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**Statement submitted by Transparency International,  
a non-governmental organization in consultative status  
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The following document is being circulated in accordance with paragraph 1 (i) of resolution 4/6 of the Conference of the States Parties to the United Nations Convention against Corruption and rule 17, paragraph 3 (b), of the rules of procedure for the Conference.

The present text is being circulated in English and in any other languages as received by the secretariat.



## Transparency International Submission to the 8<sup>th</sup> UNCAC CoSP

### Gender and Corruption: Forms, Impact and Solutions

This submission makes several proposals to the CoSP. It calls on States Parties to recognize gendered forms of corruption, particularly sextortion, and extend their anti-corruption legislations and measures to effectively detect, investigate, prosecute and sanction such corruption. It also calls on State Parties to adopt a gender inclusive and gender sensitive approach to fighting corruption; to mainstream gender considerations and to collect disaggregated data on gendered forms of corruption and their impact on women. Furthermore, it calls on the CoSP Secretariat to work in collaboration with the CEDAW Secretariat on assessing how preventive, investigative and sanctioning measures against corruption ensure a fair and equal access by all to public services.

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The United Nations Convention against Corruption (UNCAC) calls for a multidisciplinary approach to prevent and combat corruption. Its core values of fairness, accountability and transparency, as well as equality before the law, are principles that promote non-discrimination, gender equality and equal opportunities for all.

The UNCAC does not, however, specifically address the relationship between gender and corruption or the associated potential policy and programming implications. Nor does the 1981 United Nations' Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which articulates a set of norms that prohibits all forms of discrimination, against all groups of women, in all spheres of life.

The 2030 Agenda for Sustainable Development<sup>1</sup> provides the conceptual and operational link between anti-corruption<sup>2</sup>, gender equality and women's empowerment.<sup>3</sup> Gender equality is cross-cutting among several Sustainable Development Goals (SDGs) and it is recognized as a precondition for sustainable development.<sup>4</sup>

Corruption exacerbates gender inequalities and prevents women from gaining access to their civil, political, social and economic rights. It has a detrimental impact on development, and economic growth, causes poverty and increases inequalities, reduces the quantity and quality of public resources available for women, which in turn exacerbates social and gender disparities.

#### *Gendered forms of corruption*

<sup>1</sup> United Nations General Assembly, A/RES/70/1, 21 October 2015

<sup>2</sup> Sustainable Development Goal 16 on promoting peaceful and inclusive societies, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

<sup>3</sup> Sustainable Development Goal 5 on achieving gender equality and women's and girls' empowerment

<sup>4</sup> See the 2017 High-Level Political Forum on Sustainable Development thematic review of SDG5

While both women and men are affected by corruption, women are more severely affected by certain forms of corruption, such as sextortion or sexual extortion. Sextortion is defined as the abuse of power to obtain a sexual benefit or advantage.<sup>5</sup> The term “sextortion” was coined by the International Association of Women Judges. While sextortion has a disproportionate gender impact and women are more likely to experience it, it is important to note that men and LGBTIQ+ may also be victims. Sextortion is a problem all over the world, in a wide range of contexts, including employment, education, and access to basic services such as medical treatment, justice and law enforcement.<sup>6</sup>

The harmful costs of sextortion are far-reaching. It violates a woman’s dignity and right to protection against sexual harassment, degrading treatment and discrimination. It harms women’s physical and mental health, exacerbates gender inequality and hampers women’s development. Like other forms of corruption, sextortion undermines development goals predicated on transparent, accountable, democratic governance and the full economic, social and political participation of women.

Despite its prevalence, sextortion is less likely to be reported, due to a culture of shaming and victim-blaming, fear or retaliation, lack of gender sensitive safe reporting mechanisms, and inadequate whistleblower protection laws.

### *Corruption disproportionately affects women*

Analysis and testimonies have shown that corruption disproportionately affects vulnerable population groups, including those living in poverty, who are illiterate and unaware of their rights and entitlements.<sup>7</sup> While this also concerns men, women are among the most affected because they account for the largest proportion of people living in poverty.<sup>8</sup> Corruption undermines the quality and quantity of public services, reducing the resources available for the poor. Corruption has a greater impact on disadvantaged groups that rely more on the public system, thus also women.

