

# REGIONAL THEMATIC REPORT: Inclusion of Gender Approach in the Fight Against Corruption











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### **Summary**

The analysis of the relationship between gender and corruption must comprise the various dynamics that cross-cut women and LGBTIQA+ communities in the countries of the Citizen Corruption Observatory (CCO). This includes both the exercise of caregiving that many women carry out, as well as their levels of participation and representation in political, economic, social, and cultural spaces, reviewing the active and passive roles they play in these dynamics, and determining the impacts caused by petty and grand corruption.

The Lima Agreement assumes the challenge of mainstreaming a gender approach in transparency and anti-corruption policies. The aim is for states to strengthen the leadership and empowerment of women in order to advance gender equity and equality. Specifically, Commitment No. 7 was assessed by various Civil Society Organizations (CSOs) from 19 countries in the region participating in the CCO, with the purpose of determining how far the inclusion of the gender approach in anti-corruption policies has progressed based on the analysis of policy and practical indicators that allow for an indepth examination of progress and challenges. Although the commitment addresses the gender concept associated with a binary identification, it is necessary to further advance in a broader analysis that addresses sexual diversity, intersectionality, and the differentiated impacts of corruption. The first part of this document presents the aspects that involve gender approach in the fight against corruption. It addresses the main elements that arise from theoretical discussions, case studies, and actions that have been promoted in this area. This allows providing the context in which Commitment No. 7 should be addressed in the countries participating in the CCO.

Subsequently, the results of the assessments made by the participating CCO organizations are presented, identifying general aspects, progress, and challenges in the region. The third section compiles some good practices that have been implemented to include the gender approach in anticorruption policies in different regions of the world, some of which have been compiled through reports from international bodies, and recognize actions by both governments and civil society. Finally, Commitment No. 7 is analyzed in relation to other international conventions and agreements.









#### Introduction

Through the Citizen Forum of the Americas (CFA), efforts have been made to strengthen spaces for Civil Society (CS) to meet and discuss the social, political and economic realities that affect the region, in order to create coordinated agendas to strengthen democracies, guarantee human dignity, and improve the quality of life in the continent (Citizen Forum of the Americas, 2021).

Within the framework of this initiative, the project "Citizen Corruption Observatory (CCO) - Follow-up on the Lima Agreement" was created to strengthen the CFA by co-creating, together with the Latin American and Caribbean Network for Democracy (REDLAD) and the Chapters of Transparency International in the region, an observatory to provide technical support for the implementation of the Civil Society Participation in the Summit of the Americas (PASCA) project.

The CCO is made up of a coalition of civil society organizations and social actors from 19 countries in the Americas, who have jointly followed up on compliance with the agreements adopted by the governments of the region at the VIII Summit of the Americas held in 2018 in Lima, Peru.

As a result of this summit, the countries signed the Lima Agreement, "Democratic Governance against Corruption", which includes 57 commitments regarding the adoption and progress of measures to fight corruption in the region. These commitments, whose definition was actively shaped by the CFA, recognize that preventing and combating corruption are fundamental to strengthening democracy in the region, and that corruption has a negative impact on institutions, citizen confidence, and the effective enjoyment of human rights. In this sense, several of the actions included in the Lima Agreement reaffirm the agreements made by the governments of the region within the framework of other international anti-corruption treaties such as the United Nations Convention against Corruption (UNCAC) and the Inter-American Convention against Corruption (IACAC).

To monitor the progress made by civil society in complying with these commitments between November 2020 and June 2021, more than 150 social organizations participating in the CCO (several of which are also part of the CFA)<sup>1</sup> applied a participatory methodology that allowed, on one hand, the selection of specific commitments for monitoring and, on the other, the deployment of a process to analyze and validate the progress made in policy and practical terms.

As a result, in a participatory and concerted manner, 19 commitments were selected based on four analysis criteria: sustainability, inclusion of new approaches, vulnerable groups, and representativeness.

The methodology for monitoring and analyzing the progress of the prioritized commitments consisted of an inquiry into the regulatory frameworks in force in each of the 19 CCO countries and their comparison with practical implementation. In addition, this analysis was complemented with an assessment of the progress of each commitment in terms of sustainability, effectiveness, and relevance.

<sup>&</sup>lt;sup>1</sup> To learn more about the organizations participating in the CFA, please click on the following link: https://forociudadanoamericas.org/foro-ciudadano-de-las-americas/









Table 1. Description of indicators and sources consulted

	POLICY INDICATORS	PRACTICE INDICATORS
Description	Policy indicators show the legislation in force that regulates the issues covered by the commitments of the Lima summit.	Practice indicators are concrete actions or measures taken by each government in response to the anti-corruption commitments assumed or confirmed during the VIII summit in Lima.
Sources consulted	For these indicators, the standards, relevant jurisprudence and constitution of each country were reviewed through 74 questions that inquired about progress on each prioritized commitment.	The analysis from the practical application is based on verification sources such as: interviews, reports of compliance with anti-corruption commitments, information requests, and media reports, among others.  A total of 64 questions were developed to inquire about progress at the level of prioritized commitments.

