

RECOMMENDATIONS ON WOMEN AGAINST CORRUPTION FOR OGP ACTION PLANS

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ISBN: 978-3-96076-146-4

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SUMMARY

Women suffer many types of discrimination – including legal, political, economic and socio-cultural forms of prejudice. It is therefore not surprising that women, and especially poor women, are particularly vulnerable to corruption. Corruption is detrimental to gender equality and is a barrier to women’s gaining full access to their civic, social and economic rights. Although the link between corruption and women is not yet fully understood, due to limited research in this area, at least two things are clear. Firstly, women are at greater risk of extortion in public service delivery and, secondly, the corruption women experience can have a sexually abusive aspect.

“Sextortion” – when those entrusted with power use it to sexually exploit those dependent on that power¹ – takes place in countries all around the world. In the US, for example, two police officers recently stopped and sexually assaulted an 18-year-old woman before releasing her without documenting the detainment.² In Zimbabwe, poor women are forced to trade sex for land rights³ – 57 per cent of women interviewed by Transparency International Zimbabwe reported having faced sextortion.⁴ In Syria, there are documented cases of “women or girls marrying officials for a short period of time for ‘sexual services’ in order to receive meals”.⁵

Women also play an important role in fighting corruption. Greater participation of women in public life can help in the design of gendered approaches to anti-corruption, which can prevent corruption experienced by women in the first place and allow them to resist it, report it and seek redress when it occurs. In addition, increasing gender inclusion in political and economic spheres can break up male-dominated collusive networks,⁶ resulting in strengthened democratic institutions known to reduce corruption.⁷

Corruption, whether financial or sexual, has far-reaching consequences for gender equality, sustainable development and democratic governance. Yet most states know very little about women’s experience of corruption and their role in tackling it, because it is not recognised as a priority in anti-corruption strategies, research agendas or statistical offices. The Open Government Partnership’s Break the Roles campaign aims to remedy this lack of recognition and is asking for at least 30 per cent of its members “to take meaningful action on gender and inclusion”.

To begin tackling the impact of corruption on women,⁸ Transparency International recommends that governments:

- Mainstream gender into anti-corruption strategies and frameworks, including the implementation of gender-sensitive reporting and redress mechanisms
- Collect, analyse and disseminate gender-disaggregated data on public service delivery and corruption, including on sextortion
- Recognise and address sextortion as a form of corruption and ensure the justice system can receive, investigate and prosecute complaints effectively
- Support the participation of women in public and political life

WHY SHOULD WE LOOK AT WOMEN'S EXPERIENCE OF CORRUPTION?

Survey data collected on behalf of the United Nations Development Programme (UNDP) in eight countries shows that women experience pervasive corruption when interacting with vital public services such as health care, education, the police and local government.⁹

There are three principal reasons for this: firstly, women are disproportionately affected by poverty,¹⁰ which means they are more reliant on state services and subsidies. Secondly, due to their caregiving and childrearing roles, women tend to interact more with public services.¹¹ Thirdly, women may be specifically targeted for bribes, according to UNDP, “possibly because service providers consider women to be more susceptible to coercion, violence or threats, or less aware of where or how to file a complaint”.¹²

Women can face both financial and sexual extortion, for example, when accessing public services for themselves and their families. Sexual extortion, also referred to as “sextortion”,¹³ occurs when those entrusted with power use it to sexually exploit those dependent on that power.¹⁴ Sextortion, which affects people of all genders but primarily women, is a form of gender-based violence that violates victims’ human rights and can cause physical harm and lasting psychological trauma. In a public services context, the perpetrator of violence is a state official, who may undermine a woman’s general ability to trust the state.

In 2019, for the first time, Transparency International’s survey on citizens’ experiences of corruption, the *Global Corruption Barometer* for [Latin American and the Caribbean](#) and the [Middle East and North Africa region](#), collected data on sextortion. The research found that in the 18 countries surveyed in Latin America, as well as in Jordan, Lebanon and Palestine, one in five people experiences sexual extortion when accessing a government service such as health care or education, or knows someone who has.¹⁵

The impact of financial and sex-based bribery in public service delivery has wider negative consequences for sustainable development and female empowerment. When poor women and their families cannot access public services and subsidy programmes, they are likely to remain trapped in poverty. Corruption also puts a brake on women’s full economic participation. According to the UN, women also face bribery when seeking employment, running businesses and accessing documentation.¹⁶

Corruption may also restrict women’s political participation and their access to decision-making power.¹⁷ A study based on local election data from 167 regions across 18 European states finds a correlation between the quality of government and women’s political representation. Low quality of government – measured via corruption, partiality and ineffectiveness of government services – was correlated to a substantially lower proportion of women local councillors. The study finds that corruption is an important determinant of women’s political representation in contemporary Europe.¹⁸ The evidence on whether women in leadership positions are inherently less corrupt than men remains largely inconclusive, pointing to other factors such as the political and institutional context, culture and gender inequalities for explaining the links between female representation and levels of corruption.¹⁹

WHY IS IT IMPORTANT TO INCLUDE COMMITMENTS ON WOMEN AGAINST CORRUPTION IN OGP ACTION PLANS?