Corruption places women at a disadvantage when seeking access to economic opportunities. Women’s lower socio-economic status may leave them without the resources to comply with corrupt demands from those controlling access to those opportunities (in both the formal and informal sectors) such as employment, starting a business, and obtaining documentation (proof-of-identity and residence,<sup>9</sup> registration, credit,<sup>10</sup> etc). Women can also be excluded from the male networks that allocate those opportunities. As entrepreneurs, women may be

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<sup>5</sup> IAWJ, Stopping the Abuse of Power through Sexual Exploitation: Naming, Shaming and Ending Sextortion, 2012, <http://www.iawj.org/wp-content/uploads/2017/04/Corruption-and-Sextortion-Resource-1.pdf>

<sup>6</sup> [https://www.transparency.org/news/feature/sextortion\\_undermining\\_gender\\_equality](https://www.transparency.org/news/feature/sextortion_undermining_gender_equality)

<sup>7</sup> SIDA, Gender Tool Box, “Gender And Corruption Brief”, March 2015

<sup>8</sup> World Bank (2018): Gender differences in poverty and household composition through the life-cycle: a global perspective

<sup>9</sup> Seeing beyond the state: Grassroots women’s perspectives on corruption and anti-corruption. The Huairou Commission; UNDP, 2012, <http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Anti-corruption/Grassroots%20women%20and%20anti-corruption.pdf>

<sup>10</sup> Gender, Equality and Corruption: What Are the Linkages?, Policy Brief 01/2014, Transparency International, at [https://www.transparency.org/whatwedo/publication/policy\\_position\\_01\\_2014\\_](https://www.transparency.org/whatwedo/publication/policy_position_01_2014_)

sidelined in public contracts when those are allocated through corrupt pacts or cronyism among men.

In addition, corruption occurs in situations where women act as caregivers for their families, including the young and the elderly, in areas such as health, education, water and energy or government services, including justice. Corruption harms not only the woman who is denied access to services or opportunities or forced to pay a bribe (sexual or monetary) for that access, but also the community seeking to allocate limited resources in a fair and impartial manner that meets the needs of its most vulnerable members.<sup>11</sup>

### *Corruption blocks women from public and private decision-making*

Corruption also interferes with women's ability to access or advance at all levels of public or private decision-making. For instance in the case of women's political participation, they may be impacted by undue influence in electoral processes through the illicit financing of campaigns and candidates or by vote buying.<sup>12</sup> They may also be subject to political violence (including threats, intimidation, enforced disappearances, or sexualized disinformation)<sup>13</sup> to undercut women in public life who may threaten clientelistic networks of corruption.<sup>14</sup> By being outside high-level economic and political processes, they will not be able to orient the decisions towards much needed social goods, for instance in public procurement decisions.

### **In light of the above, we recommend the following to the UNCAC CoSP:**

- States Parties should recognize and condemn gendered forms of corruption, particularly sextortion, and extend their legal definition of corruption to include sexual favors or benefits as a form of bribery.
- The UNCAC CoSP Secretariat should begin working with CEDAW, possibly by establishing a dedicated Expert Working Group involving other UN bodies, to formulate gender-inclusive and gender-sensitive anti-corruption policies and regulations. This may involve developing sector specific policy provisions or recommending the adoption of gender sensitive budgeting for an improved UNCAC implementation.
- States Parties should encourage and promote women's participation in public, economic and political life as well as ensure women's engagement in anti-corruption

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<sup>11</sup> UNDP, Corruption, Accountability and Gender: Understanding the Connections, 2010, <https://www.undp.org/content/dam/aplaws/publication/en/publications/womens-empowerment/corruption-accountability-and-gender-understanding-the-connection/Corruption-accountability-and-gender.pdf>

<sup>12</sup> International IDEA, Funding of Political Parties and Election Campaigns, 2014, [https://www.legislationline.org/download/id/5626/file/IDEA\\_Funding-of-Political-Parties-and-Election-Campaigns-A-Handbook\\_2014.pdf](https://www.legislationline.org/download/id/5626/file/IDEA_Funding-of-Political-Parties-and-Election-Campaigns-A-Handbook_2014.pdf)

<sup>13</sup> <https://www.theguardian.com/global-development/2019/jun/10/political-attacks-women-tracked-first-time-surge-violence>

<sup>14</sup> UN Women Tanzania, Final Project Evaluation: Wanawake-Wanaweza Project on Women Leadership and Political Participation in Tanzania, 2017, "[wanawake-wanaweza](https://gate.unwomen.org/evaluation-document/download)" project on women leadership an - UN ...<https://gate.unwomen.org/evaluation-document/download>

efforts. They should establish new standards of integrity and accountability that are gender inclusive and gender sensitive.

- States Parties to the UNCAC should produce gender-disaggregated data on corruption offences to allow estimating the frequency, amount, and type of bribes demanded from different types of individuals and allow an intersectional analysis of corruption.
  - The UNCAC CoSP should call on States Parties to ensure that their whistleblower and reporting mechanisms are gender sensitive, secure, and confidential ensuring that women can safely come forward to report corruption and demand accountability. In the design of the reporting mechanisms, women should be consulted in order to develop appropriate context-specific responses that identify and address the various barriers to reporting.
  - The UNCAC CoSP should update the UNCAC monitoring mechanism to take account of the gender equality principle in the fight against corruption, for example by involving gender experts and ensuring a gender balance in the review mechanism.
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