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IMPLEMENTATION OF ANTI-CORRUPTION PLANS IN SOUTH-EASTERN EUROPE (IMPACT)

Gender and Corruption in South East Europe: Making and Impact



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**The views expressed in this report do not
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1 INTRODUCTION

This concept paper is designed to increase understanding and offer suggestions in regards to improving gender sensitiveness in the implementation of anti-corruption reforms in Southeast Europe. PACO Impact project, for which this paper is written, is funded by Swedish International Development Agency and implemented by the Council of Europe over a two-year period 2004-2006. The PACO Impact project has been designed to assist countries in Southeast Europe in creating and implementing anti-corruption strategies and action plans. To help increase gender sensitivity of this project, the paper will address several issues in three parts.

First part will review current literature that identifies the link between higher levels of women in governance and public administration on one hand, and lower levels of corruption on the other, and discuss implications of such findings. The second part of the paper will identify and discuss the link between the high levels of corruption and gender inequality, or to be more precise, how corruption affects women in general and women in Southeast Europe in particular. The third part will discuss and address gender sensitive policy options that might be recommended to the countries when designing anti-corruption strategies and action plans, or might otherwise be employed in the project to facilitate gender awareness.

1.1 LINK BETWEEN GENDER AND CORRUPTION: IS THERE ANY?

Amartya Sen, a winner of the Nobel Prize for his work on development economics, in his book *Development as Freedom* argues for a broader view of development: economic growth alone cannot be sufficient for development. Rather, it is the substantive quality of life which allows fulfillment of human potential that countries should also pursue if they are to develop. Denying social and political rights such as the right to education, employment, health care, and a right to association with other human beings does not bring a truly humane development, even if economic growth does occur. Only those societies, argues Sen, that work to alleviate social injustice and poverty, and to improve the life of all of its citizens regardless of ethnicity, race, or gender, can achieve a true progress.

Much of Sen's thinking and that of his predecessors has nowadays become a fundamental part of development projects and assistance. Main international documents regarding women-oriented development were created at the Fourth World Conference on Women in Beijing in 1995. Today, donors and development agencies advocate and fund education, healthcare, and environmental programs, and support nongovernmental organization and community projects that empower women and other disadvantaged groups within a developing society.

Since the 1990s, development thinking and research have been focusing on the role of institutions and, with it, on the role of good governance in fostering and sustaining human development. After many decades of focusing solely on economic growth as the way to development, the World Bank, international development agencies, academia, and independent research institutions began to explore links between economic growth and institutions, institutions and governance, as well as the links between poverty and governance. Given that poverty disproportionately affects women and other vulnerable groups in the developing countries, such studies also explore the links between gender and poverty, and consequently the links between governance and gender.

This new wave of research produced interesting findings about the links between corruption and gender. The World Bank' study (Dollar, Fishman, and Gatti, 1999)¹ explored these findings and hypotheses of behavioural science on behavioural characteristics across gender: men are more individually oriented (selfish) than women, whereas women are more likely to exhibit helping behaviour; women are more likely to vote based on social issues; women score highly on integrity tests; women also take stronger

¹ David Dollar, Raymond Fishman, and Roberta Gatti: *Are Women Really the "Fairer" Sex?: Corruption and Women in Government*, World Bank, October 1999, www.worldbank.org/gender/prr

stance on ethical issues and behave more generously when faced with economic issues. Such hypotheses and findings imply that women are less likely to sacrifice common good for personal gain. For example, in Russia, so the authors cite, women in the parliament and in the government seem to have enriched the values of the government by restraining, disciplining, and elevating the behaviour of their male colleagues.

Using such findings, the authors hypothesized that increasing participation of women in the government and legislature would significantly and negatively influence the level of perceived corruption. They use three measures of women's participation in public life. First one is a number of women in legislature. They expected that large number of women reduce the level of bribes given to MPs; positively influence legislation by voting for laws that deter corruption; and place issues of wider public concern on government's agenda such as health and social issue. The second measure is a number of women in the government, such as those in ministerial positions and high-level civil servant appointments. In this category, they expected that female heads would reduce level of tolerance for petty corruption within an institution they run. The third measure is a number of women in labour force, which correlates with previous two measures, i.e., the higher the number of women in labour force, the more likely their higher representation in public life. The measures of corruption were based on worldwide corruption indices.²

Their initial econometric results examining the link between the level of participation of women in governance and the level of corruption show a strong, negative, and statistically significant relationship between the two. The authors further explore this relationship by looking into a possibility that other factors might drive the relationship through influencing both a level of corruption and the female representation in the government and legislature. They take into account possible influence of several other factors: a level of social and economic development measured by GDP; civil and political freedoms (freedom of association and the extent to which women participate in labour force); a size of population expecting that the larger the population the more women representatives in the government and the parliament; average years of schooling expecting that higher levels of education negatively influences the level of corruption while positively influences female representation; openness to trade; ethnic fractionalisation whereby a more ethnically fragmented society might experience proportional representation or a more fragmented multi-party system which allows too few seats for women; as well as legal and regional characteristics.

