



ANTI-CORRUPTION MEASURES

GENDER MAINSTREAMING GUIDANCE



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ABBREVIATIONS AND ACRONYMS

BPfA	Beijing Platform for Action
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CoM	Council of Ministers
COVID-19	severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)
EC	European Commission
EIGE	European Institute for Gender Equality
ETS	European Treaty Series
EU RF	EU Results Framework
EU	European Union
EU4GE	EU for Gender Equality
FPI-RF	Foreign Policy Instruments Result Framework
GAP	gender action plan
GCB	Global Corruption Barometer
GEL	gender equality law
GENDERNET	OECD DAC Network on Gender Equality
GIZ	German Corporation for International Cooperation GmbH
GRB	gender-responsive budgeting
GRECO	Group of States against Corruption
GRETA	Council of Europe's Group of Experts on Action against Trafficking in Human Beings
GRPP	gender-responsive public procurement
ILO	International Labour Organization
INSTAT	Albanian Institute for Statistics
IPA	Instrument for Pre-Accession Assistance
LGBTI+	lesbian, gay, bisexual, transgender/transsexual, intersexual and any other individuals whose sexual orientation, gender identity expression, and/or sex characteristics differ from the cis-heterosexual

NDICI	Neighbourhood, Development and International Cooperation Instrument
NSGE	national strategy for gender equality
OECD	Organisation for Economic Co-operation and Development
OECD-DAC	Organisation for Economic Co-operation and Development - Development Assistance Committee
OSCE	Organization for Security and Co-operation in Europe
SANECA	Support to Accession Negotiations for Albania in Economic Chapters of Acquis
SASS	Statistics and Surveys Section
SDG	Sustainable Development Goal
TEU	Treaty of the European Union
TFEU	Treaty of the Functioning of the European Union
UN	United Nations
UN Women	UN Entity for Gender Equality and the Empowerment of Women
UNDP	United Nations Development Programme
UNFPA	United Nations Populations Fund
UNODC	United Nations Organization on Drugs and Crime
UNODC-INEGI	Center of Excellence in Statistical Information on Government, Crime, Victimization and Justice
UNSCR 1325	United Nations Security Council Resolution 1325 “Women, Peace and Security”

INTRODUCTION

This gender mainstreaming Guidance is part of a series of resources made available through the EU's and UN Women's technical support to the Government of Albania for accelerating the process of EU integration. Its aim is to ensure that future policy, planning, and programming documents align more closely with the EU legal and policy framework on gender equality (the 'Gender Equality *acquis*'), and thus enhance equality outcomes for all women, men, girls, and boys in the country. It is addressed to development and integration partners involved in policy, programming, and planning initiatives in the EU accession context. This group includes primarily government staff developing policies and drafting IPA programmes, experts providing technical assistance, EU Delegation Task Managers, donors and international development partners supporting EU-aligned reform, and civil society organisations engaged in accountability and consultative processes. The purpose of this Guidance is to provide succinct information on the key gender issues in a particular policy area, and to show how gender mainstreaming can be done in practical terms. The Guidance document is envisaged as an initial primer. It can be used as reference document in individuals' daily work, and it also serves as training material in efforts to establish gender mainstreaming capacity and skills.

Equality between women and men is a fundamental principle of the European Union. The right of women to equal treatment is, above all, a fundamental human right. EU Law recognizes discrimination as politically unacceptable, economically unprofitable, and punishable by law. For this reason, countries are required to comply with the *acquis* on gender equality and non-discrimination when acceding to the EU. As defined by EU Law, the strategy for promoting equality between women and men, and combating discrimination, is gender mainstreaming. Consequently, gender mainstreaming is a prerequisite for aligning national standards with the EU principles and an integral element of ensuing reform processes.

It is important to consider gender aspects in anti-corruption policy formulation and programming, because women and men are impacted by corruption in different ways, and they experience different types of corrupt practices and behaviours.¹ Corruption significantly and negatively impacts on the enjoyment of human rights and it affects many areas, such as access to justice, economic and social rights, discrimination in the enjoyment of basic rights, and the trafficking of human beings.

¹ UNODC (2020). Mainstreaming Gender in Corruption Projects/Programmes. See: https://www.unodc.org/documents/Gender/20-05712_Corruption_Brief_ebook_cb.pdf

Therefore, in order for both women and men to enjoy their human rights fully, and to address the gendered imbalance of power and resources, it is important that a gender perspective is integrated into anti-corruption efforts. Women's social and economic rights, citizenship, and empowerment in the 21st century cannot be realized in a society where corruption practices are widespread. Structured in five brief sections, the Gender Mainstreaming Guidance on Anti-corruption Measures supports stakeholders to:

- understand gender inequality issues in anti-corruption efforts;
- learn about relevant EU policy recommendations and Directives;
- identify relevant indicators for mainstreaming gender in anti-corruption policies;
- know about standardized EU methods and tools to mainstream gender equality goals;
- engage in concrete follow-up, based on a succinct list of key recommended actions.

Gender Equality is not just about 'women'.

Rather it is about the different realities and needs of women and men across society; and the recognition that these realities and needs should be valued and - importantly - nurtured.

This necessitates ensuring that all people are empowered to take a full and productive role in the family, community, society, and the economy. To be in control of their own lives, to make the choices they wish, and thus have fair and equal access to services, support, and opportunity.

Gender-responsive governance is therefore about making sure that in all its policies, programmes, activities, priorities, and budgets, government takes into account the different needs and concerns of women and men, and addresses and reduces inequalities between them.

Are women any less corrupt than men? Research into the links between gender and corruption began around 20 years ago, and studies indicated that the more women in power, the less corrupt the country. However, later experiments and studies have now shown that ‘given the right circumstances, women and men are equally prone to being corrupt’. However, the reason why governments with more women in power are indeed less corrupt is because these governments pursue also other principles of democratic governance, such as free press, rule of law, and free and fair elections.

Today, we recognize that **gender aspects influence and shape cultures across the world** and feature in diverse areas of our lives. Building upon this universality, corruption affects women and men differently across the world. In many societies, women remain the primary caretakers of the family and are regularly confronted with corruption when dealing with education, health and other public services. In the health care sector, women are particularly vulnerable as they have sexual and reproductive health needs that may require regular attention. They can face corruption for things as simple as getting appointments to having to pay for treatment that they are entitled to receiving for free. Furthermore, patronage networks that tend to be dominated by men, **exclude women from participating** in or access to the public and private sectors, as well as the political sphere.

Based on: UNODC (2020). The Time Is Now: Addressing the Gender Dimensions of Corruption. Available at: https://www.unodc.org/documents/corruption/Publications/2020/THE_TIME_IS_NOW_2020_12_08.pdf

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CORRUPTION - KEY GENDER ISSUES IN ALBANIA

Albania has made efforts to create a solid track record in the fight against corruption, and to establish a regulatory framework to prevent corruption and ensure the integrity of public officials. However, corruption is prevalent in many areas of public and business life and remains an issue of concern, including from a gender perspective. Countering corruption requires political will and further structured, consistent, and gender-responsive actions.

