



Concept Note: Panel Discussion on Gender and Corruption

Fourth session of the Conference of the States Parties to the United Nations Convention against Corruption (Marrakech, 24-28 October 2011)

Morocco will be the host of the fourth session of the Conference of the States Parties (CoSP) to the United Nations Convention against Corruption (UNCAC) from 24 to 28 October 2011. UNCAC is the first and only global legally binding anti-corruption instrument. It obliges its State Parties to adopt preventative measures, criminalize corruption offences, ensure international cooperation in criminal matters and conduct asset recovery. The UNCAC does not specifically address the gendered impacts of corruption nor the role of women in fighting corruption and demanding accountability from national institutions and anti-corruption initiatives. Both of these issues have important policy implications for the UN system, national government accountability institutions and civil society.

UN Women is taking the lead in organizing a special event on Corruption and Gender at the fourth session of the CoSP to the UNCAC, in collaboration with the Ministry of Modernization of the Public Sector of the Kingdom of Morocco, UNDP and UNODC. This special event will provide an opportunity to highlight the relationship between gender and corruption and to review means for ensuring that national and international efforts to prevent and control corruption are gender responsive and that national institutions take into account important gender considerations in anti-corruption initiatives.

In Chapter III, the UNCAC seeks the criminalization of several types of corruption, including bribery of national public officials, bribery of foreign public officials, embezzlement of property by public officials, trading in influence, abuse of function, illicit enrichment, bribery and embezzlement in the private sector, laundering of proceeds of crime, and obstruction of justice. While the UNCAC does not distinguish between material and non-material illicit or improper benefits, conventional approaches tend to under-report the types of corruption that have a disproportionate impact on women such as demanding sexual favors in return for access to public services. Sexual extortion can involve various types of sexual assault against women, ranging from sexual harassment to forced sex (UNIFEM, 2008). Such kinds of corruption are unlikely to be reported to and addressed by traditional oversight mechanisms and measures against corruption. Furthermore most commonly used and internationally accepted corruption measurement tools are gender blind – neither do they undertake sex-disaggregated data collection nor are the tools and instruments designed to analyze the impact of corruption from a gender perspective.

Addressing the different impacts that corruption has on men and women requires a gender analysis of its effects as well as ensuring that women are adequately engaged in efforts to address and prevent corruption. Unless anti-corruption initiatives are accompanied by a



deliberate attempt to involve women, the gender-specific effects of corruption are unlikely to be identified and addressed. Anti-corruption initiatives should therefore ensure that women - are empowered to participate in the design, implementation, oversight and evaluation of policies and programmes that govern the distribution of resources and accesses to services.

Article 13 and other provisions of the UNCAC recognize that civil society is critical to addressing and preventing corruption. The UNCAC review process is likely to become more effective from a gender equality perspective if women's groups and community watch groups are included. Women's groups require capacity and opportunity to monitor the implementation of UNCAC and participate in anti-corruption initiatives that are ongoing locally, nationally and internationally. Examples of tools and processes that can be used by women to demand greater accountability include participatory/gender responsive budgeting, right to information laws, community score cards and social audits.

Key points to be addressed by panelists and in the discussion include:

1. Identifying gender specific impacts of corruption

The panel will include a conceptual discussion of different approaches used to describe corruption and how to broaden the interpretation to include gender specific experiences of corruption. The implementation of current criminalization provisions of corruption need to cover cases such as sexual favors in return for delivering public goods and services. Even though these acts are criminalized, many states' existing legal frameworks do not provide deterrent sanctions nor preventive measures. The latter are particularly important, bearing in mind the dependency on public service delivery mechanisms for access to essential services (e.g., health, water and education).

2. Identifying gender responsive corruption measures and anti-corruption initiatives

Traditional accountability oversight mechanisms (anti-corruption agencies, election commissions, judicial review, public audits, ombudspersons, right to information commissions, human rights commissions and vigilance commissions) often fail to identify and address the gendered impacts of corruption. National monitoring mechanisms must be made more gender responsive by including more women, by identifying the kinds of corruption that primarily affect women and by implementing accountability mechanisms that address these dimensions. The results of the review processes can be used to advocate for State Parties to review and upgrade their legal frameworks on corruption and enhance the gender responsiveness of their public accountability mechanisms.

Objective and Outputs:

The key objective of this special event is to strengthen understanding among key stakeholders on the gendered impact of corruption and innovative actions being taken by women's advocacy and community-based organizations to address and prevent corruption.



The expected **outputs** of the roundtable are:

1. Recommendations on developing and implementing gender responsive corruption measurement tools.
2. Recommendations on making the implementation of UNCAC more gender responsive.

Format of the Side Event

The Special Event will be held on October 27, 2011 from 2 to 5 pm, in the form of a panel where high-level representatives from the international community – Member States, United Nations and other intergovernmental organizations, donors, NGOs, business and other leading personalities – will examine the interrelations between gender equality and corruption.

Proposed Speakers:

Moderator: Ms. Leïla Rhiwi, Programme Management Specialist, Officer in charge, North Africa Sub Regional office, UN Women.

Opening: Mr. John Sandage, Director of Division for Treaty Affairs, UNODC.

Speaker One: *Global overview of gender and corruption:* Ms. Huguette Labelle, Chair, Transparency International.

Speaker Two: *Engendering anti-corruption policy: A perspective from the OECD:* Mr. Martin Forst, head of the Governance Review and Partnership Division of the OECD's Directorate for Public Governance and Territorial Development.

Speaker Three: *Impact of corruption in a specific setting and recommendations/solutions:* Mr. Nikhil Dey, Member of the Mazdur Kisan Shakti Sangathan (MKSS), India.

Speaker Four: *Gender Responsive Budgeting (GRB) as a transparency and accountability tool:* Mr. Mohamed Chafiki, Director of Financial Studies and Forecasting, Ministry of Economy and Finance.

Speaker Five: *Strengthening gender responsive anti-corruption mechanisms in national policies:* Rabha Zeidguy, Professor at the National School of Administration (ENA) and former Secretary General of the Central Body for the Prevention of Corruption (ICPC).