The final result shows that both female participation in governance and the level of corruption are highly correlated with a level of socio-economic development: the more developed is the country, the more women participate in governance and the lower the level of perceived corruption. Although, the final results uphold the original hypothesis of the negative and significant relationship between women's participation in governance and the level of perceived corruption, the authors cautiously point that the existence of an omitted variable that could be a primary driver of this correlation can never be ruled out.

Furthermore, the study does not reveal the underlying mechanisms **causing** such a correlation. To discover such mechanisms, the authors suggest, one would need to look at women's participation and changes in the levels of corruption **within** a country, examining country specific context and a dynamic within that context.

To explain such behaviour amongst women, the authors draw on some criminological theories based on incidents of white-collar crime and propensity to violence as possible interpretations as to **why** women hold preferences that do not favour corruption. For example, women may be brought up to be more honest and risk averse, or even feel that there is a greater probability of them being caught. Also, raising children requires practicing honesty in order to teach children appropriate values. As more vulnerable, women may feel that laws are there to protect them and are, therefore, more willing to follow them.

² The measures of corruption was based on the International Country Risk Guide's corruption index, while Inter – Parliamentary Union's Survey covering 1945-1995 period measured female participation in legislature around the world.

Finally, they may be brought up to have more self-control and are thus more successful in resisting criminal behaviour.

As for the influence of socio – economic development, women's participation in labour force can only go so far to reduce corruption. As per the study results the gender difference in countries where women have been in labour force for some time still remain significant. This means that policies aimed at increasing women's participation in governance may still add value and work to reduce levels of corruption, i.e., strong female labour force does not automatically translate into higher level of participation, but require additional effort to increase women's participation in governance.

Another recent and a very influential study by Swamy, Knack, Lee, and Azfar (2000),³ further explores the link between gender and corruption by examining the following hypotheses: women are less likely to condone corruption; women managers are less likely to be involved in bribery; and countries with larger representation of women in the government or in market have lower levels of corruption.

Their method combines a micro and a macro level econometric examination. First, the authors conducted a cross-country survey which examined gender preferences towards an actual opportunistic or an opportunistic behaviour in hypothetical situations, and found that men are more likely to “defect” (opt for a corrupt act thinking it justified given the presented situation) than women. This worldwide survey shows that gender makes a difference to the level of corruption. In fact, it turns out that only 22 percent of men think that bribery is never justified, while 27 percent of women think that way. These initial results were further explored to check whether other factors and differences between men and women drive this gender discrepancy. The authors thus take into account: age; marital status considering that married men are less often incarcerated, meaning that they are less prone to criminal behaviour; religion, expecting that deeply religious people do not indulge in criminal behaviour; educational level, expecting that more educated are less prone to bribery; and employment status whereby women, often not employed, may be more naïve or idealistic as to how real world works. The final results demonstrate a consistently negative and significant difference between men and women attitudes towards corruption, albeit not a very big difference.

On a micro level, the authors looked into Georgia while using a World Bank's survey of business sector in the country. They looked into different sectors (trade, manufacturing, services, and agriculture) and their size, and took into account several other characteristics: size of firms in a particular sector; scale of firm's operation (local, regional, or national); percentage of firm's output sold domestically expecting that a greater domestic sale of outputs offers more opportunity for bribing; level of education of managers; and nature of the organizations that firm is in contact with such as private and governmental.

The final results show that, all else being equal, gender does influence likelihood that firm indulges in bribery. It turned out that men (those managing companies or being employed in companies that are managed by men) are much more likely to give bribes than women: 4.6 percent of women run companies offer bribe, whereas 12.5 percent men run companies do. The authors point out that maleness explains approximately 13 percentage points in unit change on a scale that measures bribery as being justified.

The authors wonder how to interpret these results. Could it be that women are less likely to bribe because they do not belong to male dominated bribe sharing networks? As a marginalized group, they might not have access to corrupt networks. If this is the case, then women might be less prone to bribe because they have not yet learned how to engage in corruption. Despite the interesting results, the authors cannot explain *why* women are less prone to bribery. They can only guess the reasons why that is the case.

Despite the confirmation of the original hypotheses, the explanatory value of gender is relatively low. It explains only 13 percentage points in unit change on a scale that measures bribery as being justified,

³ Anand Swamy, Stephen Knack, Young Lee, Omar Azfar: *Gender and Corruption*, version August 2000

meaning that the remaining 87 percentage points in change is determined by factors other than gender such as firm size, nature of firm's ownership (private versus state owned), the scope of firm's operations, etc. Some reservations about policy implications of the results concern the fact that corruption is narrowly looked as bribery alone, as well as the fact that conditions in Georgia might be different from any other country in the world, thus severely limiting applicability of a policy that is derived from the study. On the other hand, a cross-country analysis based on a large sample does not fully take into account country-specific data, such as its socio - economic and political context and its dynamics.

