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## Annex I

### Guidance Note

**Guidance note for States parties and signatories on sharing information and experiences on:**

- **the participation of society in the prevention of and fight against corruption;**
- **the negative effects of corruption on women and youth; and,**
- **the role played by women and youth in preventing and combating corruption.**

In its resolution 10/1, entitled “Atlanta 2023: promoting integrity, accountability and transparency in the fight against corruption”, the Conference reiterated that:

*“the active participation of society is integral to complementing States’ efforts in the prevention of and the fight against corruption and promoting transparency, integrity and accountability”*,

and urged States parties to:

*“put in place and effectively implement policies and practices, within their means and in accordance with the fundamental principles of their domestic laws, that allow individuals and groups outside the public sector, such as civil society, non-governmental and community-based organizations, the private sector, academia and media, to be able to contribute in this regard also thereby promoting accountability, including through the full and effective implementation of article 13 of the Convention”*.

The resolution also emphasized the importance of engaging young people in the prevention of and fight against corruption.

Corruption affects all members of society – women and men, boys and girls - in different ways. It often results in the exclusion of vulnerable groups from decision-making processes and access to basic public services, reproducing negative stereotypes and limiting economic power and educational opportunities.

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United Nations Office on Drugs and Crime

In its resolution 10/3, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, the Conference requested the Working Group to consider including, as a topic for discussion at its fifteenth meeting “*the negative effects of corruption on women and youth and the role played by women and youth in preventing and combating corruption*”.

The secretariat has prepared the attached questionnaire as guidance on information sought on the above topics. Should sufficient information be received, a report will be prepared in view of facilitating the discussion at the fifteenth Working Group on Prevention to be held from 28 August to 6 September 2024. Unless otherwise indicated in the submissions, the input will be published online and may be used for the development of knowledge products. The information sought includes descriptions of good practices and challenges faced in adopting and/or implementing these measures. The submission of supporting documentation, if any, is encouraged, including but not limited to legislation, regulations, reports, policy documents and evaluations.

## **Participation of society in preventing and fighting corruption, inclusive decision-making processes; role of non-governmental stakeholders, journalists and media**

1. Has your country promoted the participation of society, including non-governmental stakeholders, journalists and the media, in anti-corruption activities, programmes and initiatives, including in relation to anti-corruption strategies? If yes, please specify how.

In the framework of the **Rule of Law Report**, as explained in the July 2019 Communication on "Strengthening the rule of law within the Union - A blueprint for action", the Commission will continue to rely on a coherent use of a wide range of relevant sources, which will be clearly indicated in the report. The sources of the annual Rule of Law Report include in particular written input received from Member States, written contributions received during the targeted stakeholder consultation and information produced by international organizations or received from national authorities and stakeholders during country visits. Due consideration is given to information from the sources used in this methodology (see table below), taking into account their factual correctness, comprehensiveness, quality, reliability and relevance. While perception indicators and surveys remain a useful source of information, they are to be interpreted with caution and within the relevant context. The input from Member States and relevant international organisations is a key source of information for the report. The monitoring strives to avoid duplicating

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existing reporting mechanisms and adding to the administrative burden on Member States which are subject to various resource-intensive peer review and other type of evaluations in the areas under the scope of the Rule of Law Report (e.g. Group of States against Corruption (GRECO), OECD, United Nations Convention against Corruption (UNCAC), Venice Commission). The report builds on information available from these mechanisms.

As part of the preparation of the 2023 Rule of Law Report, the European Commission invited stakeholders to provide written contributions through a targeted stakeholder consultation opened from 14 November 2022 to 20 January 2023. The consultation has provided around **250 horizontal and country-specific contributions** from a variety of contributors including EU agencies, European networks, **national and European civil society organisations and professional associations** and international and European organisations. The Council of Europe also provided an overview of its recent opinions and reports on EU Member States. The information obtained from this consultation has contributed to the assessment of the Commission with factual findings on developments in the Member States.

More information available at [https://commission.europa.eu/publications/2023-rule-law-report-targeted-stakeholder-consultation\\_en](https://commission.europa.eu/publications/2023-rule-law-report-targeted-stakeholder-consultation_en)

In light of the May **2023 Anti-Corruption joint Communication** a **collective, whole-of-society culture** based on zero-tolerance to corruption is a strong expression of the European commitment to rule of law and high standards of integrity in public life. Fostering these values is an essential complement to more immediate action on prevention, detection and prosecution. Creating such a culture requires action on many fronts: from building ethics and integrity into the expectations of individual young people through their education, to facilitating exchanges between actors at national and European levels to strengthen understanding of the challenges and make them more determined to act. Close and regular coordination with all relevant public authorities, multilateral organisations, civil society, media and the private sector are essential. Partnering with the private sector, civil society, research and academia, media as well as citizens can help to create a culture of integrity through a whole-of-society approach. The Commission will prioritise awareness-raising campaigns and civic education programmes, emphasising the crucial role that individuals play in supporting a culture of integrity, including through exploring how those following such programmes could act as ambassadors for integrity as multipliers. The Commission will also map existing EU funding opportunities in the anti-corruption area to give them more visibility and coherence.

