

INTERNATIONAL ANTI-CORRUPTION CONFERENCE 2024

Vilnius, Lithuania 18-21 June 2024

SESSION REPORT

Please know you may design the structure of this report to better suit the session. It's important to capture the key outcomes and solutions proposed for the future.

Safe reporting and Sex for grades: How do we Prevent Re-victimizing the Victim?

Date: 21 June 2024

Time: 15-30- PM - 17:00 PM (GMT +3)

Report prepared by:

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Workshop Coordinator:

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Moderated by:

Jennifer Sarvary Bradford
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Panelists:

- David Rausis
Statistician
UNODC
- Lilian Ekeanyanwu
Consultant (Standing in for Ezinwa Okoroafor and Laura Nyirikindi-FIDA)
- Jimoh Suleiman
Assistant Director, Independent Corrupt Practices Commission (ICPC)
Nigeria

- Huguette Labelle
Former Chair of the board of Transparency International
TI
- Arwa Hassan
Programm Migration Entwicklungspolitisch Gestalten (MEG)
GIZ
- Josée Perron
Project Manager
Timby

Share the thematic focus of the session, its purpose and corruption risks?

The workshop presented on the experiences of victims of sex-for-grades in the education sector, the defenders who amplify their voices, the technology-enabled tools used to enable safe reporting and the body of research on the scourge. It discussed strategies to expand research, innovate the reporting tools and improve the integration of the issue into international development policy.

Summary of panellists' contributions & discussion points (please be as detailed as possible)

David Rausis

The UNODC/UNDP developed a methodology that was used in Nigeria and in Ghana to measure corruption.

He gave examples of from the survey in Nigeria and Ghana and the findings indicate as follows:

- When looking at prevalence of bribery (one contact with a public official in the last 12 months) there is an indication that women pay less bribe.
- In respect of public officials, the survey shows that the likelihood of demand for bribes is higher for men than women. However, in sectors where there is a more inclusivity in the number of men and women in the service then the likelihood is leveled.
- The UNODC introduced more detailed disaggregation of data in Ghana with a specific question on person with disabilities, level of income, education, age group, marital status.
- The UNODC is trying to integrate this level of inclusivity in other surveys with the example of Latin America.

Lilian Ekeanyanwu

Lilian spoke on behalf of Ezinwa Okoroafor and Laura Nyirikindi, International Director and Regional Vice President of the International Federation of Women Lawyers FIDA respectively.

Sextortion - A Plague, a Blight, and a Burden – Nigerian Universities in Focus

Cases of sextortion are mostly unreported. These cases are usually met with a wall of silence because of the shame and stigmatization of victims. There is a concern that the lecturers would tend to protect their colleagues and the university. A few brave students with the active support of their families and the NGOs have however spoken up.

A few examples:

University of Calabar

In August 2023, some students of the Faculty of Law, of the University of Calabar staged a protest outside the office of the Vice Chancellor of the institution, against their Dean, Prof. Cyril Osim Ndifon for sexual harassment amongst other acts of misconduct. Videos of the protest went viral on social media and showed students carrying placards highlighting the lewd acts the Dean had allegedly requested of them. Prof. Ndifon was said to have a history of acts of abuse of power and sexual misconduct which had gone unchecked for almost a decade. The University suspended him for the "alleged violation of the provisions of the extant laws and policies" of the institution. He has been arraigned in court along with his lawyer, Sunny Anyanwu, by the Independent Corrupt Practices and Other Related Offences Commission (ICPC), for alleged sexual harassment and an attempt to pervert the course of justice and the case is ongoing.

University of Nigeria -Nsukka

In April 2024, the Management of the University of Nigeria, Nsukka indefinitely suspended Mfonobong Udoudom, a lecturer in the General Studies Unit of the University, for alleged sexual harassment of a female student of the Institution. It was gathered that the lecturer had vowed that a female student would not pass his course unless she submitted herself for sexual intercourse. The lecturer was said to have invited some female students to his office with a threat that they would fail his course if they failed to present themselves in his office. This particular lady who is married offered money instead of sex when she eventually visited his office, which the lecturer turned down. Unknown to him she had made a report to the school Security department which then worked with her and ensured that he was caught on tape undressed and ready to take advantage of the student. The University suspended him with immediate effect pending the outcome of a disciplinary committee of the University constituted to investigate the incident.