The authors of both studies remain puzzled about the actual causes of the relationship between gender and corruption. After all, statistically significant correlation may point to special relationship between the two variables, but does not determine any causality between the two. Only a further in-depth investigation of underlying cause and mechanisms that drive this relationship could offer more concrete policy directions.

One can infer from the studies that, in short and medium term, increased participation of women in governance may work to reduce levels of corruption. If the above speculations are true, then in time women might start to exhibit preferences towards corruption similar to men thus endangering initial positive gains in a long run. It would thus be important to combine empowerment of women in governance with other anti-corruption policies, as only such a combination could provide positive longer-term results. Finally, even if the mechanisms that drive the relationship between gender and corruption remain a mystery, there is an intrinsic value of women's participation in public life and governance from a social justice and human rights point of view and any efforts for empowering women in this respect should thus be encouraged.

1.2 GENDER AND CORRUPTION: WOMEN AT THE RECEIVING END

The manners in which women can be negatively affected by corruption are numerous. In transition and developing countries, which experience high-level corruption, connected to privatisation fraud and tax and customs evasion, social insecurity caused by economic inefficiencies in the private and public sector can take a heavy toll on women. The diminishing public funds can bring up cutbacks that are often concentrated on health and social services, which support domestic and caring roles of women.⁴ If combined with petty corruption such as bribery as a prerequisite for the provision of public services (healthcare and school enrolment), then income available to women to support their family is negatively affected, which in turn may exacerbate their level of poverty. In cases where women head families such an effect may have a disproportionate impact, especially if severe economic decline reduce employment opportunities for women. Of course, an economic crisis affects both men and women. In countries where there is an institutionalised gender bias, however, likelihood to get out of poverty once a person becomes poor is smaller for women than it is for men.

In societies that recently faced a major upheaval such as conflict or an economic crisis or both as is the case in Southeast Europe, women may be victims on many levels. An obvious one is often connected with the fact that they lack access to political and economic power, and sources of funds. Very few women in such countries belong to powerful and vested interest groups that mostly benefit from high level corruption.

Majority of women have little or no voice in privatisation or in huge capital investments in the public works. High level corruption often involves asset stripping in state – owned companies for the purpose of reducing the price of firms set for privatisation thus diminishing an overall value of productive resources in the country. Public works and big capital investments in infrastructure often provide opportunities for procurement fraud. In countries with a high level of corruption where interest groups are politically connected so to influence government policies, such public expenditure may be skewed towards capital investments and big public works at the expense of available resources for other service, namely

4 UNCHS (Habitat): Policy paper on Women and Urban Governance, draft 20 November 2000

education and healthcare which affect traditional female roles.⁵ In addition to this, women are less likely to benefit from big construction works in terms of employment since they traditionally employ men.

In terms of women participation in governance, in order to make an impact on policy women must be in a position to access, interpret, and comment upon government performance, be it on a local or a national level. Transparency and accountability is often lacking and is dependant on public administrations and their willingness to open to public scrutiny. Information on governance (budgets, public tenders, policies, etc.) needs also to be accessible to people who are unable to handle complex documents, to those not used to engaging in public debate, and to working parents or female headed households with limited time and resources. All these factors affect women more than men and determine the extent to which it is viable for them to engage in public sphere. An institutional arrangement favouring corrupt behaviour is by definition secretive, unaccountable, and biased against the disadvantaged groups such as women in transition and developing societies.

Gender equity implies not only representation in governance, but also a fair access to resources. Equity of access to decision-making and the basic necessities of life are fundamental to good governance, and yet there are numerous ways in which income or social status affects people's ability to participate in public life and access its resources. Even when resources are available, public expenditure may be under-allocated in gender terms.⁶ Finally, corrupt justice system often works to deny human rights in general. Nevertheless, in cases of trafficking in human beings, violence against women, and sexual discrimination, judicial corruption can make a severe and negative impact on women in particular.

2 SOUTHEAST EUROPEAN CONTEXT

Southeast European region has its own characteristics in this respect. The unfortunate combination of the recent war on one hand, and economic and political transition on the other, leaves a special mark on both corruption and gender issues in the Balkans. The fall of Yugoslavia and the conflict associated with it resulted in devastation of an industrialized and medium income country and its economic resources and institutions. Tremendous gains in achieving a respectable degree in gender equity since the Second World War in terms of education, employment, health and childcare, and participation in public life, faced significant set backs in the war and the state collapse. Women in the Balkans became victims of war crimes and mass rapes. War traumas brought increase in domestic violence, while economic hardship affecting everyone took a special toll on widows, women refugees, the displaced, and the elderly.