**The Erasmus+ programme** includes anti-corruption themes in its work on education, training, youth and sport in Europe. Anti-corruption efforts are addressed under different policy priorities, such as civic engagement and responsible citizenship. The EU supports for example the Erasmus Mundus Joint Master Degree

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in Sports Ethics and Integrity at university level and Erasmus+ has supported innovative approaches to anti-corruption education in schools. The Framework Programmes for research and innovation are also supporting research and collecting evidence on new forms of corruption with a view to developing innovative solutions for the benefit of anti-corruption authorities and practitioners. Civil society has a key role to play, not only as watchdogs to identify potential risks or cases of corruption, but also as catalysts for fostering and maintaining an anti-corruption culture, through awareness-raising, educational and advocacy work. In many Member States, civil society organisations are important partners in the implementation of national anti-corruption strategies. This role can be expanded. An example is the ‘integrity pacts’ that have been developed as a tool to prevent corruption in public procurement, based on a commitment of the contracting authority and bidders to comply with best practice and maximise transparency. This work is monitored by a third actor, usually a civil society organisation. **Integrity pacts** are being promoted in the EU financial programmes for 2021-2027 and Member States are being encouraged to gradually build integrity pacts into their programmes. A free and plural media and an environment in which journalists can work free of harassment or intimidation is essential for ensuring that the media can do its job as watchdog. The Commission supports actions that promote a free, diverse and pluralistic media environment. These include support for collaborative and cross-border journalism, monitoring risks to media pluralism, mapping violations of media freedom and defending journalists under threat. For example, since 2021, the EU has funded a Europe-wide rapid response mechanism for violations of press and media freedom and maintained an emergency support fund for investigative journalists and media organisations.

2. Has your country identified any barriers to the participation of society in the prevention of and fight against corruption? If yes, have any programmes been designed and implemented to address such barriers?

*(see reply above)*

**The negative effects of corruption on youth and the role played by youth in preventing and combating corruption. For each reply, we would be grateful for hyperlinks to relevant supporting documentation or websites, or any other supporting documents.**

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While the official definition of youth provided by the United Nations refers to persons between the ages of 15 and 24 years (and indeed, all United Nations statistics on youth are based on this definition), the United Nations recognizes that “the operational definition and nuances of the term ‘youth’ vary from country to country”<sup>1</sup> as it relates to sociocultural, institutional, economic and political factors, and adapts to the countries where it operates.<sup>2</sup> UNODC uses the age range of 15 to 30 when referring to engaging young people outside the UN as partners and leaders in their shared objective to prevent and counter corruption. In line with this flexible definition of youth, we encourage Member States to decide which definition they would like to refer to and specify it in their answers to the questionnaire.

1. Does your country collect data disaggregated by age on the experience of young people as victims of corruption? Please provide the findings of any studies you may have carried out on the impact of corruption on young people. An example could be the impact of corruption on access to economic opportunities for businesses owned by young people.

2. Does your country have education for young people on integrity, ethics and anti-corruption at the primary, secondary, tertiary or informal level? If yes, please describe and provide any supporting documents.

On 3 May 2023, the European Commission adopted an anti-corruption package to strengthen EU action against corruption, including a Communication and a proposal for a Directive to combat corruption. Among its objectives, the proposal aims to step up the prevention of corruption as a key priority, and propose for a series of preventive measures to be put in place, especially on communication and awareness

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<sup>1</sup> United Nations, “Global Issues: Youth”, <https://www.un.org/en/global-issues/youth>.

<sup>2</sup> General Assembly resolution 36/81; and United Nations Educational, Scientific and Cultural Organization (UNESCO), Meaningfully engaging with youth (Paris, 2019).



# UNODC

United Nations Office on Drugs and Crime

raising campaigns. Partnering with the private sector, civil society, research and academia, media as well as citizens can help to create a culture of integrity through a **whole-of-society approach**. In the Communication, the Commission committed to prioritise awareness-raising campaigns and civic education programmes, emphasising the crucial role that individuals play in supporting a culture of integrity. The Commission will also map existing EU funding opportunities in the anti-corruption area to give them more visibility and coherence. Among these, the Erasmus+ programme includes anti-corruption themes on education, training, youth and sport in Europe. Anti-corruption efforts are addressed under different policy priorities, such as civic engagement and responsible citizenship.