Source: CCO, Lima Agreement Follow-up Methodology (2021)

Based on this analysis, a report was prepared in each country that includes the results of the follow-up to the Lima Agreement. Two regional reports were also prepared, one on the balance of the regulatory framework in Latin America to address corruption and the other on the general results of the follow-up to the Lima Agreement<sup>2</sup>.

To complement this process, five specific topics were defined for more detailed analysis through a consultation exercise with CFA organizations, based on the results of the follow-up to the Lima Agreement conducted by the CCO:

- 1. Access to public information in pandemic context
- 2. Public procurement in pandemic context
- 3. International legal cooperation in investigations and proceedings related to crimes involving corruption, money laundering, bribery, and international corruption
- 4. Gender approach in fight against corruption
- 5. Fight against corruption with a focus on human rights and inclusion of vulnerable groups

<sup>&</sup>lt;sup>2</sup> Both country and regional reports are available on the CCO website. See: https://occ-america.com/#









These issues seek to contribute to the challenges and needs for transformation and progress in the region highlighted by the CFA, in terms of "gender, non-discrimination, respect for the territories and culture of indigenous peoples, and the real and effective commitment that states must have to address difficulties such as the pandemic generated by COVID-19 and the climate crisis" (Citizen Forum of the Americas, 2021).

This report focuses in particular on the analysis of progress and compliance with the inclusion of the gender approach in the fight against corruption, based on the assessment, made in the 19 countries, of Commitment No. 7 "Promoting gender equity and equality and women's empowerment as a crosscutting goal of our anti-corruption policies, through a task force on women's leadership and empowerment that will actively promote cooperation among inter-American institutions and synergies with other international agencies", based on the applicable best international practices. The gender approach of this commitment is approached from a binary perspective; however, for this analysis, the approach will be enhanced to include other types of approaches.

The analysis is complemented with the reports prepared by the CCO in each participating country, with the two regional reports on the policy balance and general trends in the region<sup>3</sup> and the analyses made on intersectionality by the Latin American and Caribbean Network for Democracy (REDLAD), international organizations such as the Organization of American States (OAS), Transparency International, Open Government Partnership (OGP), the Economic Commission for Latin America and the Caribbean (ECLAC), and agencies of the United Nations System such as UN Women, UNIFEM, and UNDP. These bodies and platforms have sought to address the relationship between gender equity and equality policies and the fight against corruption. These inputs make it possible to identify good practices, elements of analysis and debate on intersectionality and the challenges for public and private actors (national and international) seeking to eliminate conditions of inequality and the risks of corruption.

## 1. Elements for Analysis of Gender Approach in the Fight Against Corruption

Gender equity and equality and their relationship with the anti-corruption agenda is within the framework of theoretical debates, studies on the differentiated impact on women and LGBTIQA+ communities, and actions undertaken to guarantee the inclusion of the gender approach in the fight against corruption. These aspects need to be strengthened under an intersectional view of the problem based on "the premise that people are ascribed to certain categories of social differentiation that define a particular position and role within society" (REDLAD, 2021, p. 5).

In a first instance, the theoretical debate on the relationship between gender and corruption has focused on positions marked by the sex-gender system, concentrating on existing asymmetries, power relations, and gender roles assigned by binary determinations of biological sex. These debates revolve particularly between positions of active participation in acts of corruption and the chain of adverse

<sup>&</sup>lt;sup>3</sup> Country and thematic reports are available on the CCO website: https://occ-america.com/









consequences that derive from an act of corruption, identifying women as one of the main victims of the phenomenon.

In their paper "Gender and Corruption", Alatas et al. (2006) examine the differences in the way men and women act and behave in the face of corruption, and investigate whether there is a greater propensity to take part in an act of corruption based on gender, a hypothesis that remains difficult to ascertain. Furthermore, other studies present the hypothesis that women have a higher ethical standard from a naturalistic view of incorruptibility- than men, since they have a greater interest in preserving and safeguarding the common good in society (Rivas, 2008). In both cases, the studies are not conclusive and focus on reviewing the risks of becoming involved in corruption dynamics or acts given the existing incentives, the behavior of men and women in the face of the phenomenon, the attitude of the individual, the quality of democracy, and other factors of the social and economic context (UNDP, 2014).

In this regard, what is clear is that in order to determine the association between gender and corruption, it is necessary to identify how and to what extent corruption has a special impact on the lives of women and the LGBTIQA+ community, based on the differential and intersectional approaches. In a second instance, there are elements identified through case studies and data collection tools that make it possible to identify differential impacts on women due to acts of corruption in different sectors.

On this matter, the Global Corruption Barometer - Latin America and the Caribbean (2019) points out that women are more vulnerable to pay bribes to access health services and, those with fewer resources, to pay bribes for legal services (Transparency International and UN Women, 2019).

