U4 Helpdesk Answer

Gender mainstreaming in the UNCAC

The United Nations Convention against Corruption (UNCAC) is the "only legally binding universal anti-corruption instrument". While the convention's legal text does not reference gender, there are increasing efforts to apply a gender sensitive approach in UNCAC implementation, especially by United Nations Office on Drugs and Crime (UNODC) by integrating a gender perspective into "every stage of the programming cycle". A gender sensitive approach is seen as more advantageous than gender neutral mechanisms (which in reality are gender blind) in adequately addressing anti-corruption interventions by considering the concerns and experiences of "men" and "women".

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RELATED U4 MATERIAL

↗ Corruption and gender equality: A summary of existing research (2021).

Query

What aspects of the gendered impact of corruption are included in the UNCAC and the UNCAC process? What are the arguments for including a gender sensitive approach in the UNCAC and UNCAC mechanisms? What has already been done or attempted to structurally include gender mainstreaming in the UNCAC?

Contents

Caveat

There is limited availability of information in the public domain concerning mainstreaming gender in the UNCAC. In this answer, the concept of gender is conveyed as a binary understanding of men and women solely because this is where research can support open-source findings. There is no intention of diluting the rainbow representing the community of lesbian, gay, bisexual, transgender, and intersex persons.

Why should gender be included in the UNCAC?

Gender equality and anti-corruption are inextricably linked. Gender inequality thrives in part because corrupt networks based on

MAIN POINTS

— The UNCAC's legal text does not reference gender, and women or gender are taken into consideration in only three resolutions from the UNCAC's Conference of the States Parties.

— Gender mainstreaming must go beyond looking at gender as a single dimension to include intersectional factors such as age; sex; sexual orientation; gender identity and expression; race and ethnicity; and religion or belief.

— Recognition of gendered forms of corruption, such as sexual extortion (sextortion), which disproportionately affects women, is vital to addressing the impacts of corruption on more vulnerable groups.

— Collecting gender-disaggregated data, adopting specific resolutions on gender and corruption, cooperation and synergies with other international processes and bodies, and strengthening attention to gender in UNODC's programmes are illustrative entry points to mainstreaming gender in the UNCAC process.

clientelism, and patronage exclude women and other vulnerable groups. This creates a vicious cycle that further entrenches gender inequality (United Nations 2020, 1; UNODC 2021a).

Corruption is also known to have a detrimental impact on development and economic growth, causing poverty and increasing inequalities, and reducing the quantity and quality of public resources available for women. This in turn exacerbates social and gender disparities, that then deter women from adequately exerting their civil, political, social, and economic rights (Transparency International 2019, 1).

Moreover, in many societies, fixed gender roles go hand in hand with power asymmetries between men and women that render women vulnerable to abuse both in the private and the public sphere (McDonald et al. 2021, 22). For example, women are the primary caregivers for children and the elderly. Also, women have gender specific needs during their reproductive years. Consequently, they interact with health and education services more often than men do, and they are thus more likely to encounter corruption in public service delivery (McDonald et al. 2021, 24).

The anti-corruption and gender equality agendas are closely intertwined as preconditions cutting across all Sustainable Development Goals (SDGs). There is a broad consensus that corruption acts as a significant obstacle to the achievement of the SDGs by endangering efforts towards poverty eradication (SDG 1), health (SDG 3), education (SDG 4), gender equality (SDG 5), climate action (SDG 13), water and sanitation (SDG 6), among others. All these goals are also linked to the quality of women's lives (Trapnell et al. 2017, 2). Similarly, the 2030 Agenda for Sustainable Development views gender equality as a "transversal element", which in

addition to being included as an individual goal in SDG 5, also cuts across all 17 SDGs, and is considered for 45 targets and 54 indicators in their implementation (UNODC 2020, 65).

The mutually reinforcing relationship between corruption and discrimination, acts as a hindrance to the Leave No-One Behind ambition which is central to the SDGs. In fact, gender equality is understood as a necessity for sustainable development (HLPF on Sustainable Development 2017, 5). UNODC (2020, 65) views gender equality as a "catalytic policy intervention that triggers positive multiplier effects across the spectrum of development," adding that the same fact holds true for countering corruption, which is an essential prerequisite to the achievement and sustainability of the SDGs.

There is evidence of intersection between corruption and discrimination on the basis of age, sex, sexual orientation, gender identity and expression, race and ethnicity, and religion or belief (McDonald et al. 2021, 13). Consequently, certain groups of women are more vulnerable/disproportionally affected by corruption due to such intersectional factors (McDonald et al. 2021, 22 -26).