The EU supports for example the **Erasmus Mundus Joint master's degree in Sports Ethics and Integrity** at university level, as well as several projects focused on integrity in sport, which allows to teach youngsters on the importance of fair play and integrity. With these instruments, young people can then act as ambassadors for integrity and thus as multipliers to build a culture of integrity.

3. How does your country meaningfully include young people in the development, implementation and monitoring of anti-corruption efforts, including in relation to national anti-corruption strategies?

As mentioned above, under Erasmus+ the European Commission regularly support Member States to foster education and awareness raising in the field of anticorruption and among youth. These projects allow young people to raise awareness on integrity values, developing monitoring and teaching tools in the field of anticorruption an integrity.

## **The negative effects of corruption on women and the role played by women in preventing and combating corruption**

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1. Have any studies (quantitative or qualitative) been undertaken or has information been gathered in view of discerning the negative effects of corruption on women in your country? If available, please provide the findings of any such studies or information collection efforts.

Some studies reveal that women are less engaged in whistleblowing and less likely to seek redress than men. The [Global Corruption Barometer \(2021\)](#) shows that more than half of women in the EU think that they cannot report corruption without fear of retaliation by losing their jobs, being sued by employers and other reprisals like harassment. This fear is independent of age, education, background, if they live in rural or urban areas or their level of information. Yet, there is no evidence that male whistleblowers suffer less severe consequences and both women and men face potential retaliation when reporting corruption.

On 1 June 2023, the European Union signed the Istanbul Convention (Council of Europe Convention on preventing and combating violence against women and domestic violence)

Many international forums and organizations engaged in anti-corruption are now working on the links between gender and corruption. To combat undue consequences of corruption to different genders, it is important to have tools that allow you to collect relevant data.

The Eurobarometers are the European Union's annual public opinion survey on corruption, from both citizens and businesses. Gender-related questions are included in the EU Eurobarometer, with the aim to collect data with more details, relevance and credibility, that can help compare the different experiences lived by men and women when confronted with corruption.

Concerning the proposed Directive to combat Corruption with criminal instruments, the criminalization of sextortion, also called "sexual corruption", is undoubtedly included in the large and comprehensive definition of "advantage" provided in the proposal of Directive (see at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2023%3A234%3AFIN>) :

*Article 7 (Bribery in the public sector)*

Member States shall take the necessary measures to ensure that the following conduct is punishable as a criminal offence, when committed intentionally:

- (a) the promise, offer or giving, directly or through an intermediary, of an **advantage of any kind** to a public official for that official or for a third party in order for the public official to act or refrain from acting in accordance with his duty or in the exercise of that official's functions (active bribery);
- (b) the request or receipt by a public official, directly or through an intermediary, of an **advantage of any kind** or the promise of such an advantage for that official or for a third party, in order for the public official to act or to refrain from acting in accordance with his duty or in the exercise of that official's functions (passive bribery).

*Article 8 (Bribery in the private sector)*

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Member States shall take the necessary measures to ensure that the following conduct shall be punishable as a criminal offence, when committed intentionally and in the course of economic, financial, business or commercial activities:

- (a) the promise, offer or giving, directly or through an intermediary, an **undue advantage of any kind** to a person who in any capacity directs or works for a private-sector entity, for that person or for a third party, in order for that person to act or to refrain from acting, in breach of that person's duties (active bribery);
- (b) the request or receipt by a person, directly or through an intermediary, of an **undue advantage of any kind** or the promise of such an advantage, for that person or for a third party, while in any capacity directing or working for a private-sector entity, to act or to refrain from acting, in breach of that person's duties (passive bribery).

A similar definition of "advantage" is used for all other corrupt conduct present in the proposed directive (such as abuse of office, influence peddling, judicial obstruction, and even corruption of legal persons).

It should be noted that the definition of advantage is one of the excusing elements of the aggravating circumstances

#### *Article 18 (Aggravating and mitigating circumstances)*

1. Member States shall take the necessary measures to ensure that the following circumstances are to be regarded as aggravating circumstances, in relation to the offences referred to in Articles 7 to 14:

- (a) the offender is a high level official;
- (b) the offender has been convicted before of an offence referred to Articles 7 to 14;
- (c) the offender obtained a substantial benefit or the offence caused **substantial damage**;

In conclusion, starting from the disparity in impact that corruption causes on men versus women, with the latter being more seriously impacted, one can recognize that fighting corruption means fighting an important aspect of gender discrimination, and therefore building gender equality. Concerning Research and Data Collection, among the several sources of contextual data exist that can be used to inform the analysis of gender inequalities, social development, corruption indices and related issues, some of the most common sources include the European Gender Equality Index (EIGE), which is a tool that measures gender equality in the European Union. It was developed by the European Institute for Gender Equality (EIGE) and is updated annually.