In other words, "petty" corruption affects poor women more, who are also sometimes asked to pay bribes in the form of sexual favors (UNDP and UNIFEM, 2010). It is estimated that one in five people faces situations of sexual extortion when accessing a government service or know someone who has had such an experience (Transparency International and UN Women, 2019).

Moreover, only one in ten women who paid a bribe reported it to the authorities, as people generally think that complaints made by men are more likely to be followed up than those filed by women (Transparency International and UN Women, 2019). The lack of guarantees and investigation in cases of harassment in the workplace or due to pressure for the payment of bribes in licensing and authorizations by public institutions has gained recent interest on the international agenda (UNDP and UNIFEM, 2010). For example, this topic was included in the Business 20 Forum (B20), which from the 'Women in Business' Action Council addresses diversity, gender equity and equality within the business sector (B20, 2021).

On the other hand, there is research on how corruption facilitates criminal activities such as human trafficking, the creation of clientelistic networks, the persecution of women leaders, kidnapping,









gender-based violence, and assassinations have a differentiated impact on women and limit their participation in politics (UNDP and UNIFEM, 2010).

Acts of corruption are also evident in the provision of services such as health and education (UNDP and UNIFEM, 2010). Studies such as the one conducted by UNODC (2020) have shown that the payment of bribes in these two sectors further worsens vulnerabilities in times of crisis. In the context of the pandemic, it should also be considered that 73.2% of the human talent in health are women, in a context where salary discrimination persists, since women's income in the health sector is 23.7% lower than men's (ECLAC, 2021).

In the same vein, the "Rapid Gender Analysis" report identified that the particular impacts on women's lives due to the health emergency included, among others, the deterioration in their participation in economic activities and in public spaces, such as community and political activities (UN WOMEN and CARE, 2020). In fact, it is estimated that the unemployment rate for women reached 12% in 2020 and there was an outflow of women from the workforce in many cases to meet the demands of care in their homes (ECLAC, 2021).

Women have had less access to power and representation than men, which is why it has been sought to address this discrimination through affirmative actions, such as gender parity and political participation policies. To the extent that democracies in the region achieve equality and parity in access to power, women's citizenship is reaffirmed, recognizing them as subjects of rights and autonomous in their decisions (OAS, 2013).

Although Latin America and the Caribbean have worked on the inclusion of new agendas, inequalities, exclusion mechanisms and gender gaps persist. The OAS report "Women's Citizenship in the Democracies of the Americas" (2013) questions a distribution of power that favors and perpetuates these inequalities. Currently, dissatisfaction in the region, lack of interest in politics among citizens, and distrust in institutions are considered by various international organizations as threats to democracy (Corporación Latinobarómetro, 2021).

It is necessary to mention that women face a very adverse context in the region, given the continuous reduction of the space to promote human rights, freedom of expression, and democratic participation, along with the increasing difficulty to access essential goods and services for their children and themselves (Transparencia por Colombia, 2021). The negative impact suffered by women associated with acts of corruption generates a dead-end circle, taking into account the lower access to public information and information about their rights, the greater fear and restrictions when reporting acts of corruption, and a greater sense and perception of impunity in relation to the acts they report.

In turn, the actions promoted to prevent and address corruption with a gender approach have a particular emphasis on the management of information for the collection and generation of data broken down by sex. However, at present, these discussions go much further; therefore, it is necessary to include differential criteria that make it possible to identify how people recognize themselves in









society. In addition to the generation of disaggregated data, it is necessary to deepen this analysis based on the identification of how historical barriers, stereotypes, and roles assigned in a certain way have contributed to the exclusion and violation of these population groups.

Thus, as long as it is not possible to achieve more strategic progress for the real inclusion of women and the gender perspective in democracy, as well as in the investigation, detection and penalization of the forms and acts of corruption that most affect women in society, it will be impossible to generate greater trust in the institutions framed in the current democratic systems.

### 2. Inclusion of Gender Approach in the Fight against Corruption in the Face of other International Commitments

International and regional agreements on gender equity and equality address the elimination of discrimination against women, the overcoming of barriers, and the guarantee of human rights. For example, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in its Article 7, "Political and public life", establishes that governments shall take measures to ensure the participation of women in political and public life, in particular in public elections, in processes involving the formulation and implementation of government policies, as well as in access to positions related to the country's public and political life (UNFPA, 2017). The importance of implementing affirmative actions that balance the differences in power is highlighted.

Along the same lines, the Convention on the Political Rights of Women (1952) and the Vienna Declaration (1993) establish commitments to guarantee political participation. Similarly, the Beijing Declaration and Platform for Action (1995) seek political and citizen participation, as well as access to information on health, sexual and reproductive rights, and gender-based violence.

After the X Regional Conference on Women in Latin America and the Caribbean, the Quito Consensus (2007) was signed in Ecuador, in which previous commitments from other international agreements were ratified and progress was made on the need to establish gender parity as a goal (UN Women, 2017).