For example, systematic discrimination against women and girls generates societal dynamics that facilitate gendered forms of corruption, including sexual extortion, known as "sextortion", defined by the International Association of Women Judges (IAWJ) as "the abuse of power to obtain a sexual benefit or advantage." Sextortion is a form of corruption in which, sex, rather than money, is the currency of the bribe. It is not limited to certain countries or sectors but can be found wherever those entrusted with power lack integrity and try to sexually exploit those who are vulnerable and

dependent on their power (IAWJ et al. 2015, 19). Evidence shows that women are disproportionally targeted by sextortion; however, men, transgender and gender non-conforming people are also affected (Feigenblatt 2020, 2). Moreover, a culture of shaming and victim blaming, fear or retaliation, lack of gender sensitive safe reporting mechanisms and inadequate whistleblower protection laws make sextortion less likely to be reported (Transparency International 2019, 3).

To facilitate the understanding of gender mainstreaming in anti-corruption efforts, it may be worthwhile to highlight a few terms, such as:

Gender neutral: organisations often have "gender neutral" policies. These policies, by virtue of not specifically targeting men or women, tend to assume that the effects of the policy are uniform across the spectrum. However, in reality, such policies may actually be gender blind, ignoring the various roles, responsibilities and capabilities of men and women, which are dependent on their gender linked societal realities (UNODC 2013, 100).

Gender-blindness: amounts to neglecting the various socially determined roles, responsibilities, and capabilities of men and women. Gender blind policies and activities are based on knowledge derived from "men's activities and/or assume those affected by the policy or activity have the same (male) needs and interests" (UNODC 2013, 100).

Gender perspective: is a means to consider an issue while paying specific attention to the potentially different ways that men and women are affected. Such an exercise can also be referred to as using or looking through a "gender lens". It is precisely just that: "a filter or a lens" that highlights actual or potential differences between men and women and their experiences (UNODC 2013, 100).

Gender sensitivity/awareness: includes recognising, acknowledging, and showcasing existing gender differences, issues and inequalities and incorporating a "gender perspective" into strategies and actions (UNODC 2013, 100).

Gender mainstreaming: is the procedure to make women's as well as men's interests an essential criterion of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic, and societal spheres so that women and men benefit equally, and inequality is not perpetuated (UNODC 2013, 95).

In its latest briefing note for its staff on Mainstreaming Gender in Corruption Projects/Programmes, the UNODC acknowledges that corruption affects men and women differently, with each group being both "subjects and objects" of different corrupt practices and behaviours. UNODC states that "there are no gender neutral interventions when the ultimate goal is to improve the lives of all people, women and men, girls and boys, as well as individuals of different bodily characteristics, diverse sexual orientation and/or diverse or plural gender identities" (United Nations 2020, 1).

The UNODC briefing document lists intersectional characteristics such as ethnicity, race, religion, age, sexual orientation, gender identity and class that shape the experience of one's gender. These intersectional features are embedded in power structures that shape a person's opportunities and conditions in life. Thus, intersectionality is key to include groups of people in an "equal and equitable" way (United Nations 2020, 2).

Therefore, effective gender mainstreaming in anti-corruption responses requires a gender sensitive approach that aims to understand, acknowledge,

and emphasise existing gender variations, topics, and inequalities and to integrate a gender perspective into "every stage of the programming cycle" (UNODC 2013, 4, 100). Gender mainstreaming provides anti-corruption policymakers and practitioners with an opportunity to consider the outcomes of anti-corruption interventions on gender inequality and to identify and address the causal processes linking corruption and gender inequality (UNODC 2013, 8). While not just paying lip service to gender mainstreaming by including it as a 'tick box' in anti-corruption programmes, UNODC notes that it is important to realise that "gender mainstreaming is not an end in itself, but a means to reach the ultimate goal of achieving gender equality" (UNODC 2013, 4).

Conversations around mainstreaming gender in anti-corruption instruments are also increasingly focused on moving beyond equality to provide gender equity. UNODC (2020, 62) notes that while the concept of gender equality is often centred around giving men and women equal opportunities (for example, legal provisions to support the ownership of land or receiving of education of women), gender equity aims to "correct the historical wrongs" that have systematically excluded women (for example, societal constraints on employment). Thus, gender equity involves providing women, and other vulnerable groups, the tools to succeed (UNODC 2020, 62).

Gender mainstreaming in anti-corruption legal instruments, such as the United Nations Convention against Corruption (UNCAC), could thus play a significant role in addressing the linked phenomenon of corruption and gender inequality.