More information available at <https://eige.europa.eu/>

On **data for gender**, the [European Union \(EU\)](#) has a selection of indicators from fields such as [education](#), [labour market](#), [earnings](#) and life expectancy, which are particularly important for measuring differences in the situation between women and men (i.e. [gender gaps](#)). Gender statistics constitute an area that cuts across traditional fields of statistics to identify, produce and disseminate data reflecting the realities of the lives of women and





men, and policy issues relating to gender equality (Developing Gender Statistics: A Practical Tool, UNECE, 2010).

The indicators show gender gaps, together with levels achieved for the population as a whole, at EU level and across Member States (e.g. the gender employment gap with the [employment rate](#)). This approach shows gender gaps in access to resources and opportunities in the broader context of actual resources and opportunities available. The article includes links to other articles and publications that provide a more detailed analysis of gender gaps.

[Eurostat](#) produces and [disseminates](#) a number of datasets that show how men and women compare in areas such as education, labour market, earnings, social inclusion and health in the EU. The most relevant and most frequently used datasets are listed in the '[Equality](#)' domain.

Gender statistics are indispensable for identifying inequalities between women and men, and needed for the purposes of gender policy development and implementation at global, European and national levels. [Four world conferences on women convened by the United Nations](#) between 1975 and 1995 have been crucial in putting the cause of gender equality at the very centre of the global agenda. In 1995, the Fourth World Conference on Women held in Beijing adopted the [Declaration and Platform for Action](#).

This specified critical areas of concern considered to represent the main obstacles to women's advancement, requiring concrete action by governments and civil society. These areas are as follows: women and poverty, education and training of women, women and health, violence against women, women and armed conflict, women and the economy, women in power and decision-making, institutional mechanisms for the advancement of women, human rights of women, women and the media, women and the environment and the girl-child.

Following the 1995 conference in Beijing, the European Council requested an annual review of how EU Member States were implementing the Beijing Platform for Action. To track progress, each EU Council Presidency produces a report that covers developments in a specific critical area. Successive EU Council Presidencies have developed a set of indicators — called the Beijing indicators — covering most of the critical areas of the Beijing Platform for Action.

The principle of 'equal pay for male and female workers for equal work or work of equal value' has been enshrined in the European treaties since 1957. It is currently laid down in Article 157 of the Treaty on the Functioning of the European Union. It is also a fundamental right (Article 23 of the [Charter of Fundamental Rights of the European Union](#)).

The European Commission has confirmed that 'reducing the gender pay, earnings and pension gaps and thus fighting poverty among women' is among its top priorities. It has undertaken a number of initiatives in this field as part of the [Gender equality strategy 2020–2025](#). The Commission communication that outlines this strategy calls for an increased participation of women in the labour market and equal participation across different sectors of the economy and working-time patterns. Moreover, it stresses the need for affordable care services of sufficient quality and calls for a better sharing of unpaid



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working hours between women and men. In addition, it calls for policies and measures for those facing particular barriers to entry into the labour market, such as migrant women and single parents. The document also argues that the causes and consequences of the gender pension gap need to be addressed, as they are an obstacle to the economic independence of women in old age, when they face a higher risk of poverty than men do.

The right of women and men to equal pay for work of equal value belongs to the European Pillar of Social Rights, which was endorsed at the Social Summit for Fair Jobs and Growth, Gothenburg, Sweden, November 2017. At the Porto Social Summit of May 2021, EU leaders reaffirmed their commitment to the implementation of the [European Pillar of Social Rights](#) according to the action plan set up by the Commission in March 2021. The unadjusted GPG (gender pay gap) belongs to the [social scoreboard indicators](#) used for the monitoring of the action plan.

The EU and its Member States are supported by the [European Institute for Gender Equality](#) in their efforts to promote gender equality and to raise awareness about gender equality issues. The Institute supports EU Presidencies in developing the [Beijing indicators](#). It also developed the [Gender Equality Index](#), which provides a synthetic measure of gender equality in EU Member States.

More information available at <https://ec.europa.eu/eurostat/web/main/home>

2. Has your country promoted the role of women in preventing and combating corruption? Has this included efforts to promote the meaningful participation and engagement of, and cooperation with, women's and community-based organizations that support women in the policy development, planning, implementation and monitoring of your anti-corruption programmes? Please enclose any supporting documentation or hyperlinks, if available.