The state collapse caused either by the war in the Former Yugoslav Republics or by financial pyramid schemes in Albania, offered opportunities for serious crime including trafficking in human beings. Women from poor and deprived areas are main targets for trafficking. Not only have the women become poorer, but also their basic human rights to personal security, freedom, education and human development are sometimes denied through sexual enslavement and exploitation with a help of corrupt policemen, corrupt local administrators, and the corrupt judiciary that protects them.⁷ In other words, position of women in the Balkans since the 1990s has deteriorated in more ways than one.

In his study of female headed households in Bosnia and Herzegovina, Kukanesen (2003),⁸ finds that the post war period had in store major set backs for women's advances gained in the precious forty years. From universal access to education and healthcare, high labour participation, and notable presence in public life and governance, women went back to more traditional roles and settings. Their average life

⁵ *Perspectives on the Gender Dimension of Corruption*, Transparency International-Kenya presentation, 2001.

⁶ UNCHS (Habitat): *Policy paper on Women and Urban Governance*, draft 20 November 2000

⁷ UNDP (UNICEF, UNOHCHR, and OSCE): *Trafficking in Human Beings in South Eastern Europe, 2003 Update on Situation and Responses to Trafficking in Human Beings in Albania, BiH, Bulgaria, Croatia, FYR of Macedonia, Moldova, Serbia and Montenegro (including Kosovo), and Romania, 2003*

⁸ Ren Kukanesen, *Female Headed Households in BiH*, United Nations in Bosnia and Herzegovina, May 2003.

expectancy is higher than that of men, which means that a significant percentage (over 50 percent) of aged women are widowed. Kukanesen finds that 78 percent of female-headed households are headed by widows. Another characteristic is that younger women with children who are widowed have not become household heads. The reason for this might have to do with a fact that they emigrated or were absorbed into another male-headed household. With growing poverty and deprivation, school attendance of female children is dropping due to both economic hardships returnee families are experiencing but also due to fear for personal safety.

Such findings illustrate a feminisation of poverty that most severely hits women who are victims of war; especially those that are older and therefore less adaptable to hardship because they cannot work or cannot so easily find a new job in a scarce labour market. Despite their heroic efforts during the war to provide food and care for the family, the aged and pensioned women, widows, refugees and displaced persons suffer from a low self-esteem and feel that they have little to contribute to society at large. Bosnia and Herzegovina now possess a comprehensive legal framework protecting human rights and preventing gender and race discrimination that guaranteeing an equal treatment of men and women. The judicial system, however, has little capacity to implement them.

The recent Poverty Reduction Strategy Paper for Bosnia and Herzegovina is the main document for both the fight against corruption and improvement of women's status.⁹ Ardeni's review of the PRSP for BiH (2003) addresses several issues in this respect.¹⁰ He points out that the strategy making has included some gender issues and has involved women's groups. A systemic inclusion of women's position in the strategy is, nevertheless, still lacking. A gender dimension of its macro-economic framework, for example about how privatisation and stabilization measures affect women and what measure other than micro-credits can be taken to improve economic situation of women, is not fully explored. Such shortcomings indicate that there is still much space for improvement of cooperation and dialogue between the government and NGOs in order to better tackle gender issues and link it to macro-economic framework, democratisation, and governance efforts (participation).

The ongoing efforts, argues Ardeni, and any future policies designed to improve the status of women, should be grounded in statistical data which needs to be collected, analysed, and broken down in gender-specific terms. There, however, seems to be a general problem with collection of statistical data about the country. Bosnia and Herzegovina has yet to conduct a census, the first after the war, which can provide basic indicators about its people and its economy.

In Kosovo, problems that women experience are somewhat similar to those in Bosnia and Herzegovina. In his study of gender reconstruction programs in Southeast Europe, Corrin (2000)¹¹ looks at three major initiatives in Southeast Europe such as UNMIK, Stability Pact, and Sarajevo Declaration, and finds them insufficiently gender sensitive towards encouraging women's participation in public life and governance. Of course, there are numerous other initiatives that target women. UNMIK has been working on improving health care such as maternity care and training for nurses that would improve service for women, as well as offer employment opportunities. UNMIK has also been working on improving education opportunities and girls' access to schools, which still remains limited because of danger to personal security, poverty (scarce resources which requires prioritisation, which often favours boys), unwillingness (by parents or by schools to encourage girls into higher educational attainment), and age (priority of marriage over schooling whereby girls are taken out of school at late teenage years). Finally, the reform of the justice system also tackled judicial bias towards family and domestic violence against women and children.

⁹ Bosnia and Herzegovina: Mid-Term Development Strategy 2004-2007 (PRSP), Council of Ministers of BiH, March 2004

¹⁰ Pier Giorgio Ardeni: A Review of the BiH PRSP Sector and Social Policies, working paper No.6, March 2003, Center for International Development, University of Bologna, Italy

¹¹ Chris Corrin: Gender Audit of Reconstruction Programs in South Eastern Europe, June 2000.