Policy reform to public service delivery is usually led from the centre of the state and focuses on improving the institutional frameworks for transparent and accountable governance. These efforts may be laudable, but as the UNDP notes, they “often do not reach local decision-making structures and institutions most relevant to women”.²⁰

The Open Government Partnership (OGP), a multi-stakeholder forum, brings together 79 national and 20 local government members alongside activists and civil society representatives working on women’s rights, anti-corruption and good governance. This provides unique opportunities to share local and national perspectives from both the supply and demand side of public services, and to collaboratively develop solutions through the co-creation of national action plans by governments and civil society. Commitments to tackle the corruption faced by women, informed by experience and underpinned by strong political will, could bridge the gap from policy formulation to service delivery.

Yet according to the OGP “as of September 2019, only 89 commitments, or two per cent, specifically include women or gender. Where gender commitments exist, they often suffer from below-average completion rates and lack ambition”.²¹ In 2019, the OGP launched its Break the Roles campaign, which asks “all of us to strengthen the gender perspectives in our OGP commitments and increase women’s voices across open government. OGP’s goal is to encourage at least 30 per cent of members to take meaningful action on gender and inclusion”.²² This is an opportunity to include specific anti-corruption commitments related to women’s experience and empowerment.

The OGP’s 2019 report *Democracy Beyond the Ballot Box*²³ states that reform of public service delivery is a priority, highlighting specific challenges in the health care and education sectors – which are also areas of key corruption risk for women. To improve governance, the OGP advocates the disaggregation and systematic analysis of data by gender (and other factors) and the introduction of robust participatory monitoring schemes. Both of these, as the next section of this brief demonstrates, play an important role in combating corruption too.

In the wake of the #MeToo movement, people in all walks of life across the world are taking a fresh look at the connections between sex, power and gender inequality. The OGP can be a platform to channel gender and anti-corruption commitments stemming from this movement, as well as those promises already made by governments in global fora such as the [G20](#) and the [Summit of the Americas](#). By adopting ambitious commitments that show global leadership, OGP members can help to mainstream the link between gender and corruption across international fora and drive a new wave of action in policymaking and research in this field. The OGP has already started to look at how to [address the gender equity challenges in its co-creation processes](#) as a means to develop and implement more gender-related commitments in countries’ national action plans.

TRENDS AND EXAMPLES OF GOOD PRACTICE IN ADDRESSING WOMEN'S EXPERIENCE OF CORRUPTION

Policies that tackle the impacts of corruption on women emphasise localised transparency and the inclusion of women in policymaking and service delivery. They also require modes of accountability that recognise the specific forms of corruption and discrimination experienced by women. Below, we describe key challenges and solutions under the core OGP values of transparency, participation and accountability.

Transparency

A lack of knowledge and access to information about their entitlements, as well as how to report corruption, undermines both women's ability to resist corruption and seek redress, and governments' capacity to tackle it. The transparency of government programmes, open data on their implementation and effective access-to-information policies contribute to women's empowerment in the social, economic and political spheres.²⁴

But publishing information online is not enough. Government messages may not reach women, especially the poor – the core users of public services – for many reasons, such as illiteracy, a lack of internet access or women's lack of understanding of their entitlements. When implementing effective transparency policies, good practice includes:

- Working with community groups (through consultations, focus groups and training seminars) to ensure that women understand what they should expect from public services, what is classified as corruption, and the forms of redress available.
- Collecting, analysing and publishing gender-disaggregated data on women's access to public services and the handling of corruption complaints, so that government performance can be monitored, scrutinised and revised accordingly.
- Implementing responsive access-to-information schemes, so that women can access information about services that affect them and make informed choices.²⁵

In Indonesia the national grassroots movement *Saya Perempuan Antikorupsi* ("I am an Anti-Corruption Woman"), works with women to raise awareness about corruption and ways of fighting it. The network of women activists helped collect gender-disaggregated corruption data, which was used to measure progress towards reducing corruption.²⁶

As part of its local open government plan, the Mexican state of Oaxaca implemented the project *Mujeres, Transparencia y Acceso a la información* (Women, Transparency and Access to Information), with the goal of increasing women's participation in mechanisms for accessing public information. The project was launched in response to analysis of Oaxaca's access-to-information statistics, which revealed that women did not make as much use of existing access-to-information mechanisms as men.²⁷