Corruption is related to women's low representation and to their exclusion from power centres and networks. Studies suggest that there is a direct correlation between corruption and women's low representation in public administration and business. Women are discouraged from trying to make a career in politics and business where corruption is rife.² As a signifier of bad governance, corruption can trap women in the vicious circle of gender inequalities and lack of empowerment: research in 18 European countries shows that corruption, clientelism, and political networking have a negative impact on the proportion of elected women in local councils, further reducing the opportunities for women's political representation.³ This is not only due to women opting out of pathways of power, but also because women are actively discouraged, since they are commonly considered outsiders by the established 'boys' clubs' in institutions of power. In particular, women from disadvantaged groups (such as rural women, Roma and Egyptian women, women with disabilities, and those from the LGBTI+ community) remain largely unrepresented in political and public life, including in the elected bodies, government and public administration at both central and local levels, state police, or armed forces. This remains also one of the key observations on Albania of the Committee on the Elimination of all Forms of Discrimination against Women (CEDAW).⁴

In Albania, there is a lack of data on how corruption affects women's political and public participation, and some sectors - which may be more exposed to corrupt practises - remain clearly male-dominated. For example, GRECO - the Council of Europe body in charge of monitoring States' compliance with the organisation's anti-corruption standards – in its latest report on Albania notes that the proportion of female staff in the State Police is about 13 per cent; it

2 UNODC (2020). The Time Is Now: Addressing the Gender Dimensions of Corruption. See: https://www.unodc.org/documents/corruption/Publications/2020/THE_TIME_IS_NOW_2020_12_08.pdf

3 Transparency International (2016). Gender and Corruption. Topic Guide. See: https://www.transparency.org/files/content/corruptionqas/Topic_guide_gender_corruption_Final_2016.pdf

4 UN CEDAW (2016). Concluding Observations on the fourth periodic report of Albania, 2016. Available at: <https://digitallibrary.un.org/record/840818?ln=en>; and UN CEDAW (2023). Concluding Observations on the fifth periodic report of Albania, 2023. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FALB%2FCO%2F5&Lang=en

therefore encourages the Albanian authorities to pursue their efforts towards gender balance in the State Police, as diversity is a key instrument to preventing groupthink and, in turn, corruption.⁵

Corruption affects women particularly in relation to their access to justice.

When the rule of law and justice systems are plagued with corruption, women become more vulnerable, which is particularly evident in their increased risk to gender-based violence and crime. For example, distrust in the judicial system and police corruption have made it harder to prevent and respond to human trafficking in Albania, in turn primarily affecting women and children. According to the latest report of GRETA - the Council of Europe's Group of Experts on Action against Trafficking in Human Beings - trafficking in human beings in Albania may be engaged in by organized criminal groups, which use corruption to circumvent the law and money laundering to conceal their profits. The report also questions the information provided by Albanian authorities about zero detected cases of public officials involved in trafficking in human beings. It makes reference to various interlocutors met during GRETA's evaluation, who referred to situations where corruption might take place, for example, when a victim reports an offence to the police, and the report is then not registered because of family or other connections between police officers and traffickers.⁶

Women face increased exposure to corruption when accessing social services.

In many societies, women remain the primary caretakers of the family, and thus, are regularly confronted with corruption when dealing with education, health, and other public services. A preliminary investigation in Albania focusing on the gendered impact of corruption in the health care and tertiary education sectors found no institutional barriers against petty bribery in the service delivery of health care, where informal cash payments in response to a direct or indirect request by doctors are extremely widespread. The Albanian health care system suffers from serious lack of capacities and provides fertile ground for the request of informal payments in exchange for services, which is met by the readiness of citizens to resort to unfair means to get the service they depend on.⁷

5 Council of Europe, GRECO – Group of States against Corruption (2020). Fifth Evaluation Round, Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies. Evaluation Report Albania. See: <https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680a0923d>

6 Council of Europe, GRETA - Group of Experts on Action against Trafficking in Human Beings (2020). Third evaluation round, Access to justice and effective remedies for victims of trafficking in human beings. Evaluation Report Albania. See: <https://rm.coe.int/greta-2020-09-fgr-alb-en/1680a0b84f>

7 OSCE (2021). The gendered impact of corruption in the Albanian health care and tertiary education sectors, Preliminary research and needs assessment. See: <https://www.osce.org/files/f/documents/5/4/513448.pdf>

The assessment of the gender-specific impacts of corruption in higher education is based on widespread international evidence that corruption in this sector has alarming implications for women, because it hinders women's and girls' future opportunities. Interviews with university students and professors in Albania indicate that nepotism in student admissions and staff appointments has gender implications, resulting in women having reduced opportunities to access sources and positions of influence. How far these practices impact on the careers and life opportunities of women staff at universities in Albania requires further exploration.⁸

Gender-specific forms of corruption affect women disproportionately. Some gender-specific forms of corruption are disproportionately experienced by women, such as the sexual exploitation of women's bodies as currency, or sexual extortion. Sometimes coined as "sextortion", it is one of the most significant forms of gendered corruption. In this type of corruption, sex becomes the currency of the bribe, and individuals are coerced into engaging in sexual acts in exchange for essential services, including health care and education.⁹ It can take place in a number of different settings (e.g., between teachers and students; supervisors and employees; government officials and immigrants).¹⁰ Sextortion has reportedly gained prominence in recent years and has resulted in women's and girls' increased risk to be forced to perform sexual favours in exchange for services. The problem is exacerbated by the culture of shaming and victim blaming, which makes sexual exploitation less likely to be reported or even recognised as corruption.¹¹ The preliminary assessment conducted by the Organization for Security and Co-operation in Europe (OSCE) in Albania indicates that sexual extortion or sextortion – the practice in which sex is used as a currency of corruption with severe negative impacts on women and girls - exists in the Higher Education sector, even though more comprehensive data on this issue still needs to be established.¹²

8 *Ibid.*

9 Transparency International (2022). Global Corruption Barometer. European Union 2021 - Citizen Views and Experiences of Corruption. See: https://www.transparency.si/wp-content/uploads/2021/06/gcb_eu_2021-web.pdf

10 Sextortion does not only affect women and can also be used against men, gender non-conforming, and transgender people. However, some groups are particularly vulnerable to sextortion because of their economic situation, legal status, disability, age, or cultural norms. Source: International Association of Women Judges (IAWJ) (2012). 2012 Report: Naming, Ending and Shaming Sextortion. See: https://www.unodc.org/ji/resdb/data/2012/_80_/naming_shaming_and_ending_sextortion.html

11 Transparency International (2016). Gender And Corruption. Topic Guide. See: https://www.transparency.org/files/content/corruptionqas/Topic_guide_gender_corruption_Final_2016.pdf

12 OSCE (2021). The gendered impact of corruption in the Albanian health care and tertiary education sectors, Preliminary research and needs assessment. See: <https://www.osce.org/files/f/documents/5/4/513448.pdf>

There are many gendered differences in perceptions, attitudes, and behaviours towards corruption. Several studies show that men tend to see corruption in a more positive light than women, since they consider it as an opportunity to supplement one's income and to potentially become rich. On the other hand, women are more likely than men to feel that their lives are affected by corruption in a negative way.¹³ In terms of attitudes and behaviours towards corruption, women tend to condemn corrupt behaviour more than men, however, they report corruption less often than men. The underlying reason may be that - when deciding on whether to report corruption or not - women are more concerned than men about reprisals and lack of protection.¹⁴ Indeed, there are indications that women's complaints about corruption are less frequently investigated.¹⁵ In Albania, data is scarce on this issue, but according to a survey conducted in 27 EU countries, only 44 per cent of women think they can report corruption without fear of retaliation. This fear is shared by women from various backgrounds, irrespective of their age, education, how informed they are, or whether they live in urban or rural areas.¹⁶

Corruption negatively impacts gender equality and women's agency. Many forms of corruption affect both women and men. However, while more men compared to women are involved in grand corruption and embezzlement, overall, women are more exposed to corruption and its negative consequences in everyday life. This results from the unequal gender relations in society and the fact that women have fewer resources and limited access to justice compared to men. Women also have less access to positions of power and influence because of their lower social, political, and economic position, and corruption further exacerbates this inequality.¹⁷ For example, women can be more frequently denied access to services because of their inability to pay bribes.¹⁸ Corruption can also increase women's dependency from others,

13 Transparency International (2016). Gender And Corruption. Topic Guide. See: https://www.transparency.org/files/content/corruptionqas/Topic_guide_gender_corruption_Final_2016.pdf

14 UNODC (2020). The Time Is Now: Addressing the Gender Dimensions of Corruption. See: https://www.unodc.org/documents/corruption/Publications/2020/THE_TIME_IS_NOW_2020_12_08.pdf

15 Inter-American Development Bank (2018). Gender Mainstreaming in the Transparency Fund. Guide prepared for the Transparency Fund by K. Sample. See: <https://publications.iadb.org/publications/english/document/Gender-Mainstreaming-in-the-Transparency-Fund.pdf>

16 Transparency International (2021). Global Corruption Barometer (GCB)– EU. See: <https://www.transparency.org/en/blog/women-eu-face-greater-barriers-speaking-up-corruption>

17 UNODC (2020). The Time Is Now: Addressing the Gender Dimensions of Corruption. See: https://www.unodc.org/documents/corruption/Publications/2020/THE_TIME_IS_NOW_2020_12_08.pdf

18 Transparency International (2016). Gender And Corruption. Topic Guide. See: https://www.transparency.org/files/content/corruptionqas/Topic_guide_gender_corruption_Final_2016.pdf

because they need to find the money for paying bribes, including borrowing from others, which results in a vicious circle of remaining poor, indebted, and economically dependent.