Despite UNMIK's notable legal and institutional reforms, such as the establishment of Office for Gender Affairs within Kosovo local government, Department for Democratic Governance and Civil Society, as well as Equal Opportunity Board set up to work with women and NGOs, very few appointments of women to key governance places have been made prior to the first elections, argues Corrin. Of twenty government departments only two of them were headed by women.

There are numerous women's initiatives and projects supported by the international organizations, such as Kosovo Women Initiative, established with the help of UNHCR and US government. Kosovo NGOs are largely dependent on foreign funding. Some problems they experience concern issues of transparency and funding information that insufficiently specify the criteria and expectations in a bidding process. English as a dominant language in the donor community limits accessibility and favours those women who speak it. Translation of documents into local languages would help remove that bias, while better coordination and cooperation between different donors and agencies working with women would make assistance more effective.

Corrin thus criticises the lack of gender mainstreaming within UNMIK's own structures, which seem to favour passive assistance provision to women rather than active engagement with women organizations as equal partners. There seems to be a lack of awareness about gender issues and balance of available job opportunities both with the local government and with international organizations. Things are slowly improving, but there is still tendency towards a top-down approach that favours urban to rural areas. Studies such as Corrin's indicate that despite progress made in Southeast Europe, much remains to be done in terms of gender mainstreaming in governance participation.

Similar to its neighbouring countries, women in Serbia and Montenegro are unequal in many areas of life. The growing poverty caused by a decade of isolation and very slow economic recovery affects women and children because health and social care have been declining in quality and accessibility. The inequality is also revealed during the selection for political and other public positions, in employment and in labour market, in marital relations and in asset holdings. According to the 2002 study of locally based NGOs,¹² women make 52 percent of electoral body. Still in the governing institutions of the state union between Serbia and Montenegro they were represented by 5.6 percent, in the republics' parliaments women held 11 percent of seats, while in local municipalities in Serbia they held 6.5 percent and in Montenegro 4.8 percent. They held few leading positions in the government and state institutions. Although women educational level are relatively high, constituting a large part of skilled labor, their unemployment rates are on the increase accounting for 43 percent of total number of unemployed in 2002.

Still, Serbia and Montenegro have numerous grass root women's association and NGOs covering a wide area of issues such as anti-war activities, advocating for ethnic tolerance and human rights, providing safe houses for women victims of trafficking and domestic violence, lobbying for anti-trafficking policies, and advocating for anti-corruption policies. Belgrade University has a department for gender studies that attracts young women and produces valuable research in women related subject. According to the latest EU report, lack of human rights and gender equality awareness is still lacking in Serbia and Montenegro.¹³ Still, such a civil society base that covers a wide variety of issues is encouraging for future work in devising gender sensitive policies.

The European Union's recent positive reply to Croatia's application for membership commends Croatia for progress achieved in addressing, amongst others, gender issues. Croatia has passed a Gender Equality Act, has established a Gender Equality Commissions for the Parliament and Government and an Ombudsman Office for Gender Equality, which in combination with other provision concerning human rights offers a comprehensive legal framework for the protection and the affirmation of women's rights.

¹² Status and Gender Equality in Yugoslavia: The Position of Women in FR Yugoslavia, European Forum for Democracy and Solidarity (Democracy Building Foundation for Social Democratic and Socialist Parties in Central, East, and South East Europe, and CIS (http://www.europeanforum.net/gendernw_article/37).

¹³ Serbia and Montenegro: Commission Staff Working Paper: Stabilization and Association Report, 2003

Nevertheless, the implementation of these laws is the most challenging part and the judiciary has already been facing difficulties in meeting the requirements of EU accession.¹⁴

Yet, a number of women hold visible and high political appointments in both the Parliament and in the national and local government. Similar to Serbia and Montenegro, women's organizations and NGOs cover a wide range of issues from providing safe houses for women victims of trafficking and domestic violence, lobbying for anti-trafficking policies, to advocating for anti-corruption policies. Zagreb University also has a department for gender studies that attracts young women and produces valuable research in women related subject. Such a base may provide a fertile ground for further engagement and creation of gender sensitive policies.

In Former Yugoslav Republic of Macedonia gender equality is guaranteed by law, which also requires minimum 30 percent of women representatives in the parliament. International donors support women's association and NGOs in a wide variety of issues, but those efforts need further strengthening such as in the area of violence against women.¹⁵ Unlike Serbia and Croatia, Macedonia does not have an academic program that studies women's issues. The participation of women in governance is not that visible, although women's involvement in anti-corruption policies has made a notable impact in public.

According to the latest EU report (2003),¹⁶ in Albania gender equality is not yet sufficiently enshrined. Although women can access important political, economic, and social position in society this is usually restricted to urban elites, as traditional male-dominated society remains prevalent, especially in rural areas. Lack of knowledge of women's rights, domestic violence, and damage to women through trafficking require further attention.