On the other hand, there are the commitments assumed in the 2030 Agenda. The fight against corruption is part of the Sustainable Development Goals as it is considered an obstacle to development, and gender equality is understood as a fundamental factor in guaranteeing women's rights and sustainable development. If corruption affects the processes of empowerment, gender equity and equality, then "corruption affects democratic governance, social development, and economic growth, among other goals that require the empowerment of women and girls and gender equity for their achievement" (Solano López, 2019, p. 17).









In this regard, measures to promote the participation and representation of women in politics seek to compensate and reverse situations of inequality, seeking a way to include women in representative and strategic decision-making spaces. However, the construction of democracies that host substantial parity presents obstacles for the countries in the region, especially because the policy advances and affirmative measures that have been developed still face difficulties in terms of their implementation, as recognized by UNDP (2019):

Even where quotas exist, informal norms can clash with formal legal structures, leading to situations where quotas are not enforced or are strategically sidestepped. For example, in our region, we saw this in the case of the "Juanitas" and, more recently, the "Manuelitas" in Mexico, where women ran for public office in compliance with gender quotas, but then resigned their office and hand it over to a man.

Moreover, although various organizations have conducted studies to investigate the relationship between corruption and gender, it can be seen that these approaches are mostly oriented towards issues of violence and political participation by women, leaving out the relationship between the differentiated impacts of corruption on women and the LGBTIQA+ community and the limited inclusion of these populations in anti-corruption actions (UNDP and UNIFEM, 2010).

Therefore, it is important to address the gender approach in the international anti-corruption agenda with specific commitments in international agreements or conventions. Similarly, it is necessary that international agreements on gender equity and equality recognize corruption as a cause of structural inequality.

## 3. Compliance with Inclusion of Gender Approach in the Fight against Corruption

Commitment No. 7 of the Lima summit seeks to identify progress in actions to promote gender equity and equality in anti-corruption policies. To assess progress in this commitment, three policy indicators and three practice indicators were used, which are shown in the following graph:









**Graph 1. Policy and Practice Indicators under Commitment No. 7** 

**Policy Indicators** 

Is there a group, agency, or entity in charge of promoting women's leadership and empowerment in public anti-corruption policies?

Are there provisions that lead to the promotion of gender equity and equality in anti-corruption policies?

During the last two years, have there been any policy developments for the promotion of gender equity and equality in anti-corruption policies? Practice Indicators

Are the leading positions of the working group on women's leadership and empowerment held by women?

In the last two years, has the working group on women's leadership and empowerment promoted actions at the national and international level to promote gender equity and equality in anti-corruption policies?

Do you consider that there has been significant progress in the last two years towards the compliance with this mandate?

Source: Own preparation based on CCO methodology (2021)

In general terms, when analyzing the actions developed by the countries of the region to promote measures to fight corruption with a gender approach, the results of the CCO show low development of norms, jurisprudence, and public policies in this area. This is reflected in the **low average achieved** in Commitment No. 7 according to the assessment made by the organizations that make up the CCO: 0.77/3.00<sup>4</sup>.

In the development of policy frameworks, institutions and concrete actions, public policies in the region have not focused on the fact that equality in the active participation of women and LGBTIQA+ groups in the design of public policies are central debts for Latin American and Caribbean democracies, and much more in the horizon of building comprehensive institutions that enable all people to fully exercise their rights.

Graph No. 2 presents the percentage of affirmative responses obtained for the policy indicators proposed for CCO follow-up. In general, it can be seen that only 30% of the countries have provisions for the promotion of gender equity and equality in anti-corruption policies.

<sup>&</sup>lt;sup>4</sup> As presented in the Regional Report 2021, the thematic axis Strengthening Democratic Governance had the lowest assessment values among the five axes reviewed by the CCO organizations (Citizen Corruption Observatory, 2021). This is due to the fact that no commitment of the axis reached an assessment value higher than the mean scale score (2.00/3.00) and, in particular, two commitments obtained assessment values between 0.0 and 1.0, one of them being Commitment No. 7.



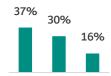






#### Graph No 2. Positive Assessments in Policy Indicators Commitment No. 7

## Progress in Policy Indicators Commitment 7 Gender Equity and Equality and Anti-corruption Policies



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Source: Own preparation based on CCO data (2021)

Specifically, with respect to the indicator on provisions leading to the promotion of gender equity and equality, although six of the 19 countries responded positively (Argentina, Bolivia, Costa Rica, Mexico, Nicaragua, and Panama), it was found that the regulations referenced do not necessarily have a component linking them to anti-corruption measures.

Good practices regarding anti-corruption policy developments that include a gender approach stand out, as is the case of Mexico, whose General Law of the Anti-Corruption System establishes that the Citizen Participation Committee shall ensure that gender equity prevails. Also, Argentina has a National Integrity Strategy that explicitly includes a gender and human rights approach, which has provided the basis for discussing the reform of the Public Ethics Law that includes such perspectives in the design of all integrity policies (Anti-Corruption Office, 2021).