Considerations of gender in the UNCAC

An earlier UNODC report from 2013 had stated that corruption measurement tools, anti-corruption project designs and evaluation mechanisms related to the UNCAC have been gender blind (UNODC 2013, 25, 40, 56). A more recent UNODC publication states that the gendered impact of corruption needs to be understood for effective policy implementation, recognising that men and women have different needs, and that women specifically are more vulnerable to corruption in some situations. Often, criminal justice responses, including whistleblower protection mechanisms and systems, continue to be gender blind (UNODC 2020, 180).

Most UN members are states parties to the Convention against corruption, and they are required to adopt preventive measures, criminalise corruption offences, support international cooperation in criminal matters, manage asset recovery and provide each other with technical assistance. Thus, the lack of a gender perspective in the UNCAC can have crucial policy implications for the UN environment, national government accountability institutions and civil society (UN Women et al. 2011).

In principle, a means to understand the way gender has been/can be mainstreamed in the UNCAC is by looking at factors, including but not limited to:

- inclusion of a gender perspective in the legal text of the artefact, as well as its interpretation
- through accepting resolutions with a gender perspective at the Conference of the States Parties (CoSP) to the UNCAC

- gender sensitivity in the UNCAC process (for example, by looking at the level of participation of women's or vulnerable groups in UNCAC Reviews)
- States Parties' approaches to implementation of the UNCAC at national levels

Artefacts

The UNCAC is the "only legally binding universal anti-corruption instrument" (UNODC n.d. a). Looking at the UNCAC artefact as it stands, a report from UNODC notes that the convention is "not entirely devoid of the idea that both men and women are concerned" (UNODC 2020, 61, 158). For example, in chapter III, the UNCAC delineates criminalisation of various types of corruption, such as bribery of public officials (both national and foreign), bribery and embezzlement in the private sector, illicit enrichment, abuse of functions and trading in influence, among others (UN Women et al. 2011). In these provisions, there are specific references to men and women. Article 15 on the bribery of public officials clearly states that undue advantage (for example, a bribe) relates to influencing the public official to "act or refrain from acting in the exercise of *his or her* official duties" (UNODC 2020, 61).

By not distinguishing between "material and non-material illicit or improper benefits", the UNCAC instrument includes some space for interpreting provisions from a gendered perspective (UN Women et al. 2011). For example, "undue advantage" is interpreted by the UNODC (2017, 19) in its State of Implementation of the United

Nations Convention against Corruption: Criminalization, Law Enforcement and International Cooperation report to "apply as broadly as possible and also to cover instances where intangible items or non-pecuniary benefits (such as, honorary positions and titles, preferential treatment or 'sexual favours'[1]) are offered, insofar as they create or may create a sense of obligation on the side of the recipient towards the giver".

Applying a gender lens when interpreting gender neutral parts of the convention's wording could be one way of mainstreaming gender in UNCAC. For example, Article 7 encourages meritocratic recruitment in the bureaucracy states parties. A gender-sensitive interpretation would require that implementing affirmative action for qualified women as a way to achieve gender parity in the bureaucracy would not be incompatible with the meritocracy principle.

Unless a gender lens is applied in this manner, the convention does not address the "gendered impacts of corruption nor the role of women in fighting corruption and demanding accountability from national institutions and anti-corruption initiatives" (UN Women et al. 2011). The artefact also contains no reference to the word gender or gendered forms of corruption such as sexual extortion or sextortion (UN Women et al. 2011; Transparency International 2019; UNODC 2020, 61).

One major reason for UNCAC not mentioning gender as highlighted by the United Nations Office on Drugs and Crime (UNODC), the agency mandated to support states parties in their UNCAC

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[1] It ought to be noted that while "sexual favours" is used interchangeably for sextortion in publicly available literature, they are not one and the same. "Sexual favours" it is not a preferred term to be used to refer to sextortion as it neglects the sexual abuse

element by implying a level of consent. For more details please see Breaking the silence around sextortion: The links between power, sex and corruption (Transparency International 2020).

implementation, is that instruments to promote gender equality and counter corruption evolved separately, and not in sync with one another (UNODC 2020, 60, 158). Until a few years ago, several corruption related programmes, projects, and activities either "weakly" addressed gender concerns or were "even completely gender blind" (UNODC, 2013, 1).

Resolutions

When looking through the UNCAC's past resolutions,[2] the terms "gender" or "women" come up in only three instances as mentioned below.