From the above, it seems that Southeast European countries share some common characteristics and difficulties facing women in terms of poverty due to the war, economic decline and transition, and corruption related to these processes. Almost all the countries in the region have modernised their legislation so to include gender equity and guarantee women's rights to participate in governance. The implementation of those laws, however, remains to be a great challenge. The strength of women's associations and NGOs tackling gender related issues, such as trafficking, varies from country to country, as does their link with government and policy makers. These shortcomings are fundamentally connected, amongst other things, to the fact that gender related data, which is key to good policies, is missing. Statistics about gender, age, labour and governance participation, as well as other basic indicators on society, are not collected at all or are not collected consistently. In such an environment, policy options and implications for specific groups of people cannot be properly understood and, consequently, properly addressed. Gender mainstreaming through administrative and political decision-making may thus be difficult to achieve.

3 ADDRESSING GENDER AND CORRUPTION IN PRACTICE

As defined by the United Nations' Report of the Economic and Social Council for 1997, gender mainstreaming is:

“... the process of assessing the implications fro women and men, of any planned action, legislation, policies or programs, in all areas and at all levels. It is a strategy of making women's as well as men's concerns and experiences an integral dimension of

¹⁴ Communication from the Commission: Opinion on Croatia's Application for Membership of the European Union, April 2004

¹⁵ Former Yugoslav Republic of Macedonia: Stabilization and Association Report, 2003 and The Stabilization and Association Process for South East Europe, Third Annual Report, 2004

¹⁶ Albania: *Stabilization and Association Report*, 2003

the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres, so that women and men benefit equally and inequality is not perpetuated.”¹⁷

Employing gender mainstreaming to devise more successful anti-corruption policies would amongst other things mean examining: the ways in which corruption affects women and men (collecting and analysing data in this respect), the ways in which anti-corruption laws would affect women and men; the way in which difficulties with the implementation of anti-corruption policies affect women and men; and examining policy options given the findings of a gender analysis. Obviously, the key to a successful anti-corruption gender sensitive policy-making lies in the quality of gender – specific information collected and analysed. As noted above, the countries in Southeast Europe experience exactly those difficulties with data collection that would allow them to conduct an in-depth gender analysis, which could then serve as basis for a quality gender sensitive policy-making.

In the absence of such data there is a danger to pursue options that might not be as effective. According to Baden (1999),¹⁸ gender perspectives in mainstream governance discourse often have a limited view in calling for more women in formal political life and strategies to achieve this, without considering the need for transformation of the institutions of power – a much more longer-term and challenging task. This is particularly relevant when examining the links between good governance and the gendered causes and consequences of women’s disadvantaged status in society. Although women’s greater participation in governance may be a good in itself, the increased numbers alone may not be a sufficient condition for the articulation of (disadvantaged) women’s gender interests, or to affect decision – making to make a positive impact.

A good example of such a dynamic is provided by Mayoux (1998)¹⁹ who, while examining challenges of gender accountability among women’s NGOs, focused on participation, effectiveness and impact as aspects of accountability to women’s interests. Mayoux finds that often practical limitations to women’s participation in public and political debate are exacerbated by the limitations on women’s ‘voice’ which relate to actual or perceived male resistance and silencing or the difficulty of articulating women’s interests within the existing framework of public debate. For disadvantaged women, Mayoux finds, disempowerment and isolation is a result of not just of their gender subordination in society, but of combined forms of exclusion that can be linked to social status or ethnicity.

Also, increase in women’s participation does not necessarily translate into effectiveness in articulating their gender interests in public institutional contexts. Where women are present in only small numbers, they may be isolated and find it difficult to promote group interests. Their immediate preoccupations may reflect practical concerns which flow from the existing divisions in labor force or political and economic difficulties, rather than focus on more strategic challenges to underlying power structures that give rise to corruption.

Also, there is a question of internal accountability and transparency within women’s organizations and alliances. There is always a possibility that women in positions of power will be co-opted, or allow their gender interests to be subsumed by class (e.g. urban or rural), or ethnic interests. This effect may be exacerbated by their ‘junior’ positions in political structures whereby women may feel obliged to constituencies other than those they claim to represent on a grass root level. Finally, to assume homogeneity of women and uniformity of their interest would be a mistake as there are real divisions between women. For example, some women benefit from the status quo or may see no interest in raising concerns of women of other ethnicity or class.

Still, democratisation and development will inevitably bring other gender interests concerning environment, children’s rights, and other economic and political issues. Greater participation may thus

¹⁷ Taken from Sally Baden’s *Gender, Governance and the ‘Feminisation of Poverty’*, Institute of Development Studies, Background Paper No. 2, Meeting on Women and Political Participation: 21st Century Challenges, UNDP, 24-26 March 1999, New Delhi, India.