Along with the above, it becomes evident that one of the expected results of the Lima Agreement has not materialized. In general, the governments of the region have not complied with the creation of a working group on women's leadership and empowerment among Inter-American institutions and other international agencies to promote gender equity and equality in anti-corruption policies. Likewise, in seven of the 19 CCO countries there was zero progress - 0% - related to the existence of provisions, entities or areas in charge of promoting gender equity and equality in anti-corruption policies.

On the other hand, in the practice indicators, only Costa Rica and Argentina have response percentages above 60%. In 12 of the countries participating in the CCO<sup>5</sup>, there is no evidence of progress during the last two years regarding compliance with Commitment No. 7, and the

<sup>&</sup>lt;sup>5</sup> The 12 countries are Bolivia, Brazil, Chile, Ecuador, El Salvador, Guatemala, Haiti, Honduras, and Nicaragua.







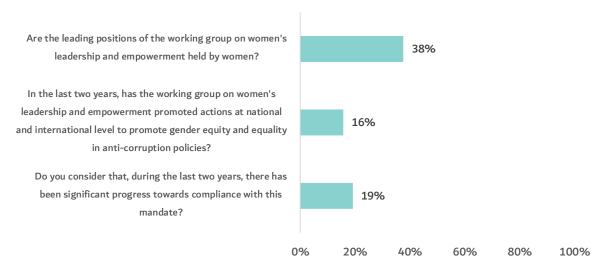


developments recorded are related to the issuance of policies to promote gender parity and specific actions within the framework of the Open Government Plans.

The average in the 19 CCO countries for practice indicators in the three cases was less than 40%, as shown in Graph No. 3:

Graph No. 3. Positive Assessments in Practice Indicators of Commitment No. 7

#### Positive Assessments in Practice Indicators of Commitment No. 7



Source: Own preparation based on CCO data (2021)

The results obtained in the observatory make it clear that the countries of the region need to address anti-corruption policies from a cross-cutting approach. Undoubtedly, the definition of anti-corruption actions and policies with a gender approach is still incipient. Countries such as Brazil, Chile, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Paraguay, Uruguay, and Venezuela obtain positive responses below 10% in the practice indicators. Specifically, with respect to actions to promote women's leadership and empowerment in management positions, only 38% of responses to the indicator are positive.

On the other hand, the CCO organizations identified progress in 13 countries<sup>6</sup> in defining policies or standards that promote gender parity. An example of this is that, in the region, women hold more than 30% of parliamentary seats. Bolivia (53%) and Mexico (48%) stand out as they have the highest percentages (IPU and UN Women, 2020).

<sup>&</sup>lt;sup>6</sup> The thirteen countries are Argentina, Bolivia, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Mexico, Nicaragua, Panama, Peru, and Venezuela.









According to data from the Gender Equality Observatory for Latin America and the Caribbean, 18 countries<sup>7</sup> have policies associated with or related to quota laws and/or parity participation of women in the branches of state power of the states (see Annex 1). In practice, compliance with the law on quotas and parity participation may present some obstacles and challenges. Some of the points emphasized in the CCO's national reports are noteworthy:

- In El Salvador, 96% of assessments are negative. Although the Salvadoran Institute for the Development of Women (ISDEMU) exists, it has not promoted any actions to empower women in anti-corruption policies, despite the fact that the Institute for Access to Public Information (IAIP, by its Spanish initials) created a Network of Women for Transparency and Access to Public Information. In general, it is deemed that there are setbacks and insufficient actions for the articulation of these public entities.
- UNDP in Chile found that the presence of women in positions of power in the country increased from 10% to 20% between 1995 and 2018. However, "in none of the major areas studied economic, political, symbolic, social do women exceed 27%" (UNDP, 2020, p. 78) and men are still the majority in positions of power in the country.
- For UN Women (2017), although Latin America has made progress in the adoption of
  policies, it is necessary to eradicate structural factors that generate discrimination due to
  sexist stereotypes and chauvinist biases, in the political, public and private spheres. Gender
  parity policies must be accompanied by a comprehensive strategy involving all territorial
  levels and branches of government, as well as a cultural change to prevent these spaces from
  being instrumentalized (UN Women, 2017).

Regarding the promotion of gender equity and equality in anti-corruption policies, only five CCO countries have identified actions in this area (Argentina, Colombia, Costa Rica, Mexico, and Peru), most of which were created as part of the actions carried out by governments participating in the Open Government Partnership (OGP).

Although there are actions in the countries, they are disjointed and isolated, and do not respond to a comprehensive policy that promotes gender equity and equality from a cross-cutting perspective in the fight against corruption. Nonetheless, it is worth noting that there is a regional working group that has been generating a transparency and gender model as part of the actions carried out within the framework of the Transparency and Access to Information Network (RTA, by its Spanish initials), in which 37 authorities or oversight bodies from 17 Latin American countries participate and which are part of the CCO<sup>8</sup>.