Resolution 6/10 on education and training in the context of anti-corruption: adopted by the Conference of the States Parties (CoSP to the UNCAC at its sixth conference in St. Petersburg, from 2 to 6 November 2015, calls for education and training on preventing corruption while "incorporating a gender perspective".

Resolution 7/8 on corruption in sport, adopted by the CoSP at its seventh session in Vienna, from 6 to 10 November 2017, encourages states parties to "address" via their national legislation the "challenge posed by corruption [which] could in some cases undermine the potential of sports to advance gender equality and the empowerment of women".

Resolution 8/4 on safeguarding sport from corruption, adopted by the CoSP at its eighth session in Abu Dhabi, from 16 to 20 December 2019 acknowledges "gender-related barriers in sport caused by corruption" and requests states parties to come up with robust mechanisms to

address the challenges "posed by corruption [that] could undermine the potential of sports to advance gender equality and the empowerment of women".

It is also worth noting that general discussions and side events[3] at the CoSP mention gender and its relationship with corruption and anti-corruption. For example, the report of the eighth session of the CoSP in Abu Dhabi (2019) makes explicit references to the "transnational nature of corruption and its devastating effects on political, economic and social development, as well as on democratic governance, the rule of law, human rights, equality (including gender equality) and security". Highlighting that "some speakers [at the conference] emphasised the importance of gender equality and empowering women and girls as fundamental for the achievement of the Sustainable Development Goals, including the prevention of corruption".

The 2019 session in Abu Dhabi also had a special event on "exploring the gender dimensions of corruption". During the same conference, representatives from civil society organisations (CSOs), such as Transparency International, called for "gender inclusive" approaches to anti-corruption by submitting a statement on gender and corruption – forms, impact and solutions (CAC/COSP/2019/NGO/3).

Earlier this year, in March 2021, a special session of the UN General Assembly against corruption 2021 (UNGASS 2021) was held to address "challenges and measures to prevent and combat corruption and strengthen international cooperation". A "concise and action-oriented" political declaration "agreed upon in advance by

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[2] Resolutions are the "expression of the opinion or will" of the UN organs (UNSC n.d.). Resolutions in the UNCAC context, complement the text of the convention.

[3] The function of these side events and how they help in raising awareness/making the thinking around the convention and its implementation evolve.

consensus through intergovernmental negotiations under the auspices of" the UNCAC CoSP made an explicit reference to gender (UNGASS 2021). One commitment in the declaration stated that State Parties to the UNCAC would improve their "understanding of the linkages between gender and corruption, including the ways in which corruption can affect women and men differently… promote gender equality and the empowerment of women, including by mainstreaming it in relevant legislation, policy development, research, projects and programmes, as appropriate and in accordance with the fundamental principles of domestic law" (UNGA 2021, 14, 15).

One of the UNGASS 2021 side events, organised by Sweden and Germany, was on "gender equality and anticorruption – two themes, one goal" (UNGASS 2021). Dr Maria Flachsbarth, Parliamentary State Secretary to the Federal Minister for Economic Cooperation and Development of Germany, in the welcome address of the side event stated that "the linkage between gender and corruption need to flow into the Conference of the States Parties, into the UNCAC" to be able to firmly establish the principles of "leave no-one behind" (UNODC 2021a).

During the course of the UNGASS 2021, the UNCAC Coalition[4] made a contribution to the consultation process in preparation of the UN General Assembly special session against corruption 2021 where they highlighted the importance of UN member states in "acknowledging gendered forms of corruption,

producing gender disaggregated data on corruption offences, ensuring the criminalisation of sextortion, and creating safe and gender sensitive corruption reporting mechanisms for women and other vulnerable persons". The contribution also contains a sub-section on gender and corruption which outlines the issue at hand, indicates several good practice examples and provides specific recommendations to UN member states to start addressing this topic in a more serious manner.

Processes

Another way of understanding the extent to which gender has been mainstreamed in the UNCAC is to look at its review process. In principle, such an overview could be attained by assessing the UNCAC Implementation Review Mechanism (IRM)[5] reports (for references to gendered forms of corruption, collection of disaggregated data etc.) as well looking at who participates in the review process itself (e.g., women's rights organisations, women, other vulnerable groups, etc.). Considering gender-balanced panels at CoSP side events and the importance of having female diplomats representing their permanent missions in Vienna and in all negotiations of the UNCAC, could be other potential entry points for gender mainstreaming in the UNCAC process.