¹⁸ Ibid.

¹⁹ Mayoux, L: *Gender accountability and NGOs: avoiding the black hole*, Miller, C. and Razavi, S (Eds.) *Missionaries and Mandarins: Feminist Engagement with Development Institutions*, ITDG, London, 1998

lead to greater competition over resources amongst NGOs, but also offer opportunities for building strategic alliances between different interest groups, be they male or female based. An obvious example is an already emerging synergy between anti-trafficking NGOs and anti-corruption watchdogs in the Southeast Europe region.

Anti – corruption policies have transparency and accountability as their main priorities which require changes in institutional rules and practices, as well as in actual resource allocations. This is the most difficult part of any anti-corruption effort as it touched the heart of the matter: secrecy and individual responsibility. Certain areas of policy and decision making, especially those concerning finance and allocation of resources, have been particularly resistant to inclusion of feminist agenda. Women, especially when in small numbers, can be easily sidelined into ‘women’s issues’ in the social sectors such as health and education, and may themselves feel more comfortable in such positions rather than taking on a stronghold of political and economic power. Such resistance, if encountered, reduces impact of gender sensitive policies.

Decentralization, currently a great focus in Kosovo and Macedonia, is often claimed to offer opportunities for women’s participation in public life and governance. Decentralization is thought to create more opportunities for women to participate because logistical and other barriers to their participation are fewer and may lead to greater responsiveness of locally provided services to the needs of women as major users of these services. It is, however, not the case that women necessarily achieve greater representation at local compared to national level. If that is to happen, decentralization would have to be used as a vehicle for promoting women’s representation with a requirement to reserve a certain number of seats for women. Such policies may be legally required in many countries of Southeast Europe, but the challenge is always in their consistent implementation.²⁰ Still there are no guarantees as competition for resources at the local level can be as fierce and as corrupt and dominated by local patron-client or ethnically – dominated networks on the national level, and can serve to exclude women rather than to encourage them into the political process.²¹

As discussed, many are challenges to increased women’s participation in governance and public life. Their engagement in anti-corruption politics and likelihood to make an impact on corruption, even with increased participation, may be even more challenging given the importance of the issues for gender interests and the level of resistance to anti – corruption changes. One group of people would have a lot to gain, while a small group of people, which accrues benefits from corruption, would have a lot to lose. The rate of success depends on who is more powerful. Taking into account contextual specificities of Southeast Europe, one needs to carefully think about what policies to employ so to achieve a greater gender sensitive impact during the creation and the implementation of anti-corruption plans in the region. A useful guidance in this respect is offered in the UNDP’s handbook on gender mainstreaming in practice.²² The handbook presents a useful way to think about achieving impact in making policies more gender sensitive. They identify ten steps in gender mainstreaming:

STEPS	EXPLANATION
<u>Identify stakeholders and decision – makers in a policy area?</u>	The purpose of this would be to assess the extent of gender balance in decision-making bodies and among stakeholder (parliaments, governments, anti-corruption bodies, NGOs, academics (in gender departments, etc.)
<u>What is the agenda?</u>	In this case, it is an anti-corruption agenda.

²⁰ Sally Baden’s *Gender, Governance and the ‘Feminisation of Poverty’*, Institute of Development Studies, Background Paper No. 2, Meeting on Women and Political Participation: 21st Century Challenges, UNDP, 24-26 March 1999, New Delhi, India.

²¹ UNCHS(Habitat): *Policy Paper on Women and Urban Governance*, draft November 2000.

²² Astrida Neimanis: *Gender Mainstreaming in Practice: a Handbook*, UNDP 2001

<p><u>What is the goal?</u></p>	<p>In identifying this goal, if one is to make a gender impact one needs to discern between the needs of men and women, i.e., do anti-corruption policies and projects designed to help implement them benefit men and women equally?</p>
<p><u>What information do we have?</u></p>	<p>Given the objective (to reduce corruption and to make anti-corruption policies more gender sensitive), the purpose would be to identify: agencies and bodies involved (see question 1); responsibilities and activities of these bodies; legislative basis (those concerning corruption as well as gender). A table that identifies the issues; gender sensitive policies; actors and carries of action; and monitoring and evaluating indicators would be a helpful tool in this respect. Consultative process with all the relevant actors in this respect would be another.</p>
<p><u>Refining the issues: research and analysis?</u></p>	<p>As discussed in the text, this is key to designing quality policies able to make an impact. As noted above, all the countries in the region lack gender specific data and rarely, if ever, undertake in-depth gender analyses. Such analyses require a sophisticated level of expertise and deep knowledge of the context.</p>
<p><u>Formulating project interventions from gender perspective</u></p>	<p>Such formulation would be based on the information collected though steps 1 to 5, the last one being the most challenging given the constraints.</p>
<p><u>Arguing that gender matters</u></p>	<p>This is a very important part that has a great potential to build support and alliances for policy reform. Thus, advocated of gender sensitive anti-corruption reforms would address issues of social and criminal justice; human rights and equity; credibility and accountability; implications for efficiency and sustainability (macro-level); implications for quality of life (micro – level); alliances with other stakeholder in society and abroad with regards to EU integration and its political momentum and thus help frame reforms as a win-win situation; and chain reaction that would lead to other positive reforms, which, when combined, may constitute a critical mass for substantive democratisation and rule of law.</p>
<p><u>Monitoring: keeping a gender –sensitive eye on things</u></p>	<p>Once a gender sensitive policy is created, monitoring of its implementation must follow.</p>
<p><u>Evaluation: how did we do?</u></p>	<p>This is a very important part of the exercise as it</p>