<sup>&</sup>lt;sup>8</sup> Members of the Transparency and Access to Information Network (RTA) can be viewed at: https://redrta.org/miembros/







<sup>&</sup>lt;sup>7</sup> For further information, go to: https://oig.cepal.org/es/leyes/leyes-de-cuotas



## **4.** Good Practices and Progress in Inclusion of Gender Approach in the Fight against Corruption

In the current context and taking into account the impacts of the pandemic, it becomes even more evident that it is essential to respond to the needs of the most vulnerable groups and to undertake actions to strengthen democracy in the region, including the intersectionality approach as a key element of discussion.

A boost to the inclusion of this approach has been the implementation of Open Government Plans. Some of the OGP member countries have adopted commitments to address gender and corruption issues. According to Transparency International (2020), 36 OGP member countries have developed 89 "gender pledges", of which 24 are directly related to women and corruption.

Other advances identified by CCO organizations in the review of Commitment No. 7, and some good practices recognized by international organizations in other regions of the world are presented below. The developments are aimed at strengthening the gender approach in transparency and anti-corruption policies, regulations and the generation of knowledge and information.

#### 4.1 Policies and Guidelines

As the report "Recommendations on Women against Corruption for OGP Action Plans" points out, policies that address the impacts of corruption on women should emphasize the inclusion of women in policy formulation and service provision. It also requires targeted transparency and accountability tools that recognize the forms of corruption and discrimination experienced by women (Transparency International, 2020).

From the follow-up, the case of Mexico stands out, where in addition to the National Anti-Corruption Policy, which includes two commitments to address this approach (National Anti-Corruption System, 2020), they issued a model for integrating the gender approach in the systems of the right of access to information (EUROSOCIAL, 2019) and the Model Law 2.0, which proposes the inclusion of this perspective to strengthen transparency as a pillar in the fight against corruption.

#### 4.2 Empowerment in Transparency and Anti-Corruption Policies

Regarding the strengthening of women's participation in spaces to prevent corruption and the violation of their rights, initiatives developed by the chapters of Transparency International in Latin America can be identified, among which the following stand out:

In Colombia, there is a methodology for social control with a gender and anti-corruption approach to identify possible corruption risks in the context of the Peace Agreement. There are also initiatives to monitor, among others, the measures implemented by political parties to promote women's









participation in politics, the application of the quota law in the preparation of lists, and the public resources allocated to women's election campaigns.

In Guatemala and Panama, it has been identified that there is training for the monitoring of resources, social programs, and public services for women. Likewise, there are efforts to encourage their participation in anti-corruption issues and the monitoring of political financing (Transparency International, 2021).

In Uruguay, there is an inclusion of a gender approach in the structure for access to public information, as well as the development of a manual of good practices to promote a gender approach in the production, collection, and publication of public information.

In Argentina, the 2021 Budget Law has a gender and diversity approach, which, in addition to generating information with budget tracers, considered a participatory process and actions focused on closing gaps (D'Alessandro, Rolón, & Sol Prieto, 2021).

#### 4.3 Knowledge and Information Generation

Some regional initiatives have been undertaken by civil society to expand knowledge on how corruption specifically affects women, through qualitative and quantitative exercises that illustrate the "phenomenon, its causes, and the impact of corruption on women, as well as the causal mechanisms" (Transparency International, 2021).

Among the experiences there is progress in measuring sexual extortion with instruments such as the Americas Barometer, the National Corruption Survey in Peru, and the Municipal Anti-Corruption Index in Mexico. In addition, the National Corruption and Good Governance Index (INCBG, by its Spanish initials) in Mexico was identified: It measures the perception and victimization of corruption in public services (Transparency International, 2021).

There are few studies with a gender focus on corruption and organized crime, such as the one conducted on human trafficking at the triple border between Brazil, Peru, and Colombia; the report on corruption and organized crime in Venezuela; and the qualitative investigation on sexual extortion in the Caribbean conducted in Jamaica (Transparency International, 2021).

Other knowledge-generating initiatives are focused on making information transparent with the creation of budget trackers and classifiers in financial administration systems that visualize spending from a gender perspective. The recent case of Argentina stands out, which addressed all stages of formulation not only to adopt a scoreboard, but also as part of a comprehensive program involving subnational governments (D'Alessandro, Rolón, & Sol Prieto, 2021).

#### 4.4 Policy Adjustments









There are few policy adjustments in the CCO countries aimed at the adoption of anti-corruption measures with a gender approach. As previously mentioned, the Public Ethics Law currently being promoted in Argentina provides guidelines for the adoption of anti-corruption policies in the country. Similarly, in the Dominican Republic, the Public Procurement Law was reformed with respect to SMEs to increase the participation of women in state contracts (Transparency International, 2021).