Corruption also affects women's access to decision-making and empowerment in other areas, such as when looking for employment or pursuing their own businesses. Corruption in formal and informal settings creates barriers to women's earning potential or opportunities to sustain their businesses.¹⁹ Further, women are more likely to be under constant pressure to yield to corruption, since women form a large part of the informal sector wherein corruption tends to be more rampant.

Gaps in gender data on corruption prevent addressing gender-specific challenges. Sex-disaggregated data and gender statistics are essential for understanding the differentiated ways corruption affects women and men. They are also key for conducting gender analysis, developing gender-responsive policies, and designing measures that effectively protect women and men from corruption. In Albania, data published on this issue is scarce. In 2010, INSTAT produced sex-disaggregated data in the framework of a survey which examined the actual experience of administrative corruption in Albania.²⁰ In 2020, INSTAT conducted a test on calculating SDG indicator 16.5.1 ("Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months"). In principle, the methodology used by INSTAT allows for sex-disaggregation of data for this indicator. Overall consolidation of the methodology for calculating SDG indicator 16.5.1 is currently ongoing. Similarly, the methodology for calculating SDG indicator 16.6.2 ("Proportion of population satisfied with their last experience of public services") allows for producing sex-disaggregated data, but has not been tested in Albania yet.

Fighting crime in the EU is primarily a competence of authorities in EU Member States, which remain ultimately responsible for key aspects linked to the fight against corruption. However, according to the Treaty on the Functioning of the European Union (TFEU), the European Union may establish minimum rules to define criminal offences and sanctions in the areas of

19 Sida (2015). Gender and Corruption – Gender Toolbox Brief. Available at: <https://www.sida.se/en/publications/gender-and-corruption>

20 UNODC (2011). Corruption in Albania: Bribery as experienced by the population. Report prepared by UNODC Statistics and Surveys Section (SASS) and Institute of Statistics of Albania (INSTAT). Available at: http://www.instat.gov.al/media/3587/corruption_in_albania.pdf

particularly serious crime with a cross-border dimension, such as money laundering, corruption, and organized crime. Among the legislative initiatives introduced in recent years to combat corruption at EU level, examples include the Directive on the Freezing and confiscation of proceeds of crime, the 5th Anti-money laundering Directive, the Public Procurement Directives, and the Directive on the Use of financial information to fight certain criminal offences.

BOX 1

Summary of main gender inequality issues related to corruption

1. Corruption and women's low representation in positions of power – e.g., in government, business and politics - are inter-related.
2. Corruption affects women particularly in relation to their access to justice.
3. Women face increased exposure to corruption in accessing social services, including health and education.
4. Gender-specific forms of corruption affect women and girls disproportionately.
5. Women tend to perceive and behave differently than men towards corruption.
6. Corruption negatively impacts gender equality and women's agency.
7. Gaps in gender data on corruption prevent the development of gender-responsive anti-corruption measures.

2 GENDER EQUALITY AND ANTI-CORRUPTION MEASURES IN THE EU ACCESSION CONTEXT

The Council of Europe considers corruption as a serious threat to the core values of pluralist democracy, human rights, and the rule of law in Europe.²¹ The Council of Europe has adopted a number of multi-faceted legal instruments to address corruption:

- Criminal Law Convention on Corruption (ETS 173)²²;
- Civil Law Convention on Corruption (ETS 174)²³;
- Additional Protocol to the Criminal Law Convention on Corruption (ETS 191)²⁴;
- Twenty Guiding Principles against Corruption (Resolution (97)24)²⁵;
- Recommendation on Codes of Conduct for Public Officials (Recommendation No. R(2000)10)²⁶;
- Recommendation on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns (Recommendation Rec(2003)4).²⁷

The Group of States against Corruption (GRECO), which Albania is a member of, is Europe's core anti-corruption review mechanism. It takes a multi-disciplinary approach to fighting corruption through legal instruments designed to “strengthen Member States’ democratic, legal, and institutional capacity to withstand corruption as well as to detect and sanction it effectively when it occurs”, and to promote effective anti-corruption prevention measures among its Member States. GRECO is committed to promoting gender equality. It acknowledges that the nexus between gender and corruption has garnered less attention in Europe and in more developed democracies, and asserts that examining the gender dimensions of corruption is critical in identifying (i) how anti-corruption strategies can incorporate a gender perspective, and (ii) how

21 Council of Europe, Group of States against Corruption (GRECO) [Online]. The Fight against Corruption: A Priority for the Council of Europe. See: <https://www.coe.int/en/web/greco/about-greco/priority-for-the-coe>

22 See: <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=173>

23 See: <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=174>

24 See: <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=191>

25 See: <https://rm.coe.int/16806cc17c>

26 See: <https://rm.coe.int/16806cc1ec>

27 See: <https://rm.coe.int/16806cc1f1>

to better promote equality of women and men within the framework of anti-corruption efforts.²⁸

Benefits of addressing gender equality goals in anti-corruption policy and programming include²⁹:

- Corruption exacerbates women's disadvantage in society, and anti-corruption programming can contribute to support women's agency and empowerment politically, economically, and socially.
- Corruption undermines efforts to break the cycle of poverty by creating inequity in how income, resources, and services are shared between women and men, and girls and boys; addressing corruption is therefore a critical necessity in the preparation of pro-poor policies/strategies.
- There is a correlation between more gender-balanced representation in local councils and less collusive practices in public procurement.
- Addressing and countering corruption in public services can enhance equitable access to health care, education, and justice services; this is especially relevant in view of the fact that access to services has been shown to worsen during crisis (such as the COVID-19 pandemic, economic crisis, etc.).
- Having strong policies and programmes in place to address corruption can strengthen the prevention of, and response to, gender-based violence, particularly sexual extortion and sex trafficking of women and girls.

²⁸ Council of Europe, Group of States against Corruption (GRECO), and H. Lisuchova (2012). Gender dimensions of corruption. See: <https://rm.coe.int/16806cd01e>

²⁹ Based on: Transparency International (2014). Gender Inequality and Corruption: What are the Linkages? Policy Br. #01/2014, p. 9; UNODC (2020). The Time Is Now: Addressing the Gender Dimensions of Corruption.

BOX 2

Examples of gender-responsive policies and programmes in anti-corruption policy and programming

Public Procurement - Albania

Women entrepreneurs only make up about one per cent of the market worldwide, and women's businesses often face barriers accessing procurement tenders and winning contracts. Making procurement processes more inclusive for women not only generates positive outcomes for women entrepreneurs but also often leads to better performing contracts and larger savings for the government. In addition, gender smart procurement can help decrease corruption by making the process more accountable, transparent, and participatory. In 2018, the Albanian Institute of Science conducted a study on the procurement processes in the country. Analysis of the data collected provided an opportunity to study the effectiveness of policies aimed at supporting women entrepreneurs in the procurement system and provided evidence of the benefits of increasing support for women's businesses in the procurement market.

Source: OSCE (2021). Gender and Corruption: What do we do? A Discussion Paper. Available at: <https://www.osce.org/secretariat/507569>

Including a gender perspective in the judiciary to address corruption – Mexico

In 2012, the Mexican National Supreme Court carried out an assessment entitled "Knowledge and Perceptions about Gender and Human Rights among Mexican Supreme Court Personnel", as well as an assessment on gender and work culture in 15 state supreme courts. The assessments showed that nearly 20 per cent of judicial personnel did not know the meaning of a 'gender perspective', that the concept of 'gender equity' was not well understood, and even that "the Supreme Court's current approach still relies on very distorted ideas about the spectrum of human rights and the idea of a gender perspective". A Gender Protocol was adopted to guide judges and adjudicators in their task of imparting justice with a gender perspective and, to the end, it would serve as a fundamental tool to ensure that the right to equality before the law is a reality as enshrined in the Constitution of Mexico and in line with international human rights law.