Such an exercise, however, is challenging, as the details around the review process are not publicly available. Moreover, the disclosure of documents such as States Parties' Self-Assessment Checklists or Country Review Reports depend on countries'

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[4] A global network of over 350 CSOs working on promoting the ratification, implementation and monitoring of the UNCAC.
[5] The IRM is a peer-review process that supports states parties to implement the convention effectively. Two peers review each state party (one from the same regional group). Reviewers are

chosen by drawing lots at the beginning of each year of the review cycle. The functioning and the performance of the IRM is overseen by the Implementation Review Group (IRG), an "open-ended intergovernmental group of states parties which is a subsidiary body of the CoSP and was created together with the IRM in Resolution 3/1" (UNODC n.d. b).

discretion, and not many States Parties agree to publish these documents. A database on States Parties' UNCAC reviews, where the executive summaries are uploaded once the reviews are finalised, as well as in some cases the Self-Assessment Checklists and full Country Review Reports, is available here.

Important details, vital in discerning the extent of gender mainstreaming, such as people who were consulted in the UNCAC processes, are also not publicly listed. CSOs such as the UNCAC Coalition, have been demanding the proactive disclosure of such information as well as of the Self-Assessment Checklist and full Country Review Reports, notably through its transparency pledge.

Even though the public availability of Self-Assessment Checklists and full Country Review Reports under the UNCAC IRM is limited, the UNCAC implementation review is a process which is nevertheless mandatory for all states parties. Recently, a questionnaire that asks for gender-based information under relevant UNCAC articles in the Self-Assessment Checklist was developed under the UNODC-UNDP Pacific Regional Anti-Corruption Project. Information from this questionnaire could help in establishing baseline data and assessing the extent to which States Parties integrate aspects of gender into their national anti-corruption programmes and initiatives. Gender experts opine that the questionnaire could be rolled out to more jurisdictions (UNODC 2018, 27).

Nevertheless, conversations with UNODC representatives reveal that globally, 39% of the participants in its multi-stakeholder workshops[6] on the UNCAC and its review mechanism so far, were women.

States parties' anti-corruption frameworks

UNCAC calls for states to implement its provisions "in accordance with its domestic legal system" (Article 32) and "subject to its constitution and the fundamental principles of its legal system" (Article 20) (UNGA 2003). Unfortunately, however, no national anti-corruption strategy has so far "thoroughly mainstreamed the issue of gender", despite the knowledge that corruption affects women disproportionately (UNODC 2018, 26).

Gender-sensitive anti-corruption measures should fit national contexts, and gender mainstreaming solutions have to consider factors such as unique cultural/societal norms relevant to a particular jurisdiction (UNODC 2020, 69, 70). However, a review of the legislation of some UNCAC States Parties found that such legislation generally lacks reference to "gender, race and/or racial origin" (UNODC 2017, 215).

Very few countries explicitly criminalise sextortion and many national frameworks only criminalise monetary forms of bribery. Some countries, nevertheless, consider gender in their anti-corruption frameworks. Here a few illustrative examples:

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[6] Workshops are conducted regularly. For example, recently, 28 civil society, private sector and government representatives from the Western Balkans and Moldova, and experts from the UNCAC Coalition, came together for an anti-corruption workshop organised by UNODC in partnership with the RAI – Regional Anti-Corruption Initiative. The focus of the workshop was to address ways in which non-governmental stakeholders could actively participate in the UNCAC IRM (UNODC n.d. c)

United Kingdom

The [country review report of the United Kingdom of Great Britain and Northern Ireland](#) (2021, 95) reveals that in implementing Article 8 on codes of conduct for public officials, the Cabinet Office via the annual civil service statistics, details information on the "numbers of staff by responsibility level and gender, median and mean salaries by gender, [and] gender pay gap data".

Canada

The [Country Review Report of Canada](#) (2015, 117), with respect to implementation of Article 30 dealing with prosecution, adjudication and sanctions, designs programmes to "meet the specific needs of populations such as women or Aboriginal peoples".

Lebanon

The [Country Review Report](#) for Lebanon (2015, 10) with respect to the implementation of Article 44 dealing with extradition states that "extradition should be rejected if there are significant reasons to believe that the person will be discriminated against for reasons related to gender, nationality, language or political convictions, or shall be subject to brutal or inhumane treatment or any actions that violate basic human rights".

South Africa

The [Country Review Report](#) for South Africa (2015, 55, 127) states that, with respect to implementing Article 44 dealing with extradition, one ground for refusal of extradition requests is knowledge that the "person will be prosecuted or prejudiced in the requesting state by reason of gender, race, religion, nationality or political opinion". Moreover, in implementing Article 30 dealing with prosecution, adjudication, and sanctions, "prosecutors must keep themselves informed on matters such as increases in the incidence of certain offences (especially violent crimes and crimes against women and children)".