Obafemi Awolowo University- Ife

In one of several examples, the Obafemi Awolowo University Ife was enmeshed in a scandal in April 2018, after a leaked phone recording exposed a professor, Mr. Akindele, seeking sex from Ms Monica Osagie to pass her in an examination. In the audio, the professor requested five rounds of sex from Ms Osagie, then a master's student of the institution. The University's investigative panel found Mr. Akindele guilty of an inappropriate relationship with the student, a claim to which he admitted. Mr Akindele was initially suspended indefinitely, following an interim report of the investigation. He was, however, permanently dismissed after a full-fledged investigation.

Ebonyi State University

A final-year student of the Ebonyi State University, Abakaliki, Favour Ugwuka is reported to have committed suicide in her hostel at the university. Favour, a final year student in the Department of English passed all her courses but repeatedly failed a particular course, whose lecturer was said to have vowed she would never pass. Her erstwhile colleague, Rex Nwome is said to have reported that Favour committed suicide because she had been failing the course repeatedly and the lecturer had vowed never to allow her to graduate. He said: "You could imagine where she later passed all the courses except that lecturer's, she had to pay another extra year's tuition to rewrite ... Unfortunately, the man failed her again. What resulted in this intense depression is the latest NYSC names that were recently shortlisted, and her name wasn't there." In a subsequent video that went viral, an ex-student confirmed

the situation with sextortion in the university, drawing attention to the mental health challenges posed to victims and went as far as advising people not to attend the university

Sexual Harassment Policies

In response to the outcry from incidents like those highlighted, several schools now have a zero-tolerance- for- sextortion- policy and have displayed and applied this when the cases have been publicly outed.

Nigeria has 272 Universities out of which 149 are private universities (as of the 26th of February 2024 publication of the Nigerian Universities Commission). A cursory review of policies available online showed the policies of about 30 schools. The policies of both categories of schools were identified. It is not clear if these are publicly displayed ordinarily. These policies need to be made more obvious to create the confidence that victims need that the matter is taken seriously. This will encourage safe reporting and act as a deterrent to further occurrences.

Challenges with Reporting Sextortion?

- Unbearable publicity – victims are hounded on social media, with supporters of the accused trolling them.
- Lives of the victims become the subject of public discussion – often blamed with suggestions that they must have done something wrong to attract the attention.
- Pressure on victims and their families to drop the charges and not ruin the careers and families of the lecturers.
- Victims soon succumb to the pressure, creating a challenge for those who want to fight to the end.
- Responses of persons in positions of Authority – The Hon Minister for Women Affairs castigating the students of the University of Calabar for reporting. The Minister, in a leaked telephone conversation, threatened one of the victims in the Ndifon case and other testifiers that they would go to jail if they lied against Ndifon.
- The panellist pointed out an additional issue with trials and investigations and on how victims have to participate in judicial proceedings. They might be protected during investigations but not during trials.
- She also emphasized that the wording used in survey is important: 1st survey conducted in Nigeria low response on sexual corruption, but during the second survey the terminology was changed and far more accurate results ensued.

How can we prevent the re-victimisation of the Victims?

- Positive action by the Government to ensure punishment of offenders – e.g. the ICPC which has been handling such cases.
- The panelist suggested to protect the identity of the victim/survivor and ensure that the name of the victim/survivor is not made public.
- Can the hearings be held with limited publicity and the names of the victims shielded from the public glare?
- Publicise the policy and ensure an annual sign-off by staff, so that it's not left on paper
- Simplify processes for reporting and ensure proper investigation
- Responses of persons in positions of Authority to be appropriate – they should be trained and sensitised.

UGANDA -Missing opportunities to address sexual corruption? The misnomer of sexual harassment in the education sector and its implications.

By Dr Monica Twesiime Kirya and Laura Nyirinkindi

In March 2018, a committee was appointed by the Vice-Chancellor of Makerere University in Uganda to investigate allegations of sexual harassment at the University. The Committee was mandated to investigate the causes of increasing cases of sexual harassment and review the University's Policy and Regulations Against Sexual Harassment and make recommendations for its improvement.