In 2019, the Directorate General for Human Rights of the Supreme Court began updating the Gender Protocol by conducting a consultative process to gather the observations, concerns, and recommendations of justice operators, academics, and members of civil society organizations. The exercise was carried out in conjunction with the General Unit for Gender Equality of the Supreme Court of Justice of the Nation, and with the support of civil society organizations.

Source: UNODC (2020). The Time Is Now: Addressing the Gender Dimensions of Corruption. Available at: https://www.unodc.org/documents/corruption/Publications/2020/THE_TIME_IS_NOW_2020_12_08.pdf

3 LINKING ANTI-CORRUPTION INITIATIVES WITH THE EU GENDER EQUALITY ACQUIS

Gender mainstreaming is a strategy which involves the integration of a **gender perspective** into the preparation, design, implementation, monitoring and evaluation of policies, strategies, budgets, spending programmes, project activities, regulatory measures, administrative functions, and institutional culture, with a view to promoting **equality between women and men**, and preventing and eliminating discrimination.

Gender mainstreaming ensures that policy-making and legislative work are of higher quality, and policies respond more effectively to the needs of all citizens – women and men, girls and boys. With gender mainstreaming, public interventions are more effective, ensuring that inequalities are not perpetuated.

The main objective of EU programmes in (pre-)accession countries is to support potential Member States to adopt and implement all reforms (political, institutional, legal, administrative, social, and economic) that are required to comply with EU values and align with EU rules, standards, policies, and practices. The accession criteria (Copenhagen Criteria) include clear preconditions for stable institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities.³⁰ Gender equality - as one of the key rule-of-law principles - forms an inherent part of the Enlargement Strategy.³¹ Enlargement requires each accession country to adopt the body of common rights and obligations (EU *acquis*) that are binding for all EU member countries.³² Gender equality is integral to accession and legal harmonization processes by applying the rights-based approach principles of (i) legality, universality and indivisibility of human rights; (ii) participation; (iii) non-discrimination; (iv) accountability; and (v) transparency in each step of programming, implementation, monitoring, and evaluation of EU-support.

30 Conclusions of the Presidency, European Council, Copenhagen, 21-22 June 1993. Available at: <https://www.consilium.europa.eu/media/21225/72921.pdf>

31 COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A credible enlargement perspective for and enhanced EU engagement with the Western Balkans, 2018, p.4. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018DC0065>

32 See: <https://eur-lex.europa.eu/summary/glossary/acquis.html>

At EU-level, the obligation to engage in gender mainstreaming emanates, among others, from:

- the Treaty of the European Union (TEU)³³;
- the Treaty of the Functioning of the European Union (TFEU)³⁴ Articles 8 and 10, which mandate the EU and Member States to ensure gender equality goals are mainstreamed in all EU activities;
- Council Directive 2004/113/EC of 13 December 2004³⁵, 'Implementing the principle of equal treatment between men and women in the access to and supply of goods and services';
- the Directive of the European Parliament and of the Council 2006/54/EC of 5 July 2006³⁶ 'On the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation' (Recast Directive).

Furthermore, gender mainstreaming is clearly reflected in the EU Gender Action Plan III (2021-2025)³⁷, and it is integral part of the Regulations of the EU Instrument for Pre-Accession Assistance (IPA III)³⁸: **when accessing the EU, candidate countries are required to comply with the *acquis* on gender equality and non-discrimination.**

33 Consolidated version of the Treaty of the European Union (TEU). See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012M%2FTXT>

34 Consolidated version of the Treaty of the Functioning of the European Union (TFEU). See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

35 Council Directive 2004/113/EC of 13 December 2004 'Implementing the principle of equal treatment between men and women in the access to and supply of goods and services'. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32004L0113>

36 Directive of the European Parliament and of the Council 2006/54/EC of 5 July 2006 'On the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation' (Recast Directive). See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32006L0054>

37 Joint Communication of the European Parliament and the Council: EU Gender Action Plan (GAP) III – An ambitious agenda for gender equality and women's empowerment in EU external action. See: https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final_en.pdf

38 REGULATION (EU) 2021/947 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R0947&from=EN>

At the **international level**, Albania has ratified essential international treaties and/or endorsed policies obliging the country to safeguard women's rights and support gender equality, including:

- the United Nations Convention on the Elimination of all forms of Discrimination Against Women (UN CEDAW)³⁹;
- The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)⁴⁰;
- the Beijing Declaration and Platform for Action (BPfA)⁴¹;
- the United Nations Security Council Resolution 1325 'Women, Peace and Security' (UNSCR 1325)⁴²; and
- the International Labour Organisation (ILO) Fundamental Conventions⁴³, and C190 concerning the Elimination of Violence and Harassment in the World of Work.⁴⁴

EU Gender Law and EU GAP III 2021-2025 are aligned with the abovementioned documents and hence constitute an integral part of the EU accession process.

At national level, the Albanian Constitution prohibits discrimination on the basis of gender (Article 18/2).⁴⁵ Law No.9970, dated 24.07.2008, 'On Gender Equality in Society'⁴⁶ defines the term "gender mainstreaming". Law No. 10 221, dated 4.2.2010, 'On Protection from Discrimination', amended in

39 United Nations General Assembly (1979). Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). See: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

40 Council of Europe Convention on preventing and combating violence against women and domestic violence (2011). See <https://www.coe.int/en/web/istanbul-convention/home>

41 Beijing Declaration and Platform of Action (1995). See: https://www.un.org/en/events/pastevents/pdfs/Beijing_Declaration_and_Platform_for_Action.pdf

42 United Nations Security Council Resolution 1325 on women and peace and security (2000). See: <https://www.unwomen.org/en/docs/2000/10/un-security-council-resolution-1325>

43 ILO Conventions and Recommendations [Online]. Available at: <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>

44 ILO (2019). Convention No. 190 concerning the Elimination of Violence and Harassment in the World of Work. See: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190; and also: <https://www.ilo.org/global/topics/violence-harassment/lang--en/index.htm>

45 Constitution of the Republic of Albania. Available at: <https://www.osce.org/albania/41888>

46 Law No.9970, dated 24/07/2008 'On gender equality in society', published in the Official Gazette No.125, dated 01/08/2008. See: <http://www.osce.org/albania/36682>

2020⁴⁷, obliges public authorities in their entirety to promote equality and prevent discrimination in exercising their functions (Article 7, Protection from discrimination). Furthermore, the law addresses structural and intersectional discrimination as well as the elimination of privilege.

The National Strategy for Gender Equality (NSGE) 2021-2030, adopted through Council of Ministers' Decision No.400, dated 30/06/2021, through its Strategic Goal IV, establishes the “[a]pplication of gender mainstreaming as the main tool of achieving gender equality and gender justice in society”.⁴⁸ It foresees monitoring of new strategies that integrate a gender perspective, and the allocation of respectively matching budget allocations at central and municipal level. Thereby, the NSGE provides the strategic framework for gender mainstreaming across sectors and levels of governance.