<p><u>En-gendering communication</u></p>	<p>involves the actual application of accountability and transparency in view of stated goals. It combined with step 8 may help build support for continued improvements. In case evaluation is not positive, it still offers lessons from which to learn how to be more effective.</p> <p>This step concerns developing communication strategy that would take account of different gender preferences towards the communication media and manner of communication, including the language used.</p>
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Although a useful tool for thinking through gender mainstreaming, i.e., making and implementing a strategy that would increase gender awareness and sensitivity in public policy as a whole, the ten-steps method has not been designed for anti-corruption policies in particular. Because it is such comprehensive method, its applicability is somewhat limited and beyond a scope of PACO Impact project. Nevertheless, it offers useful pointers as to how to introduce gender dimension to the design of and the implementation of anti-corruption strategies and action plans in Southeast Europe. For example, steps 1-4 have been largely addressed and require only a slight refinement in terms of inclusion of women’s NGOs into a consultative process, especially those that deal with trafficking of human beings and other corruption related subjects.

The implementation of the step five, although a key to designing successful context-based policies, is severely limited due to several reasons. The context-based capacity for in-depth gender analysis is limited as discussed above. Also, such an analysis for each of the seven project areas may be beyond the scope of PACO Impact project. Nevertheless, PACO Impact project could consider including gender experts in its capacity building activities. Step six has to some extent been addressed thought writings of this concept paper. Steps 7 – 10 can be incorporated into the PACO Impact activities, while countries can be encouraged to incorporate them into their anti-corruption strategies and plans. Based on this, the following recommendations are presented:

- Facilitate involvement of women’s groups, especially those tackling trafficking and other corruption related issues, into anti-corruption strategy and action-plan making consultative process. Consider supporting their participation in the appropriate PACO Impact in-country and regional activities, such as those aiming at law-makers (members of parliament and civil servants involved in law drafting).
- Foster and support regional cooperation amongst anti-corruption NGOs and watchdogs and women associations so to help strengthen an emerging regional network
- Involve gender specialists and experts in regional and in-country activities, as appropriate, such as those targeting lawmakers, parliamentarians, and anti –corruption agencies and NGOs to educate and raise awareness on the link between gender and corruption.
- Provide gender expertise in workshops on drafting anti-corruption strategies and action-plans so to help achieve gender mainstreaming in anti-corruption policies.
- Consider other options for assistance based on consultations with regional women’s groups and anti-corruption activists in regards to gender research and analysis (i.e., identifying the availability of gender sensitive laws, the implementation challenges, and stakeholders and actors in this respect)

- In pilot projects, especially those that address decentralization and local governance, consider providing gender expertise aiming at capacity building of women representatives in local governance (e.g., accountability systems and budgetary analysis skills at local government level)
- Consider drawing on positive experiences of other transition countries in gender mainstreaming.

4 CONCLUSION

Challenges to gender mainstreaming of anti – corruption policies are many. Donors thus have to be highly sensitive to the potentially counterproductive results of interventions in this area. Promoting women in political life (at national or local level) will not in itself be sufficient to reduce corruption.

Complex interaction of socio – economic, political and institutional factors also contribute to corruption, much of which is beyond the scope of this project. The expectations as to the impact that can be made must be realistic. This is especially important given the limitations to acquiring an in-depth context-based gender analysis that could provide basis for custom designed gender sensitive policies in each project area.

Building links and dialogue between women inside and outside political structures to build accountability, particularly in periods of legislative change, would thus be a useful contribution. Support to developing technical and political skills of women representatives to intervene in legislative processes, irrespective of their number, would be another.

The language and mechanisms employed in pursuing gender and anti-corruption goals will also be very important, since an appearance of top-down and culturally insensitive approach could be counterproductive. An important dimension that can be used to strengthen alliances to support anti-corruption reforms is the countries' political commitment to EU integration and its current political momentum. It would thus be useful to view and present gender mainstreaming in regards to anti-corruption efforts as an important contribution to a long term and comprehensive approach to improving institutional, judicial, and political capacities in each country.

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