One theme that featured strongly was abuse of power. The Committee findings illustrated a culture of abuse of power by those holding academic and administrative authority, noting that power relations were particularly wielded to punish and withhold or award certain benefits. In finding that there was abuse of power, the Committee identified the prevalence of fear of retribution, avoidance of jeopardizing job or academic careers, withholding of grades or asking for sex in exchange for granting better grades. The University's bureaucratic systems of academic records storage, student registration and clearance for graduation, submission and retrieval of results, and processing transcripts also led to exploitative extortion practices for sex, as employment or academic advancement were premised upon submission to sexual advances. The University Policy and Regulations Against Sexual Harassment did not proscribe any of these actions and while sanctions include criminal prosecutions, there is no specific criminal law to cover sexual harassment in educational institutions.

The Committee recommended policy and administrative reviews, expedited investigations of complaints, counselling services and allocating adequate resources for prevention, management and rehabilitation of survivors of sexual harassment; and awareness-raising and training of the university community about sexual harassment and the adoption of an affirmative action policy to redress unequal power relations in line with the Constitution of the Republic of Uganda and the University Gender Equality Policy.

The Inspectorate of the Government of Uganda in a 2020 report on the Cost and Extent of Corruption in the Education Sector in Uganda highlighted the vice of "sextortion", which was defined as sexual harassment and extortion by teachers in exchange for favours, including "sex for grades". In a survey by the Inspectorate, 10% of respondents reported its incidence in schools in the preceding 5 years, whereby a teacher or school official proposed that they could grant benefits, such as good grades or passing a test, in exchange for sexual favours.

Uganda has regulations dealing with sexual harassment- the Employment (Sexual Harassment) Regulations 2012. These regulations are framed squarely in the context of employer-employee relations and do not extend to the situation where a student is sexually harassed by a tutor. Under the regulations, employees alleging to be victims of sexual harassment must go through rigorous procedures to assert their claims and bear the burden of proof within contexts of stigma and legal hurdles.

Jimoh Suleiman ICPC

The Sexual Harassment and Abuse Project

The issue of Sexual Harassment and Abuse especially in tertiary institutions has reached "epidemic" proportions and has become of national and indeed international concern in recent times. In recognition of the rising incidents of abuse and exploitation in education institutions, the ICPC initiated a project on the problem.

The project straddles the three focus areas of the Commission's mandate viz-a-viz enforcement, prevention, and public enlightenment and education. The project started with capacity building for investigators and prosecutors of the Commission to enhance their skills in understanding, investigating and prosecution of sexual harassment cases.

Section 2 (f) of the ICPC Act states that gratification includes any service or favor of any description such as penalty or disability incurred or apprehended." Any public officer who uses his office or position to gratify or confer any corrupt or unfair advantage upon himself or any other person has committed an offence under the Act.

Section 8 of the ICPC Act further criminalizes "corruptly asking, receiving or obtaining any property or benefit of any kind for himself or for any other person" and provides a sanction of imprisonment for seven (7) years. Sexual favors fall under the category of "benefit". When any person in a position of power or authority uses such power irresponsibly by demanding sexual gratification, it is an abuse of power under the ICPC. Act.

The ICPC constituted the ***Sexual Harassment and Abuse Response Team (SHART)*** comprising six officers (two each from Legal, Operations and Public Enlightenment and Education Departments) on the 20th of June 2022. The specialized team is tasked with the responsibility of handling sexual harassment cases as an intervention to reduce abuse of office or power. The "Prevention of Sexual Corruption" project, which is being implemented by the SHART, is designed to strengthen the prevention mandate of the ICPC with focus on prevention of Sexual Harassment in Secondary and Tertiary Institutions in Nigeria to address the issue of sexual gratification and abuse of office and power by officials.