Tanzania

"Sexual or any other favours" is listed as one of the offences under the Prevention and Combating of Corruption Act (No. 11 of 2007) according to the [Country Review Report](#) of the United Republic of Tanzania (2013, 48). It carries a penalty of "a fine not exceeding five million shillings or imprisonment for a term not exceeding three years or both". Relating to Article 44 of the UNCAC on extradition, Tanzania cites potential prosecution on the basis of sex amongst other criteria as the grounds for the refusal of extradition requests.

India

The Prevention of Corruption (Amendment) Act 2018 came into force to bring the earlier version of the anti-corruption law in line with UNCAC provisions after India ratified the convention in 2011. Consequently, "undue advantage" was defined as "any gratification whatever, other than legal remuneration" and was not limited to "financial benefits, or those measured in money" as per Section 2 of the amended act. Such an interpretation was viewed as potentially being extended to include sextortion (Carnegie 2019, 11). Interestingly, later in October 2018, the Jammu and Kashmir High Court in its reading of the amended national anti-corruption law, ordered the state administration to criminalise sextortion. Thus, came about the Jammu and Kashmir Criminal Laws (Amendment) Act 2018. According to this law, victim consent is not a factor of consideration in the accused's defence. However, the protection of the law only extends to women and, as of 2019, no cases had been brought to court under this provision (Carnegie 2019, 12).

How could gender be mainstreamed into the UNCAC?

Recognising the parallel evolution of anti-corruption instruments on one side (such as the UNCAC) and international instruments addressing women's rights (such as the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Declaration) on the other, there is a growing consensus in the international community to bring the two goals together (UNODC 2020, 60, UNODC 2021a).

As mentioned earlier, one way to mainstream gender in the UNCAC, despite the text being a largely gender neutral instrument, is to use a gender equality lens for its interpretation. In addition, gender awareness and sensitivity can be encouraged and applied to UNCAC based anti-corruption programmes for their effective implementation (UNODC 2020, 61). There are several other measures that can be applied at both international and national levels in order to improve attention to gender in UNCAC processes. These include improving data collection to provide gender and other social factors- disaggregated data, improving synergies with other international processes and bodies, strengthening attention to gender in UNODC's programmes and adopting resolutions mandating States Parties to consider gender issues in implementing the UNCAC. These approaches are elucidated upon further below.

Gender-disaggregated data

Reliable data is key to the prioritisation and localisation of policy recommendations dealing with gender and corruption. The Review Mechanism for the implementation of the UNCAC identifies the lack of data as a recurrent gap. Governmental experts acting as reviewers strongly recommended that States strengthen the collection and availability of statistical data on the implementation of anti-corruption measures. Reviewers highlighted that, even in contexts where states have robust data collection practices in place, collected data, however, was not aligned along the lines of UNCAC provisions (UNODC 2020, 68).

As highlighted earlier, different groups of women are disproportionately affected by corruption based on several intersectional factors such as age, sexuality, religious beliefs, disability, and class (among others). Considering this, the call for gender disaggregated data on corruption from different types of individuals to enhance an intersectional analysis of corruption is echoed by several experts and anti-corruption CSOs (UNODC 2018, 8 and Transparency International 2019, 3).

Currently, there are efforts to obtain sex disaggregated data at the international level. While this may only reveal "one layer in the multi-faceted gendered dimensions of corruption", it is valuable in providing insights on patterns affecting the categories of "men" and "women" (UNODC 2020, 68, 69). One way of ensuring a robust analysis is setting the data in a specific context and complimenting it with qualitative investigations (UNODC 2020, 68).

NGOs that conduct corruption surveys should improve their data collection, and at the national level, governments should include a gender perspective in their integrity, public service delivery and other kinds of citizen surveys. For example, from 2019, the Global Corruption Barometer (GCB) started to include questions in its

survey about citizens' experiences of sextortion[7] (Eldén et al. 2020, 16).

