement processes in the country. Analysis of the data they collected provided an opportunity to study the effectiveness of policies aimed at supporting female entrepreneurs in the procurement system and provided evidence to increase support for women in the procurement market.

<sup>130</sup> Kirya (2019)

medium.com/@opencontracting/using-open-data-to-boost-business-opportunities-for-women-in-albania-473296de4f27

## **CIVIL SERVICE:**



The United Nations Development Programme (UNDP) has developed a methodology for its country offices in Europe and Central Asia to "reduce gender inequalities, promote good governance and prevent corruption through policy advice and technical assistance." <sup>132</sup> UNDP bases its work on a survey of male and female civil service employees that is used to collect information about the gendered effects of corruption. The survey results can then be utilized to reform public administration in a gender-sensitive manner and administer corruption free services.

## **CRIMINALIZATION OF SEXTORTION:**



In many jurisdictions anti-corruption legislation focuses on financial benefits obtained through corruption and excludes other types of benefits such as sexual acts. Even in jurisdictions that have broader language, such as "other advantage" (United Kingdom) or "benefit of any kind" (Nigeria) which theoretically could include sextortion, in practice, courts rarely reference this form of corruption in judgements. An exception is Romania, where the law explicitly criminalizes the abuse of power for sexual gain. Other jurisdictions should follow this example, while ensuring that the legislation does not allow for the possibility of prosecuting victims.

<sup>&</sup>lt;sup>132</sup> UNDP, n.d.

<sup>133</sup> Law no 286 of 17 July 2009 of the Criminal Code s 299

#### RECOMMENDATIONS FOR CONSIDERATION BY OSCE EXECUTIVE STRUCTURES<sup>134</sup>

The following recommendations are based on an initial review of how academic literature addresses the nexus of gender and corruption. The recommendations are suggested starting points for further discussion.

## ENHANCE UNDERSTANDING OF GENDERED FORMS OF CORRUPTION:



The role of sextortion, as a form of corruption that disproportionally affects women and girls, is still not well understood and is generally not addressed by international organizations. The OSCE could take on a leading role in raising awareness of the negative impacts of sextortion, with a particular focus on how sextortion plays out in fragile and conflict affected states, in border security and related to migration and human trafficking. For example, the OSCE could support further research into sextortion and advocate for the inclusion of this from of corruption in its programmatic activities.

## **COLLECT DATA ON GENDERED FORMS OF CORRUPTION:**



Transparency International has started to collect data on sextortion in their Global Corruption Barometer. However, at present the data is only available for Latin America and the Caribbean and the Middle East and North Africa. Regular and comparable sex-disaggregated data is needed to identify where sextortion occurs (e.g. in which sectors or institutions) and in which situations it is most likely to happen. Given its regional scope, the OSCE is well-positioned to assist with data-collection as well as the collection of in-depth qualitative information about how and where sextortion occurs and who is most affected by it in participating States, particularly in (post) conflict environments.

## CREATE GENDER SENSITIVE ANTI-CORRUPTION PROGRAMMES AND REPORTING MECHANISMS:



Globally, most anti-corruption programmes do not consider how men and women are differently affected by corruption. They therefore run the risk that men and women are not equally benefitting from anti-corruption interventions or that such programmes might have (unintended) negative consequences for either men or women. Gender mainstreaming<sup>135</sup> should be an integral part of anti-corruption programmes. The OSCE has the mandate and the capacity to mainstream gender in its anti-corruption programming and by documenting this process, it can also provide important guidance for how to apply a gender perspective in project design and implementation.

In addition, women must be empowered to report corruption, and especially sextortion. This requires gender-sensitive reporting mechanisms that are safe and accessible and which take cultural aspects into account (e.g. mechanisms should enable women to report corruption to other women, particularly when reporting cases of sextortion). The mechanisms also need to be transparent, accountable and independent. The OSCE can assist participating States to develop and implement gender-sensitive reporting mechanisms.

<sup>&</sup>lt;sup>134</sup> Recommendations were drafted thanks to the input and feedback gathered during the first meeting of the OSCE internal working group on gender and anti-corruption (June 2021)

 $<sup>^{\</sup>rm 135}$  Gender mainstreaming is the process of including a gender perspective in all aspects of program development and implementation.

## INCORPORATE A GENDER PERSPECTIVE IN ANTI-CORRUPTION EFFORTS IN WORKING WITH ETHNIC AND RELIGIOUS MINORITIES:



OSCE programmes on promoting the rights of Roma and Sinti can raise awareness of the higher risks of corruption and the gendered nature of this risk among these communities. The issue of corruption is especially relevant for programmes working on internal displacement, education and housing. In addition, programmes on good governance can also increase their focus on protecting the most marginalized communities from corruption and addressing the experiences of women within these communities.

## SUPPORT WOMEN AS AN ANTI-CORRUPTION FORCE:



Women bring different issues to the table, not only as political actors but also as activists and engaged citizens. This has been shown to be true for policy areas where women are underrepresented and marginalized or disproportionally affected. The OSCE can support women's networks, coalitions and civil society organisations and help to increase their capacity in anti-corruption work.

## **INCREASE TRANSPARENCY:**



In OSCE work around digitalization initiatives as a means to increase transparency, attention should be given to the gender digital divide that prevents women from accessing digital resources to the same extent as men. Access to digital knowledge and tools must be expanded and specific measures employed to bridge any digital gaps between women and men.

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