3.1. Alignment with EU Gender Action Plan (GAP) III and relevant other indicators

As evidenced in documents such as Country Reports and Country Gender Profiles for Albania, significant gaps persist in addressing gender inequality issues and in the application of gender mainstreaming.⁴⁹ This also applies to policy areas in which women’s unequal status is well-documented and clearly evidenced by administrative data. Underlying reasons include:

- (i) the stereotypical and erroneous conceptualization of a ‘standard citizen’ who is a man;
- (ii) limited gender mainstreaming capacity and skills within the administration;
- (iii) absence of the obligation to conduct policy area-specific gender analysis on a routine basis; and

⁴⁷ As amended by the Law No. 124/2020. See: <https://www.kmd.al/wp-content/uploads/2021/04/Law-on-Protection-from-Discrimination-Albania.-2020.pdf>

⁴⁸ National Strategy for Gender Equality 2021-2030, published in the Official Gazette (*Fletorja Zyrtare e Republikës së Shqipërisë*) No. 112, dated 15/07/2021. See: <https://qbz.gov.al/eli/fz/2021/112> The English version is available at: https://albania.unwomen.org/sites/default/files/2022-02/WEB_Strategjia%20Kombetare%20-%20EN.pdf

⁴⁹ European Commission. EU Country Reports in 2017, 2018, 2019, 2020, 2021, and 2022; UNDP & UN Women (2016). Gender Brief Albania. See: <https://eca.unwomen.org/en/digital-library/publications/2016/10/albania-gender-brief>; UN Women (2020). Albania Country Gender Equality Brief. See: https://eca.unwomen.org/sites/default/files/Field%20Office%20Albania/Attachments/Publications/2020/12/CGEB%20Albania_REPORT_1.pdf

- (iv) weak reflection of gender equality norms and standards in processes, procedures, and systems of governance.

A further obstacle is posed by the fact that individuals involved in the drafting of policies and programmes find it difficult to precisely pinpoint the main gender inequality issues in their specific area of engagement. Consequently, the vast majority of policies, plans, and programmes remain without concrete gender equality objectives.

Public policies are expected to work for specific outcomes. Indicators outline the regulatory markers of achievement of these outcomes. With regard to monitoring progress on gender equality, the indicators of the EU Gender Action Plan 2021-2025 (GAP III) serve as valuable guidance.⁵⁰ They illustrate what kind of change in the lives of women/girls and men/boys (i.e., outcomes) needs to be achieved and measured in a policy area.

EU GAP III does not include specific thematic areas, objectives, or indicators on anti-corruption as such. However, anti-corruption measures are cross-cutting and essential for the achievement of all thematic objectives of EU GAP III. Relevant gender-sensitive indicators have been developed by the United Nations Office on Drugs and Crime (UNODC) and could be gradually accommodated within national policies on anti-corruption and related monitoring frameworks. In the context of Albania's accession to the EU, application of this global set of indicators would contribute to progress in EU Chapters under Cluster One ('Fundamentals'), especially regarding rule of law and public administration reform.

The table below presents the alignment between (i) the EU Chapters relevant for a particular policy area; (ii) the respective national policy documents which shall accommodate the international gender equality considerations; and (iii) the specific UNODC indicators which shall be reflected in national monitoring frameworks. The alignment is supplemented by listing matching SDG Indicators, which links gender mainstreaming in the EU accession process to gender equality goals at global level.

⁵⁰ European Commission and High Representative of the Union for Foreign Affairs and Security Policy (2020). Objectives and Indicators to Frame the Implementation of the Gender Action Plan III (2021-25), p.27. See: https://ec.europa.eu/international-partnerships/system/files/swd_2020_284_en_final.pdf

TABLE 1

Gender-related anti-corruption indicators based on UNODC guidance⁵¹

Contributing to several EU Chapters under Cluster One ('Fundamentals', especially Chapter 23 - Judiciary and Fundamental Rights, and Chapter 24 – Justice, Freedom and Security)	
Related national strategic documents	<p>Open Government Partnership Albania 2023-2025 National Action Plan</p> <p>Inter-Sectoral Strategy against Corruption 2015-2023 and Action Plan 2020-2023</p> <p>Strategy against Organised Crime and Serious Crime 2021-2025 and Action Plan 2021-2022</p> <p>National Strategy on Gender Equality and Action Plan 2021-2030</p> <p>Inter-sectoral Strategy of Justice and Action Plan 2021-2025</p> <p>Strategy on Legal Education of the Public 2019-2023 and Action Plan 2020 - 2023</p> <p>National Action Plan on Combatting Trafficking in Persons 2021-2023</p>

⁵¹ UNODC (2020). Mainstreaming Gender in Corruption Projects/Programmes. See: https://www.unodc.org/documents/Gender/20-05712_Corruption_Brief_ebook_cb.pdf

<p>Gender-related anti-corruption indicators</p>	<p>Number of anti-corruption action plans at the national level that consider the differential circumstances and unequal position of women and men</p> <p>Anti-corruption action plan includes at least one high-level result on gender equality and empowerment of women which will contribute to meeting SDG goals with reference to Goals 5 and 16</p> <p>Number of standardized tools (e.g., public opinion surveys, rankings of corruption levels, or level of bribery in the private sector) that measure the frequency with which women face corruption in comparison to men</p> <p>Number of standardized tools applied that include the possibility to specify the payment of bribes through services as well as sexual favors</p> <p>Number or percentage of case studies or training modules that address gender-related issues and gender stereotypes</p> <p>Women’s and men’s differentiated exposure to and experiences of corruption in the public services sector are analyzed and documented</p> <p>Women’s and men’s attitudes with regard to reporting corruption and towards anti-corruption authorities</p> <p>Women’s and men’s trust and perception of the government</p>
<p>Related SDG Indicators</p>	<p>16.5.1 Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months (methodology allows for disaggregation by sex)</p> <p>16.6.2 Proportion of population satisfied with their last experience of public services (methodology allows for disaggregation by sex)</p>

3.2. Instrument for Pre-Accession Assistance (IPA) III: gender mainstreaming as per the ‘NDICI Regulations’

Albania’s reform and accession agenda receives significant financial support through EU funding as well as from EU Member States directly. The EU as primary promoter of equality between women and men in the region has set clear standards, explicitly defined in the European Commission’s ‘Neighbourhood, Development and International Cooperation Instrument’ (NDICI) Regulations, adopted in June 2021.⁵² These Regulations apply to EU IPA III actions to be funded and implemented in Albania, and they are explicit on the gender equality requirements:

“[...] Strengthening gender equality and women’s empowerment in the Union’s external action and increasing efforts to reach the minimum standards of performance indicated by the EU Gender Action Plans should lead to a gender sensitive and transformative approach in all Union external action and international cooperation. At least 85 % of new actions implemented under the Instrument should have gender equality as a principal or a significant objective, as defined by the gender equality policy marker of the OECD Development Assistance Committee (DAC). At least 5 % of those actions should have gender equality and women’s and girls’ rights and empowerment as a principal objective.”

In light of the EU NDICI Regulations, which foresee the target of 85 per cent gender-sensitive actions in the future, the Government of Albania needs to define - in concrete terms - the activities, structures, mechanisms, and capacities for implementing gender-sensitive actions as a requirement and precondition for successfully absorbing EU IPA III funds.

⁵² REGULATION (EU) 2021/947 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R0947&from=EN>

3.3. The OECD-DAC gender equality policy marker

The OECD DAC gender equality policy marker⁵³ is a key monitoring and accountability tool in the context of the 2030 Agenda. Its aim is to identify gaps between legal, policy, and financial commitments, and incentivize efforts to close them. Undertaking a gender analysis and pursuing a 'do-no-harm' approach are obligatory for all programs/actions.

Programs/actions that have been screened against the marker, but not found to target gender equality are classified Score 0. Such a score requires narrative justification. Programs/actions with gender equality as an important and deliberate objective, but not the principal reason for undertaking the program/action, are classified Score 1. Programs/actions with gender equality as the main objective, and fundamental in design and results, are classified Score 2.

The EU NDICI Regulations - which apply to, for example, IPA III Action Documents - make explicit reference to the obligatory application of the common minimum criteria for the three categories of the OECD-DAC gender equality policy marker. They set a target of 85 per cent of all actions classified at least as Score 1, with 5 per cent qualified as Score 2. In practice, a Score 1 classification requires gender responsiveness to be reflected at the level of problem analysis, objectives, indicators, and targets.

Score 1 Definition:

- Gender equality is an important and deliberate objective, but not the principal reason for undertaking the project/programme.
- The gender equality objective must be explicit in the project/programme documentation and cannot be implicit or assumed.
- The project/programme, in addition to other objectives, is designed to have a positive impact on advancing gender equality and/or the empowerment of women and girls, reducing gender discrimination or inequalities, or meeting gender-specific needs.