Thus, anti-corruption policy developments that include a gender and diversity approach should consider the following as baselines:

- That women and LGBTIQA+ communities face a differentiated risk in relation to corruption
- The negative impact becomes more acute and increases if analyzed from an intersectional perspective that includes age, education, social, economic, ethnic, gender or violence dimensions, as well as care responsibilities, belonging to groups affected by stigmatization or that have been made invisible -such as people with disabilities, migrants-, language barriers and/or technological barriers" (ELA, ADFA, Poder Ciudadano, 2021, p. 21).

#### **Conclusions and Recommendations**

Based on the follow-up by the CCO to the Lima Agreement and taking up the calls made by international lead organizations and civil society organizations, it is necessary for the governments of the region to seek the following:

Mainstream the gender and diversity approach in public policies on integrity and the fight against corruption in all government branches. They should integrate a dimension of gender equality, equity and diversity, taking into account the differentiated impact on women in all their diversity and LGBTIQA+ communities, with an intersectional view (ELA, ADFA, Poder Ciudadano, 2021, p. 40).

Throughout the following section, some of the recommendations for moving forward in the inclusion of the gender approach in the fight against corruption will be presented:

I. Although there are some advances and practices to include the gender approach in the fight against corruption, it is necessary to articulate the agendas. It is important that, on one hand, gender equity and equality policies identify anti-corruption actions, and on the other hand, that anti-corruption policies adopt measures taking into account the differentiated impacts on women and LGBTIQA+ communities, which implies the inclusion of an intersectionality approach.









- II. Prioritize actions to control and audit programs and resources of public services such as health and education. In the current pandemic context, where women are more vulnerable, it is necessary to include a gender and anti-corruption approach to respond to the COVID-19 pandemic; promote greater transparency in public spending allocated to programs with a differentiated approach; strengthen access to information; as well as include women in decision-making regarding plans and programs created to ensure access to health services in the pandemic (Transparency International and UN Women, 2020).
- III. Generate greater knowledge about the causes and effects of corruption on women in order to advance towards concrete policies. The analysis of the assessments and responses of the CCO's social organizations reveals a lack of information and knowledge on the progress made in this area. In this sense, it is necessary that both public and private actors seek to expand the data on the intersection between gender and corruption and the dissemination of information on actions being undertaken by the countries in this area.
- IV. Include a human rights perspective in the measures that articulate the gender approach and the fight against corruption beyond the traditional binary view. This implies broadening the view that subsumes gender to women and positioning diagnoses and reforms with a diversity approach, considering the differentiated damage of corruption in LGBTIQA+ groups (UNODC, 2020; AFDA, ELA, Poder Ciudadano, 2021).
- V. Include the gender approach beyond policy developments. Despite the existence of policies and jurisprudence that seek to include women in the fight against corruption, in the region there are non-criminal practices that reproduce discrimination in general, as a form of gender-based violence (Transparency International, 2020). "Quotas do not eliminate the barriers that women face in the exercise of politics: lack of resources to campaign, negotiations with families to exercise politics, stereotypes about the role they should play" (Benavente, 2014) are some of the challenges that women face when participating in politics and that should be addressed in greater depth in international studies and commitments that link the gender approach to the fight against corruption.
- VI. Strengthen justice systems so that they understand and serve with a gender and diversity approach. It is necessary to strengthen judicial systems so that they operate without prejudice or discriminatory stereotypes and guarantee equal access to justice for women and LGBTIQA+ communities, protecting them from both the general impact of corruption and discriminatory practices within the judicial institutions themselves.
- VII. Strengthen gender equity policies in the public and private sector with protection measures and complaint systems. Initiatives such as the Seal of Equality in Panama by the UNDP, which recognizes the inclusion of the gender approach in business projects (UNDP, undated), stand out. However, this should go hand in hand with the definition of manuals and procedures for the protection of women and LGBTIQA+ persons who are victims, reporters,









and whistleblowers of corruption in the public and private sectors, so as not to revictimize this population.

**Promote citizen oversight and civil society participation in the fight against corruption with a gender approach.** Efforts by CSOs in the region should be deepened to ascertain the status of the inclusion of women and the LGBTIQ+ community in anti-corruption measures, in order to contribute to public probity and responsibility, and to better governance that responds to their needs from an intersectional perspective.