Cooperation and synergies with other international processes and bodies

Looking at other international and regional bodies, UNODC (2020, 63) notes the last decade has witnessed the two-fold goal of reducing corruption and promoting gender equality being brought together in a more systematic manner. For example, the Council of Europe's Group of States against Corruption (GRECO) has taken several steps towards gender mainstreaming in its policy responses by reflecting on how a gender perspective could be incorporated into its work, appointing a gender equality rapporteur in 2012 to explore the gender dimensions of corruption, and conducting several data collection initiatives and other activities, including the 2013 Gender Dimensions of Corruption conference. It also requires that the country evaluations of its member states incorporate gender disaggregated data and report on gendered anti-corruption measures (UNODC 2020, 63, 64). Apart from this, GRECO is working towards improving the quality of its data collection. It intends to use a comprehensive questionnaire, including substantial questions with a gender element[8], for its member states to collect the relevant data. Such an exercise would support a better analysis of "the gender dimensions of corruption, identify evidentiary gaps, consider how anti-corruption strategies might incorporate a gender perspective and generally contribute to the

discussion on how best to promote gender equality" within anti-corruption frameworks (UNODC 2020, 64).

In 2018, the G20 addressed gender inequality and corruption links for the first time. Inviting UNODC to share its insights from an expert group meeting on gender and corruption held in Bangkok (2018), the G20 Anti-Corruption Working Group highlighted in its 2019–2021 plan to "discuss how the gender dimension could be included in anti-corruption programming and policies"[9] (UNODC 2020, 65).

CSOs such as Transparency International have made proposals to the Eighth UNCAC CoSP recommending several of the above-mentioned points (including a focus on disaggregated data collection and gender sensitive reporting/whistle-blower protection). Other recommendations include (Transparency International 2019, 3 4):

- Explicit recognition and condemnation of gendered forms of corruption such as sextortion, to enable the extension of its legal definition of corruption to include "sexual favours or benefits as a form of bribery".
- Collaboration of the UNCAC CoSP Secretariat with the Committee on the Elimination of Discrimination against Women (CEDAW) responsible for implementing the Convention on the Elimination of All Forms of Discrimination against Women.

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[7] People experiencing sextortion themselves or know someone who has had the experience.

[8] Since its fifth evaluation round, approximately a third of the questions in the evaluation questionnaire are gender related (UNODC 2020, 64).

[9] The topic gained further traction when B20 and C20 ('B' for business and 'C' for civil society) engagement groups through a

joint statement devised the hashtag #CorruptionToo, which, among other plans, includes a recommendation for member countries and organisations to mainstream gender in anti-corruption programmes. Recognising "sexual favours as a currency of bribes" and calling on G20 member states to make "greater efforts to collect, publish and analyse sex-disaggregated data" was also recommended (Civil 20 2018, 3 and UNODC 2020, 65).

- Establishing a dedicated Expert Working Group involving other UN bodies to formulate gender-inclusive and gender-sensitive anti-corruption policies and regulations. Such policy provisions may apply to develop sector-specific recommendations and adopting gender-sensitive budgeting.
- Promotion of women's participation in public, economic and political life as well as ensuring women's involvement in anti-corruption endeavours by States Parties.
- Asking States Parties to establish new standards of integrity and accountability with a gender-sensitive perspective.
- Update of the UNCAC Review Mechanism by the CoSP to enable a gender equality principle in the fight against corruption. For example, by involving experts on the topic and securing a gender balance in the review mechanism.

A closer synergy between the two agendas of gender inequality and anti-corruption could also be achieved by including organisations working on gender that have hitherto not been part of UNCAC anti-corruption forums. For example, the CEDAW Committee, in its Joint Statement on "Corruption and Human Rights" of 31 May 2021, stated that "corruption in all its forms disproportionately affects women and undermines their empowerment, leadership and agency… By exacerbating pre-existing gender inequalities, corruption impedes, among others, women's access to justice and adequate health services, including sexual and reproductive health services, as well as economic and social benefits. Moreover, due to

multiple and intersectional discrimination and pre-existing inequalities, corruption has a disparate impact on women, children, migrants, persons with disabilities and persons living in poverty, who already have limited access to public goods and services."

In light of this, CEDAW calls on its States Parties to combat corruption as a crucial element in eradicating direct and indirect discrimination[10] against women which has historically thwarted women's access to justice and exposed them to sexual exploitation and trafficking (CEDAW 2021).

Gender experts suggest that a multi-stakeholder approach to a gender-sensitive implementation of UNCAC would involve promoting dialogue among civil society, the private sector, and governmental institutions. In this way, multi-stakeholder approaches provide a platform for understanding the impacts and experiences of policies from a wide audience and play a significant role in gender mainstreaming. This is vital for the holistic implementation of specific articles of the UNCAC, including but not limited to integrity in the public service, access to information, participation of civil society in policymaking and prevention of corruption in the private sector (UNODC 2018, 26). The UNCAC Coalition is known to promote such aforementioned multi-stakeholder approaches and consultations between governments, civil society, and the private sector. This enables a practical understanding of the impacts of corruption in women's daily life (UNODC 2018, 27).