⁵³ OECD DAC Network on Gender Equality (GENDERNET) (2016). Definition and minimum recommended criteria for the DAC gender equality policy marker. See: <https://www.oecd.org/dac/gender-development/Minimum-recommended-criteria-for-DAC-gender-marker.pdf>

TABLE 2

Minimum requirements for meeting OECD-DAC gender equality policy marker Score 1 criteria:

Level	Requirement	Check	Action to be taken to get there
Problem analysis	An analysis of the status, role, position and situation of women/girls and men/boys in relation to a policy area/sector/sub-sector, in which the project/programme/action is embedded, has been conducted	<input type="checkbox"/>	Whenever the gender analysis is inexistent, incomplete, or outdated, commission/undertake a sector- or sub-sector specific gender analysis
	Findings from the gender analysis:		
	- are included in the problem description	<input type="checkbox"/>	
	- are substantiated with numbers (gender statistics)	<input type="checkbox"/>	
	- have informed the design of the project/programme/action	<input type="checkbox"/>	
	The main gender inequality issues specific for the policy area/sector/sub-sector are mentioned	<input type="checkbox"/>	
	The intervention adopts a “do no harm” approach	<input type="checkbox"/>	
	Data and indicators are disaggregated by sex and further identity markers, where relevant	<input type="checkbox"/>	

Objectives	Presence of at least one explicit gender equality objective (e.g., explicitly aiming at achieving gender equality goals), in line with the gender inequality issues described in the narrative analysis	□	Make gender mainstreaming expertise integral part of working groups that draft/ review documents
Activities	Proposed activities specifically respond to the described situation of women/girls and men/boys, contribute to achieving gender equality outcomes, and prevent discrimination including structural and intersectional discrimination	□	Make gender mainstreaming expertise integral part of working groups that draft/ review documents
Indicators	Any gender equality objective formulated is backed by at least one gender-sensitive indicator, enabling the <ul style="list-style-type: none"> - identification of gender gaps in benefiting from measures - monitoring the impact of measures/activities on women/girls and men/boys 	□	Align with relevant EU and global indicators (such as SDGs, Eurostat/EU GAP III, and similar).
Targets	Specific values for women/girls and men/boys are set	□	Reflect the aim to close gender gaps/achieve gender equality outcomes when setting target values

The OECD-DAC gender equality policy marker Score 2 classification requires that gender equality is the main objective of the project/programme and fundamental in its design and expected results. Until now, the number of EU IPA-funded actions that classify as Score 2 has remained very low.

Score 2 Definition:

- Gender equality is the main objective of the project/programme and is fundamental in its design and expected results. The project/programme would not have been undertaken without this gender equality objective.
- The project/programme is designed with the principal intention of advancing gender equality and/or the empowerment of women and girls, reducing gender discrimination or inequalities, or meeting gender-specific needs.

4 MAIN TOOLS FOR GENDER MAINSTREAMING

This section contains a selection of EU standardized gender mainstreaming tools to be applied in policy revision, strategic planning of line ministries, programming, budgeting, and similar governance processes. The complete collection of EU standardized toolkits and materials, including elaborate descriptions of specific gender mainstreaming tools, is available on the website of the European Institute for Gender Equality (EIGE), accessible at: <https://eige.europa.eu/gender-mainstreaming/methods-tools>

4.1. Gender analysis

Gender analysis⁵⁴ provides the necessary data and information to integrate a gender perspective into policies, programmes, and projects. As a starting point for gender mainstreaming, gender analysis identifies the differences between and among women/girls and men/boys in terms of their relative position in society, and the distribution of resources, opportunities, constraints, and power in a given context. In this way, conducting a gender analysis allows for the subsequent development of interventions that adequately address gender inequalities and meet the different needs of women/girls and men/boys. The purpose of gender analysis is to identify and address gender inequalities, by:

- acknowledging differences between and among women/girls and men/boys, based on the unequal distribution of resources, opportunities, constraints, and power;
- ensuring that the different needs of women/girls and men/boys are clearly identified and addressed at all stages of the policy cycle;
- recognizing that policies, programmes, and projects can have different effects on women/girls and men/boys;
- seeking and articulating the viewpoints of women/girls and men/boys and making their contribution a critical part of developing policies, programmes, and projects;
- promoting women's participation and engagement in community, political, and economic life; and
- supporting better informed, gender-responsive, and effective interventions.

⁵⁴ European Institute for Gender Equality (EIGE) [Online]. Gender Mainstreaming - More Tools and Methods: Gender analysis. See: <https://eige.europa.eu/gender-mainstreaming/methods-tools/gender-analysis#:~:text=As%20a%20starting%20point%20for,power%20in%20a%20given%20context>

Gender analysis includes consideration of women's particular experiences, roles, and responsibilities, and their level of access to resources and decision-making. Gender analysis also involves acknowledging the historical and social inequalities faced by women/girls, and aims to inform the design of policies, programmes, and projects to address - and to remedy - these inequalities.

A thorough gender analysis enables policymakers to understand gender inequalities in a given situation or sector: it describes the current state of contextual situations by gender, and also explores the causes and effects of gender disparities on the target group. Looking at the underlying causes of gender inequalities and discrimination assists in setting relevant and targeted objectives and measures to eliminate gender inequalities. In this way, gender analysis contributes to the improved gender-responsiveness of policies and legislation, as it provides the basis for ensuring that the needs of all citizens — women, men, girls, and boys — are adequately addressed.

4.2. Gender statistics on corruption in the Albanian context

Gender statistics describe or measure gender inequalities. They rely on data on individuals broken down by sex, i.e., collected and tabulated separately for women/girls and men/boys. These sex-disaggregated data reflect the realities of the lives of women/girls and men/boys, and the policy issues relating to gender. They allow for the measurement of differences between women and men on various social and economic dimensions and are one of the requirements for obtaining gender statistics. For monitoring actual progress in gender equality, the concepts, definitions, and methods used in data production and analysis need to be designed in a way that they reflect gender roles, relations, and inequalities in society.⁵⁵

In Albania, gender statistics are published annually in INSTAT's dedicated publication entitled 'Women and Men in Albania'.⁵⁶ Its main objective is to make available sex-disaggregated data and gender statistics for the purpose of monitoring cross-sectorial policies with regard to achieving gender equality

55 European Institute for Gender Equality (EIGE) [Online]. Gender Mainstreaming - More Tools and Methods: Sex-disaggregated data: <https://eige.europa.eu/gender-mainstreaming/methods-tools/sex-disaggregated-data#:~:text=Data%20collected%20and%20tabulated%20separately,requirements%20in%20obtaining%20gender%20statistics>

56 See: <http://www.instat.gov.al/en/themes/demography-and-social-indicators/gender-equality/#tab3>

goals and sustainable development objectives. The publication contains not only administrative data, but also data based on social surveys conducted by INSTAT at the household unit.

Data to measure corruption intends to reveal the nature and impact of corruption, and this statistical evidence is necessary for developing effective anti-corruption responses. Measurements of corruption can be used to identify prevalence and trends, and to illustrate the scale and scope of particular types of corruption. They can help policymakers, analysts, and scholars to develop tools to reduce corruption effectively.

So far, gender statistics on corruption are not produced in Albania yet. For gathering data on corruption, one useful resource is the 'Manual on Corruption Surveys: Methodological guidelines on the measurement of bribery and other forms of corruption through sample surveys' (2018), developed by UNODC, UNDP, and the UNODC-INEGI Center of Excellence in Statistical Information on Government, Crime, Victimization and Justice. The manual provides specific guidance on collecting gender-specific data and is available at: https://www.unodc.org/documents/data-and-analysis/Crime-statistics/CorruptionManual_2018_web.pdf

4.3. Gender impact assessment

Gender impact assessment is an EU-standardized method routinely used for *ex ante* evaluation of legal documents, strategic policy plans, and programmes under implementation.⁵⁷ Broader use of gender impact assessment helps policymakers and public servants to analyse and foresee the impact on women/girls and men/boys of any important decision under consideration, which helps to improve existing measures and inform decisions regarding budget allocation. The findings of any gender impact assessment should be made available on time, so that legal regulations and related policies can be amended during the design and planning stages.