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### **Annexes**

### Annex 1: Parity policies

Countries of Latin America	No. of parity laws	Parity Laws
Argentina	3	<ul> <li>Law 27412 of 2017: Gender parity in areas of political representation</li> <li>Political Constitution 1994 Art.3</li> <li>Law 24012 of 1991: Quota Law</li> </ul>
Bolivia	9	<ul> <li>Law 26 of 2010: Election System Law</li> <li>Law 25 of 2010: Judicial Body Law</li> <li>Law 18 of 2010: Plurinational Election Body</li> <li>Law 4021 of 2009: Transitory Election System</li> <li>Political Constitution of the Plurinational State of Bolivia (2008)</li> <li>Law 3153 of 2005: Amendment of election code</li> <li>Law 2771 of 2004: Citizen groups and indigenous peoples</li> <li>Law 1983 of 1999: Political Parties Law</li> <li>Law 1779 of 1997: Law of reforms and complements to the election system, referring to multi-member deputies</li> </ul>
Brazil	5	<ul> <li>Direct Action due to Unconstitutionality (ADIN) No. 5617 of 2018</li> <li>Law 13165 of 2015: Amendment to laws no. 9,504/1997, 9,096/1995, and 4,737/1965 to reduce the costs of election campaigns, simplify the administration of political parties, and encourage female participation.</li> <li>Law 12034 of 2009: Amendment to Political Parties Law and the Election Code</li> </ul>



Countries of Latin America	No. of parity laws	Parity Laws
		- Law 9504 of 1997: Establishes standards for elections
		- Law 9100 of 1995: Establishes standards for municipal elections 1996
Chile	1	<ul> <li>Law 20840 of 2015: Replaces the binominal election system with an inclusive proportional system and strengthens the representativity of the National Congress</li> </ul>
		<ul> <li>Law 1475 of 2011: Adoption of rules for the organization and operation of political parties and movements, election processes, and other provisions are enacted.</li> </ul>
Colombia	2	<ul> <li>Law 581 of 2000: Regulation of the adequate and effective participation of women in the decision-making levels of the different branches and bodies of public power, in accordance with Articles 13, 40, and 43 of the National Constitution, and other provisions are enacted</li> </ul>
Costa Rica	8	<ul> <li>Law 8765 of 2009: Election Code</li> <li>Supreme Election Court Resolution 2096-E-2005</li> <li>Supreme Election Court Resolution 1544-E-2001</li> <li>Supreme Election Court Resolution 1543-E-2001</li> <li>Supreme Election Court Resolution 918-E-2000</li> <li>Supreme Election Court Resolution 804-E-2000</li> <li>Law 7653 of 1996: Amendment of Law 1536 of 1952</li> <li>Law 7142 of 1990: Promotion of women's social equality</li> </ul>
Ecuador	6	<ul> <li>Organic Election and Political Organizations Law of the Republic of Ecuador, Code of Democracy, 2009</li> <li>Political Constitution 2008. Art. 116</li> </ul>









Countries of Latin America	No. of parity laws	Parity Laws
		- Resolution 028-2002-TC
		- General Regulations to the Elections Law of Ecuador, 2000
		- Political Constitution of 1998
		- Women's Labor Protection Law
El Salvador	1	- Political Parties Law 2013
Haiti	1	- Constitutional Law amending 1987 Constitution (2012)
		- Decree 54 of 2012
Honduras	3	- Election Code (Art. 103 to 105) Decree 44 of 2004
		- Equal Opportunities for Women Law (2000)
	5	- General Law on Election Institutions and Procedures (2014)
		<ul> <li>Decree 135 of 2014: By which various provisions of the Political Constitution of the United Mexican States are reformed, added and repealed, in political and electoral matters</li> </ul>
Mexico		- Ruling 12624 of 2011 of the Electoral Tribunal of the Judiciary
		- Federal Code of Election Institutions and Procedures COFIPE (2008)
		- Federal Code of Election Institutions and Procedures COFIPE (1996)
Nicaragua	1	- Law 790 of 2012: Law amending Law No. 331, "Election Law"
Panama	2	- Law 54 of 2012
гапаша	2	- Single text of Election Code, official gazette with amendments, laws 17 and 27/2007









Countries of Latin America	No. of parity laws	Parity Laws	
Paraguay	1	- Law 834 of 1996 of Election Code Art. 32 amended by Law No. 1830/01 Subsection r.	
Peru	5	<ul> <li>Law 28869 of 2006</li> <li>Political Constitution 2005, Art. 191</li> <li>Law 28094 of 2003: Political Parties Law</li> <li>Law 27387 of 2000: amends Law 26859, Organic Election Law</li> <li>Organic Election Law 26859 of 1997</li> </ul>	
Dominican Republic	3	<ul> <li>Law 12 of 2000: Amends final part of Article 268 of Election Law No. 275-97</li> <li>Law 13 of 2000</li> <li>Election Law 275 of 1997</li> </ul>	
Uruguay	3	<ul> <li>Law 19555 of 2017: on equal participation of both genders in the integration of national, departmental, and leadership electoral bodies of political parties</li> <li>- Law 18487 of 2009</li> <li>Law 18476 of 2009</li> </ul>	
Venezuela	5	<ul> <li>Special regulations to guarantee the rights of political participation on a parity basis in the elections of deputies to the National Assembly 2015</li> <li>Constitution of the Bolivarian Republic of Venezuela, Art. 21</li> <li>Resolution 080721-658 of 2008</li> <li>CNE Resolution 050401-179 of 2005, 194 and 146</li> <li>Organic Law of Suffrage and Political Participation (1998)</li> </ul>	