Improving the involvement of women in developing gender-sensitive anti-corruption

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[10] Discrimination against women can be direct – where women are treated unfavourably or subjected to a disadvantage for a reason related to their sex or gender – or indirect – where applying a uniform rule, policy or procedure has a disproportionate impact on women (McDonald et al. 2021, 22).

policies and measures has a significant role to play in mainstreaming gender in UNCAC implementation. For example, Albania put together a roundtable where women's groups offered recommendations on addressing the gendered impact of corruption to the government and national anti-corruption authorities. Some countries in the Pacific region have also welcomed women's groups as a participant in the development of their respective national anti-corruption strategies (UNODC 2018, 26).

Strengthening attention to gender in UNODC's programmes

The UNODC is tasked with supporting states to implement the convention, the UN office runs a comprehensive range of anti-corruption programmes and initiatives, including capacity building of anti-corruption authorities, training for law enforcement officers and prosecutors, and support to develop anti-corruption legislative frameworks, policies, and strategies. Consequently, it is recognised that the inclusion of gender into ongoing as well as new anti-corruption programmes would lead to their greater effectiveness and sustainability (UNODC 2018, 3).

The United Nations Office at Vienna (UNOV)/UNODC Strategy for Gender Equality and the Empowerment of Women (2018-2021) lists the importance of a gender perspective in the support being offered to member states on transnational organised crime, drug-related policies, counterterrorism, and corruption (UNODC 2021c). Currently, the UNODC is working on mainstreaming a gender perspective in its work by taking into consideration the "concerns and experiences" of "women, men, girls and boys" as a key factor in designing, implementing, monitoring,

and evaluating all its institutional processes, programmes, and activities (UNODC 2021b).

With specific reference to implementing UNCAC provisions, UNODC in its recent Brief Note for its staff aims to work towards (United Nations 2020, 9-10):

- A gender-sensitive implementation of UNCAC including through its review mechanism. Such an exercise could be enabled, for example, by forming project objectives linked to anti-corruption that include gender equality as an active element.
- Addressing bribery in cases where "sex/sexual favours/the human body" is the currency of the bribe by forming project objectives that include gender-specific/targeted impacts of corruption.
- Integrating a gender dimension in multi-stakeholder approaches to UNCAC implementation by formulating outcomes that adequately enhance capacities to include gender in anti-corruption measures. This can be done by increasing national capabilities to produce gender-sensitive data and conduct sex-disaggregated statistical and analytical assessments on corruption's prevalence, patterns, and typologies. Strengthening awareness, knowledge, attitudes, behaviour and practices of both men and women to address corruption could be another beneficial project outcome.
- Working towards gender-balanced participation by formulating outcomes that involve CSOs, including women's groups and

LGBTIQ+[11] groups, to actively participate in the Implementation Review Mechanism (IRM) of the UNCAC.

- Designing activities that focus on gender perspectives in anti-corruption programming. For example, conducting trainings on generating corruption diagnostic tools/data that are sex-disaggregated and gender-sensitive; and producing and disseminating knowledge products on how the implementation of the UNCAC could have a differential impact on women and men.

Apart from these measures, the UNODC briefing note also calls for outputs in its anti-corruption programmes to include topics such as gender sensitive reporting mechanisms in the context of whistleblowing/witness protection measures and anti-bribery legislation where "sex/sexual favours/the human body are used as the currency of the bribe" (United Nations 2020, 9).

Adopting specific resolutions on gender and corruption

UNODC's gendered approach has been facilitated by several resolutions:

- Resolution 26/3 of the Commission on Crime Prevention and Criminal Justice Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organised crime: it acknowledges that "gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Sustainable Development Goals

and targets, and that the systematic mainstreaming of a gender perspective into the implementation of the Agenda is crucial)".

- Resolution 59/5 of the Commission on Narcotic Drugs Mainstreaming a gender perspective in drug-related policies and programmes: it calls upon member states[12] to "actively promote the mainstreaming of a gender perspective into the design, implementation, monitoring and evaluation of policies and programmes related to the world drug problem".

Thus, one concrete step towards mainstreaming gender in the UNCAC that can be taken by its states parties is by putting forth resolutions on the topic at the biennial CoSP, thereby mandating UNODC to increase its work in the area of gender and corruption (UNODC 2020, 130). For example, through resolutions 7/8 on corruption in sport and 8/4 on safeguarding sport from corruption, there is already some recognition of the gendered impact of corruption in sports.

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[11] It is an evolving acronym that stands for lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual.

[12] Of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 protocol, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

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