Participation

People affected by corruption are well placed to develop solutions. Research by UNDP shows that women have designed innovative strategies to counter the corruption they experience in service delivery.²⁸ Increasing the participation of women's groups in the design, delivery and oversight of anti-corruption initiatives is therefore essential. Leveraging participation by women who are community leaders is particularly effective. UNDP found that "organised women" belonging to a women's group or "mobilised constituency" are empowered by their grassroots affiliation to take action in institutional contexts, and are more widely perceived as accountable by the communities they serve.²⁹

Promoting women's political participation in decision-making spaces can strengthen their role in shaping and leading the anti-corruption agenda. Women in decision-making positions can fight corruption by championing anti-corruption measures to improve public services for their constituents (especially women), as well as by breaking up male-dominated corrupt networks.³⁰ Good practice to promote participation includes:

- Involving women affected by corruption in the development of anti-corruption strategies through the consultation, drafting and implementation processes
- Working with women's groups to implement participatory monitoring of public services which are at high risk of corruption
- Mandating women's participation on the boards of oversight bodies and mechanisms whose responsibility it is to receive, investigate and provide redress for corruption-related complaints
- Increasing women's participation in public and political life through the development of peer cooperation and support mechanisms, such as women's caucuses (also called parliamentary groups), promoting women leaders within public administration, making available financing for women's electoral campaigns, implementing gender-sensitive policies and procedures in parliaments, and adopting a zero-harassment policy and corresponding grievance and redress mechanisms for women in public life.³¹

In the Philippines, the delivery of health services is decentralised across local government and 5 per cent of health spending is reserved for gender and development issues. *Damayán ng Maralitang Pilipinong Api, Inc.* (DAMPA), a national network of over 230 women's organisations, compiles policy information on the programmes and drugs patients are entitled to and tests how accessible they are in practice. According to women's grassroots organisation the Huariou Commission, monitoring exercises by DAMPA have found that clinic employees have overpriced medicines that should be free for low-income patients, that clinics have illegally established "donation boxes" to solicit bribes for access to clinical staff, and in some cases that as little as 4 per cent of the gender and development budget has been allocated. DAMPA communicates its findings to both its constituents and actors in public health and local government to exert pressure from below and above to reform the system.³²

In order to promote women's participation in public life and politics, many countries have implemented innovative and decisive policies. For example, in Canada, candidates can seek reimbursement for childcare expenses incurred during an election campaign,³³ while Costa Rica and South Africa have parliamentary rules or codes of conduct with specific provisions to protect parliamentarians from harassment and gender violence.³⁴

Accountability

To access justice in corruption cases, women must often overcome specific barriers that exist due to gender bias. These include inadequate legal frameworks, corruption or discrimination in law enforcement and the legal system, victim-blaming cultures within institutions, and women's lack of awareness of their legal rights, a sense of shame and fear of reprisals.

To help women access justice in contexts of corruption, good practice includes:

- Recognising women's rights and the impropriety of corruption in the codes of conduct of law enforcement and justice institutions, and explaining these codes in training seminars.
- Recognising sextortion as a crime with a corruption component, a sexually abusive component and specified sanctions.³⁵ In addition, judicial capacity and appropriate tools must be developed to enable effective prosecution of sextortion. This promotes clear and consistent prosecution of offenders.

- Creating gender-sensitive mechanisms for the reporting of corrupt acts, especially sextortion. To enable women to make and pursue complaints, it is essential that mechanisms are independent, accountable, accessible, safe and easy to use.³⁶

In 2018, the Indian state of Jammu and Kashmir amended its criminal code to recognise sextortion as a specific crime punishable with imprisonment of between three and five years. Notably, it is “no defence that the sexual benefit was derived with the consent of the victim”.³⁷ This is one of the first examples of a legal code which specifically recognises sextortion as a crime. However, no cases have yet been prosecuted, and it remains to be seen whether the conflict-ridden state can effectively implement the legislation.

EXISTING COMMITMENTS

Thirty-six OGP members have made 89 pledges on gender, 24 of which have relevance for women and corruption. Examples include:

- Afghanistan, recognising its socio-cultural context, has pledged to create specialised courts with female judges to address cases of gender-based violence. This can help victims of extortion based on sex or violence access justice.
- Canada has pledged to improve its mechanisms for consultation and engagement with marginalised communities. This includes using an “intersectional” analytical tool called Gender Based Plus (GBA+) “to assess how diverse groups of women, men and gender-diverse people may experience policies, programs and initiatives”. This can promote a deeper understanding of women’s experience accessing public services, and allows for their participation in policymaking.
- Kenya’s procurement framework stipulates that 30 per cent of contract awards should go to businesses owned by “disadvantaged groups”, including women, youth and people with disabilities. To promote efficient and effective delivery of this pledge, the country has committed to implementing the Open Contracting Data Standard to improve the accessibility of the procurement process. This can help ensure funds for the programme are effectively spent and not misappropriated, and that more women-owned businesses can bid for public contracts.
- Uruguay has pledged to integrate a gender perspective into its framework for access to public information, in collaboration with civil society and academia, and to develop a manual of good practices to promote a gendered perspective in the production, collection and publication of government information. This could contribute to the generation and publication of gender-sensitive information, enabling better visualisation and understanding of the effects of corruption on women.
- Cote d’Ivoire is introducing participatory budgeting in an effort to “strengthen the capacities of women’s groups in the target departments in planning and budgeting processes at local level”. This helps to ensure resources for women are allocated and facilitates women’s participation in decision-making – reducing opportunities for corruption.

However, with the exception of Cote d’Ivoire, none of the above commitments has been reviewed by the OGP’s Independent Reporting Mechanism.

WHAT TYPES OF COMMITMENT ON WOMEN AND CORRUPTION CAN COUNTRIES INCLUDE?

Transparency International recommends that governments:

Mainstream gender into anti-corruption strategies and frameworks

Governments must work consultatively with civil society and academia to understand women's lived experiences and integrate them into existing anti-corruption strategies, frameworks and action plans. Specifically, OGP member countries can:

- Commission research into high-risk sectors such as health care, education and law enforcement, investigating women's experience of corruption and their roles in tackling it.
- Develop a national multi-stakeholder (intersectional) working group on women and corruption to understand the relation between women and corruption, develop policies and actions to mitigate its effect on women, and create an enabling environment for women to participate in the prevention, identification and sanctioning of corruption.
- Develop and apply a corruption risk assessment tool that includes a gender lens to identify corruption risks associated with women in public services and social programmes.
- Carry out gender-based assessments of anti-corruption policies and programmes and include corruption risks as part of gender-based analysis (for example, see [Canada's Gender-Based Analysis plus tool](#)).
- Develop and implement gender-sensitive reporting mechanisms for anti-corruption, which tackle the social, economic and political barriers to women seeking redress when affected by corruption.
- Empower women to report abuse by implementing dissemination campaigns on gendered forms of corruption and ways to seek redress.

Collect, analyse and disseminate gender-disaggregated data on public service delivery and corruption, including on sextortion

Governments should ensure that they collect, analyse and publish gender-disaggregated data in a broad and strategic way about public service delivery in general, and corruption in particular. Indicators that illustrate women's experience or that, in certain contexts, stand in as proxy indicators for corruption or inefficiencies will lay the foundations for evidence-based solutions. Specifically, OGP members can:

- Collect gender-disaggregated data on citizen's access to public services and social programmes, with a focus on sectors where women are traditionally the point of contact, and in public services specifically targeted at women
- Ensure the collection, analysis and publication of gender-disaggregated data on corruption reporting, investigation and prosecution, including on sextortion incidences.

Recognise and address sextortion as a form of corruption and ensure the justice system can effectively receive, investigate and prosecute complaints made by women

Corruption is widely understood as an economic crime, which makes the investigation and prosecution of sex-based extortion challenging. Governments must recognise sextortion as a unique offence and amend their approach to tackling it at multiple levels. Specifically, OGP member countries can:

- Define sextortion in law as a criminal offence that has a corruption component, a sexually abusive component and specified criminal sanctions
- Assign gender-sensitive focal points within law enforcement and prosecutors to receive and manage complaints of sextortion

- Train law-enforcement officials and prosecutors to receive and prosecute cases of sextortion
- Develop public campaigns to inform women about the risks of sextortion, to encourage the reporting of offences and empower women to reject and denounce corruption.

Support the participation of women in public and political life

Diversity and equal representation of different social groups in public and political life is a necessary condition for responsive and accountable public institutions. It is especially important to ensure equal participation of women in decision-making spaces in order to promote the inclusion of gender dimensions in anti-corruption strategies and policies. Women in decision-making positions can fight corruption by championing anti-corruption measures as part of their agenda to improve public services for their constituents (especially women), as well as by breaking up male-dominated corrupt networks. Specifically, OGP member countries can:

- Support women's participation in political parties and elections through campaign financing regulations
- Include women in anti-corruption decision-making, from formulation to evaluation of anti-corruption policies
- Impelment peer-learning programmes for the advancement of women leaders in public administration and representative bodies, such as cross-country exchanges with countries with high numbers of women leaders in public office
- Adopt a zero-harassment policy and corresponding grievance and redress mechanisms for women in public life.

ENDNOTES

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