Cooperation between EU actors and enhanced capacity building on corruption and human rights are also key elements for a successful anti-corruption strategy in EU external action. To mention but one example, EU Delegations organise annual anti-corruption conferences bringing together experts, policy makers, CSOs and international partners engaged in anti-corruption efforts in the country since 2015. In 2018, the EU Delegation to Afghanistan launched its 2018 Anti-Corruption Campaign, aimed at 'highlighting the impact of corruption' in development, economic growth and elections. The EU was also a member and co-chair of the Ambassadorial Anti-Corruption Group on Good Governance, Anti-Corruption and Rule of Law. The EU has expressly conditioned 'cooperation with any future Afghan government [...] on a peaceful and inclusive settlement and respect for the fundamental rights of all Afghans, **including women, youth** and persons belonging to minorities, as well as respect for Afghanistan's international obligations,

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commitment to the fight against corruption and preventing the use of Afghanistan's territory by terrorist organisations'.

The European Commission and the High Representative of the Union for Foreign Affairs and Security Policy have put forward ambitious plans to promote gender equality and women's empowerment through all external action of the European Union.

While there has been some significant but uneven progress achieved in advancing women's and girls' rights, no country in the world is on track to achieve gender equality and empower all women and girls by 2030. Moreover, the health and socio-economic consequences of the COVID-19 crisis are disproportionately affecting women and girls. For example, because a higher proportion of women work informally and in vulnerable sectors, their job loss rate is 1.8 times greater than that of men. The poverty rate among women could go up by 9.1%.

To address this, the **EU's new Action Plan on Gender Equality and Women's Empowerment in External Action 2021–2025 (GAP III)** aims to accelerate progress on empowering women and girls, and safeguard gains made on gender equality during the 25 years since the adoption of the Beijing Declaration and its Platform for Action.

#### Promoting **gender equality** in EU external action 2021-2025

The Gender Action Plan III provides the EU with a policy framework with five pillars of action for accelerating progress towards meeting international commitments and a world in which everyone has space to thrive. It makes the promotion of gender equality a priority of all external policies and actions; offers a roadmap for working together with stakeholders at national, regional and multilateral levels; steps up action in strategic thematic areas; calls for the institutions to lead by example, and; ensures the transparency of the results.

The five pillars of action in detail:

1) 85% of all new actions throughout external relations will contribute to gender equality and women's empowerment by 2025. GAP III introduces stringent rules for applying and monitoring gender mainstreaming across sectors. All external assistance across all sectors, including infrastructure, digital, energy, agriculture and blended funds, etc., should integrate a gender perspective and support gender equality.

2) Shared strategic vision and close cooperation with Member States and partners at multilateral, regional and country level. GAP III makes the case for developing a common approach for all EU actors at country-level and for focusing on selected strategic issues. Careful gender analysis and close consultation with Member States, civil society organisations, women's rights activists, and the youth, will provide a firm foundation for actions on the ground.

3) GAP III calls for accelerating progress, focusing on the key thematic areas of engagement, including fighting against gender-based violence and promoting the economic, social and political empowerment of women and girls. It puts a renewed emphasis on universal access to healthcare, sexual and reproductive health and rights, and gender equality in education, as well as on promoting equal participation and leadership. It also fully integrates the EU policy framework on Women, Peace and

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Security, and brings the gender perspective to new policy areas, such as the green transition and the digital transformation.

4) Leading by example. The action plan calls for the European Union to lead by example, including by establishing gender-responsive and gender-balanced leadership at top political and management levels.

5) Measuring results. GAP III adopts a new approach to monitoring, evaluation and learning, with a stronger focus on measuring results. The EU will set up a quantitative, qualitative and inclusive monitoring system to increase public accountability, ensure transparency and access to information on its assistance to gender equality worldwide. The Commission, in cooperation with the EEAS, will monitor progress each year on the implementation of GAP III.

Contributing to empowering women, girls and young people to fully use their rights and increase their participation in political, economic, social, and cultural life is a key objective of the new action plan. GAP III strongly supports the participation and leadership of girls and women, promoting it, for example, through governance programmes and public administration reforms.

GAP III will promote a transformative and intersectional approach, and will mainstream gender in all policies and actions. It aims to address structural causes of gender inequality and gender-based discrimination, including by actively engaging men and boys in challenging gender norms and stereotypes. Finally, to leave no one behind, the action plan seeks to tackle all intersecting dimensions of discrimination, paying specific attention for example to women with disabilities, migrant women, and discrimination based on age or sexual orientation.

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