⁵⁷ European Institute for Gender Equality (EIGE) [Online]. Gender Mainstreaming - More Tools and Methods: Gender impact assessment. See: <https://eige.europa.eu/gender-mainstreaming/toolkits/gender-impact-assessment/what-gender-impact-assessment>

“Gender impact assessment can be applied to legislation, policy plans, policy programmes, budgets, concrete actions, bills and reports or calls for research. Gender impact assessment methods do not only have to be applied to policy in the making, they can also be applied to existing policies. They can be used in the administration as well as by external actors; in both cases they require a considerable amount of knowledge of gender issues”.⁵⁸

In the framework of the GIZ-run SANECA Project, the standard EU *ex-ante* Gender Impact Assessment tool was recently adapted to the Albanian context, with special focus on mainstreaming gender equality goals into the so-called EU ‘Internal Market Chapters’ (i.e., Chapters 1, 3, 20 and 28).⁵⁹ In Kosovo, the Agency for Gender Equality – operating under the Prime Minister’s Office – prepared a dedicated Gender Impact Assessment Manual in 2019, supported with funding from Sweden.⁶⁰

4.4. Gender-responsive budgeting in anti-corruption measures

Gender-responsive budgeting (GRB) is a key process to incorporate a gender perspective in planning. It “seeks to ensure that the collection and allocation of public resources is carried out in ways that are effective and contribute to advancing gender equality and women’s empowerment”.⁶¹ It is important to note that gender-responsive budgeting is not about having a separate budget for women, nor does it mean to just increase spending on programmes for women. Examples of how to apply gender-responsive budgeting when mainstreaming gender in anti-corruption measures are⁶²:

58 Council of Europe (2004). Gender mainstreaming: Conceptual framework, methodology and presentation of good practices. See: http://www.coe.int/t/dghl/standardsetting/equality/03themes/gender-mainstreaming/EG_S_MS_98_2_rev_en.pdf

59 GIZ (2022). Gender Mainstreaming in the Internal Market Chapters of the Acquis - Guidelines and Tools. Accessible at: https://pubhtml5.com/qzcc/xxqq/Gender_Mainstreaming_in_the_Internal_Market_Chapters_of_the_Acquis/3

60 Republic of Kosovo Gender Equality Agency (2019). Gender Impact Assessment Manual. Available at: <https://abgj.rks-gov.net/assets/cms/uploads/files/Publikimet%20ABCJ/Gender%20Equality%20Imapact%20Assessment%20Manual.pdf>

61 UN Women Asia and the Pacific [Online]. Gender Responsive Budgeting. Available at: <https://asiapacific.unwomen.org/en/focus-areas/women-poverty-economics/gender-responsive-budgeting>

62 UNODC (2020). The Time Is Now: Addressing the Gender Dimensions of Corruption. See: https://www.unodc.org/documents/corruption/Publications/2020/THE_TIME_IS_NOW_2020_12_08.pdf

- ☑ Embed gender-responsiveness in the governance of how public services are delivered, via gender-responsive budgeting, public accountability mechanisms that include women and women's civil society organizations, and strategies to deliver public services to women and girls.
- ☑ Include long-term capacity building of women on technical/ technological skills, leadership and negotiation, and financial literacy and awareness.
- ☑ Allocate resources for gender awareness raising and gender mainstreaming capacity building at all levels and in ways that are adapted to the needs of different target groups, such as policy-makers, programme staff, women and men beneficiaries, staff of relevant local institutions, service delivery institutions, and women/girls/men/boys from marginalized communities.

4.5. Gender-responsive public procurement

Gender-responsive public procurement (GRPP) is procurement that promotes gender equality through the goods, services, or works being purchased. This means that buyers and suppliers (i) examine the impact of all contracted activities on women's and men's needs, interests, and concerns; and (ii) design and deliver contracts in a way that reduces inequalities. GRPP does not necessarily entail higher costs, but does require knowledge and capacity.⁶³

Public procurement/outsourcing to private companies which hire external labor can positively impact local employment in general, and women's employment opportunities in particular. Clauses that refer to obligatory social deliverables (e.g., the share of locally contracted workers per category; the share of women to be employed; the obligation to reduce gender inequalities; adherence to gender equality principles; and similar) can be integrated in the calls for proposals to funding programmes or in the terms of reference of public procurement procedures. Such gender clauses can also be included in calls for contractors to be hired for policy support services. This will ensure that projects and services receiving funds have gender capacity on board, respond to the different needs of women/girls/men/boys, and contribute to achieving gender equality.⁶⁴

⁶³ European Institute for Gender Equality (EIGE) [Online]. Gender Mainstreaming - More Tools and Methods: Gender-responsive public procurement. See: <https://eige.europa.eu/gender-mainstreaming/methods-tools/gender-responsive-public-procurement>

⁶⁴ European Institute for Gender Equality (EIGE) (2016). Gender and Digital Agenda. Available at: <https://eige.europa.eu/publications/gender-and-digital-agenda>

The European Commission explicitly states in its Gender Equality Strategy for 2020–2025 that “[t]he Commission’s guidance on socially responsible public procurement will fight discrimination and promote gender equality in public tenders”.⁶⁵ As one of the first deliverables of the Strategy, the Commission proposed binding measures on pay transparency under the draft directive on pay transparency, which specifically addresses equal pay and the pay gap in the context of public procurement (in Article 21). On 24 April 2023, the European Council adopted new rules on pay transparency through the **Pay Transparency Directive**. Under the new rules, EU companies are required to **share information on salaries** and take action, if their gender pay gap exceeds five per cent. The directive also includes provisions on **compensation** for victims of pay discrimination and penalties, including **finances**, for employers who break the rules.⁶⁶ For detailed EU Guidance on GRPP see: <https://eige.europa.eu/gender-mainstreaming/methods-tools/gender-responsive-public-procurement>.

Other examples of GRPP include e.g., Switzerland, where any company that does business with the government is required to pay male and female staff equally. In Spain, the Public Procurement Law includes various gender equality clauses that refer to different phases of the procurement procedure, from contractor selection to the execution of public contracts. Anyone with a conviction for violating workers’ rights, including any conduct that violates the right and opportunities of women - such as discrimination or harassment - is not entitled to sign contracts with public sector organizations. Companies with more than 250 employees that have not implemented gender equality plans are also prohibited from participating in public procurement contracting.⁶⁷ UN Women promotes additional methods which benefit the economy, such as (i) championing procurement rules that privilege bids from women-owned businesses; and (ii) the promotion of companies beyond the common business circles, thereby widening the spectrum of employment opportunities and creating new markets.⁶⁸

65 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – A Union of equality: Gender equality strategy 2020–2025, COM(2020) 152, 5.3.2020. Available at: (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0152>)

66 DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, 2021/0050(COD), PE-CONS 81/22, 11.4.2023. See: <https://data.consilium.europa.eu/doc/document/PE-81-2022-INIT/en/pdf>

67 UNODC (2020). The Time Is Now: Addressing the Gender Dimensions of Corruption. See: https://www.unodc.org/documents/corruption/Publications/2020/THE_TIME_IS_NOW_2020_12_08.pdf

68 UN Women (2017). The Power of Procurement: how to source from women-owned business. See: <https://www.unwomen.org/en/digital-library/publications/2017/3/the-power-of-procurement>

4.6. Gender-sensitive monitoring and evaluation

Gender-sensitive monitoring and evaluation is used to reveal whether a programme addresses the different priorities and needs of women/girls and men/boys. The aim is to assess whether it has the intended (but also unintended) impact on gender relations, and to determine the gender aspects that need to be integrated into monitoring and evaluation systems. Effective gender-responsive monitoring and evaluation need to include both qualitative and quantitative data that measure the impact on gender relations. Without sufficient data, a meaningful analysis of the impact on gender equality is very difficult. This implies that all data should be collected, presented, and analysed at minimum in a sex-disaggregated manner.⁶⁹ Results and insights from gender-sensitive monitoring and evaluation also feed into the policy cycle: they identify those aspects for which inclusion of explicit gender equality objectives and indicators would be required at the planning stage.

For example, the monitoring reports of the Albanian Inter-Sectoral Strategy against Corruption (2015-2023) include sex-disaggregated information on the number of officials participating in trainings and other capacity building activities, which is already a good start for gender-sensitive monitoring.⁷⁰ However, the monitoring exercise would benefit considerably, if additional gender aspects were part of this process, including the impact of activities on gender relations. In any case, gender-sensitive monitoring and evaluation of anti-corruption policies require consistent gender mainstreaming in these policies, including establishment of clear gender-related indicators. (See also section 3.1 above).

⁶⁹ European Institute for Gender Equality (EIGE) Glossary and thesaurus [Online]. Available at: <https://eige.europa.eu/thesaurus/terms/1217?lang=en>

⁷⁰ Available at: <https://www.drejtesia.gov.al/viti2021/>

5 KEY RECOMMENDED ACTION IN ANTI-CORRUPTION MEASURES

Conducting gender mainstreaming interventions includes capacity building for undertaking gender analysis, as well as the active involvement of gender mainstreaming specialists throughout the design, implementation, and monitoring of strategies and policies. Moreover, already existing policies under implementation should also be reviewed for their gender responsiveness (i.e., assessing how well they address gender inequalities in the sector/policy area). If needed, these policies then are to be revised, in order to mainstream gender equality within sectoral strategies, and into the structures, systems, and processes of all institutions involved.

Consequently, given that the effects of corruption are not gender neutral, it is necessary to establish a dialogue between those fighting corruption and those working towards gender equality and equity in order to allow: (i) common greater understanding of the links between gender inequality and corruption; (ii) public policy priorities to be brought closer together on both issues; and (iii) specific coordinated and articulated actions to address the overlapping and converging issues.⁷¹

⁷¹ UROsociAL, Transparency International, and UN WOMEN (2018). Anti-corruption and gender dialogue: Workshop proceedings. Available at: <https://lac.unwomen.org/en/noticias-y-eventos/articulos/2018/5/dialogo-anticorrupcion-y-genero>

TABLE 3

Priority actions for integrating gender equality goals into anti-corruption efforts⁷²

Main gender issue	Priority Policy Actions
<p>Corruption and women’s low representation in government, business, etc.</p>	<ul style="list-style-type: none"> <li data-bbox="601 661 1264 878">☑ Allocate resources for training and support women as leaders: women often are newcomers in decision making circles; capacity building and institutional support are needed to make women’s participation not just an issue about numbers but effectiveness. <li data-bbox="601 917 1264 1134">☑ Formulate and/or strengthen policies to increase women’s representation in law enforcement criminal justice institutions (e.g., review of recruitment and staff policies and practices, awareness-raising campaigns addressing stereotypical gender norms). <li data-bbox="601 1172 1264 1315">☑ Implement Special Measures to ensure representation and participation of women from disadvantaged groups in public and political life. <li data-bbox="601 1353 1264 1495">☑ Take legal and policy measures to address violence against, or intimidation of, women participating in political and public life (e.g., elected officials, administration, business).

⁷² Recommendations are based on and adapted from those brought forward in various resources, including: UNODC (2020), *The Time is Now: Addressing the Gender Dimensions of Corruption*; Transparency International (2014), *Gender Inequality and Corruption: What are the Linkages?*; OSCE (2021), *The gendered impact of corruption in the Albanian health care and tertiary education sectors, Preliminary research and needs assessment*; OSCE (2021), *Gender and Corruption: What do we now? A Discussion Paper*; Inter-American Development Bank (2018), *Gender Mainstreaming in the Transparency Fund*.

Corruption affects women particularly in relation to their access to justice.

- ☑ In reforms tackling corruption in the justice sectors, ensure effectiveness by adequately addressing the priorities of women victims of gender-based violence, human trafficking, and women's access to justice.
- ☑ Ensure human rights, anti-corruption and gender-specific training as part of in-house capacity development for judges, prosecutors, criminal justice officers, and other members of law enforcement agencies.
- ☑ Establish and improve institutional cooperation frameworks between law enforcement agencies and anti-corruption authorities to address the gender dimension in the fight against corruption in the justice sector.
- ☑ Highlight gender & anti-corruption champions within law enforcement networks; and inform women in these sectors on how to instill institutional change and how to protect themselves against corruption networks.
- ☑ Undertake dedicated awareness raising on the gender dimension of corruption targeting men and deliver trainings on diversity management with male staff.
- ☑ Prioritize resource allocations for reducing corruption in the delivery of public services that women depend on and access more than men as a concrete way to integrate gender equality measures into anti-corruption efforts.

<p>Women face increased exposure to corruption in social services.</p>	<ul style="list-style-type: none"> <li data-bbox="601 400 1271 506">☑ Raise awareness on corruption issues faced by women in accessing services (in both public and private sectors). <li data-bbox="601 540 1271 761">☑ Assess the concrete impact of corruption on the population, including on women and men, and on different groups of society, which in turn supports the government to improve perceptions of corruption alongside important institutional and policy reforms. <li data-bbox="601 795 1271 1059">☑ Embed gender-responsiveness in the governance of how public services are planned and delivered, via: gender-responsive budgeting; public accountability mechanisms that include women and women’s civil society organizations; and strategies for delivering public services to women and girls. <li data-bbox="601 1093 1271 1315">☑ Make anti-corruption efforts gender-responsive by conducting social audits of women’s access to services, and by establishing dedicated reporting procedures for women and girls seeking to file complaints.
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<p>Gender-specific forms of corruption affect women disproportionately.</p>	<ul style="list-style-type: none"> ☑ Address forms of corruption that affect women most, such as sexual extortion and human trafficking, and make them a dedicated and specific focus of anti-corruption efforts. ☑ Institutionalise a victim-centred approach in related policies to enable the reporting person to come forward. ☑ Set up gender-responsive complaint systems by providing an accessible and transparent one-stop mechanism for receiving, registering, and following up on corruption reporting, alongside sex-disaggregated tracking of complaint type and type of resolution.
<p>Gendered differences in perceptions, attitudes, and behaviours towards corruption.</p>	<ul style="list-style-type: none"> ☑ Involve women in developing gender-sensitive anti-corruption strategies; women's groups are important allies in the fight against corruption, and many grassroots organisations have developed successful approaches to address corruption in very different settings. ☑ Embed participatory activities with women citizens, human rights activists, and women stakeholders in a planned course of action, and engage in dedicated follow-up to effectively address corruption. ☑ Guarantee gender-sensitive reporting, 'whistle-blower' and complaints mechanisms to report corruption and wrong-doing; these should be transparent, independent, accountable, accessible, safe, and easy to use.

Gaps in gender data on corruption prevent addressing gender-specific challenges.

- ☑ Enhance coordination among data-producing institutions and INSTAT with the aim to compute internationally standardized gender indicators on corruption for Albania.
- ☑ Engage in all steps required for preparing gender & corruption indicators in line with SDG and UNODC methodologies.
- ☑ Capture the gender dimension of corruption in data collection.
- ☑ Support establishing SDG Indicators 16.5.1. and 16.6.2 and ensure sex-disaggregation as per methodology.
- ☑ Produce data about the prevalence of different types of corruption and their associated gendered dynamics to inform national policy responses and development.
- ☑ Take concrete measures to couple policy reforms with new gender-sensitive data collection and research to gather knowledge about drivers, causes, and impacts of corruption on the different genders.



JUSTICE

ANTI-CORRUPTION MEASURES

HEALTH

AGRICULTURE AND RURAL DEVELOPMENT

DISASTER RISK REDUCTION AND CLIMATE CHANGE

DIGITALIZATION AND ICT

PUBLIC ADMINISTRATION

LOCAL GOVERNANCE AND LOCAL DEVELOPMENT

YOUTH