Basic things to know about the Sexual Harassment Project -

Sexual harassment include Physical violence including sexual assault; Brushing body or object against another; Demeaning comments on workers appearance, age, and private life; Sexual comments, stories and jokes; Sexual advances; Insults based on gender of the person; Repeated and unwanted social invitations; Sending sexually explicit messages; Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, whistling, fondling or inappropriate touching; Physical, verbal or nonverbal conduct of sexual nature; Condescending or paternalistic remarks.

Though the criminal prosecution of sexual harassment is novel in Nigeria, the Commission broke new frontiers in its comprehensive investigation and prosecution in the case of **Professor Richard Akindede of Obafemi Awolowo University, Ile-Ife, Osun state**. The defendant was convicted and sentenced to 24 months in prison for demanding sexual gratification to "pass" a student. The Commission was able to successfully prove in court that sexual harassment is abuse of power where the perpetrator abuses his position and advantage to demand and at times obtain sexual gratification from the victim. By the case of FRN vs Richard Akindede, the Commission established that mere demand for gratification is an offence which the agency can and will prosecute. This was a major conviction never seen before in the annals of Nigerian history.

With the increase in public awareness of the powers of the ICPC to investigate and prosecute cases of sexual harassment as corruption, more reports on sexual harassment have been received by the Commission. So far, 13 cases are under investigation and prosecution.

On-going Prosecution

Professor Cyril Ndifon University of Calabar

The case is one of alleged Sexual Harassment against students, and other acts of Abuse of Office against one Professor Cyril Ndifon (Respondent), the suspended Dean of Faculty of Law, the University of Calabar. The accused was previously investigated by the Commission in 2015 for alleged abuse of office through Sexual Harassment, Sexual Gratification and Rape.

In the present case, the accused is charged along with his lawyer for abuse of power and for conspiracy to pervert the cause of justice by making calls to the prosecution witness and attempting to interfere with the case. He on his own was charged under the ICPC Act for demanding gratification, (Section 8), for abuse of his office under Section 19 and a violation of the Cybercrime Act as his request and receipt of nude pictures were done by transfer through electronic devices. The Prosecution has since closed its case and the court has ruled that he has a case to answer after his no case submission. He will open his defence on the next adjourned date.

The Commission is also implementing its prevention mandate by promoting the adoption of sexual harassment policies in educational institutions. The Commission's Sexual Harassment and Abuse Response Team (SHART) participated in the drafting of two model sexual harassment policies to serve as guide for educational institutions from primary to tertiary levels. The intention is to encourage educational institutions to introduce policies that will guide all stakeholders in their institutions on how to diminish and hopefully prevent sexual harassment, and where it happens how to respond in the interest of all concerned. The ICPC Team is also showing victims how to report.

The ICPC Act provides for protection of some sort for whistleblowers, however the protection is not sufficient. The ICPC is very proactive to ensure protection of the victim.

The moderator pointed out that the issue is underreported due to lack of knowledge, fear and social stigma. It is important to talk about reporting and how to avoid re-victimizing the victim.

Jose Peron: [This is My Backyard \(TIMBY\)](#)

Timby presented on their digital tool for reporting cases. The tools are developed with a user-centred approach, to meet the needs of each group the organization works with. It includes compatibility and features linking it to other platforms, such as WhatsApp. The platform also generates a dashboard of reports, which enables moderators to address the reports from different groups using the platform. Timby works in over 26 languages and 50 countries and groups using the platform include human rights advocates, climate groups and groups using the platform for the reporting of sexual corruption cases. Evidence reporting changes the question from to what happens to what to do about it.

The tool has been used in Nigeria in sexual corruption cases in the Universities.

Huguette Labelle

Huguette addressed the important issue of the complete power imbalance between perpetrators and victims in the cases being discussed. The speaker also stressed the important topic of victims not feeling safe to report such cases. Considering the educational environment, the consequences are very drastic, leading long-term effects to the education of victims, who are more likely to drop out of schools. She also raised the issues related to creating safe reporting and protection mechanisms, adequate to the educational environment, so victims are not easily recognized when reporting. After the reporting, protection mechanisms during the investigation phase should be improved as well to also avoid re-victimizing victims. For example, in situations where there is only one victim, even if the reporting mechanism allows for anonymous reports, the perpetrator will know who the victim is. Another issue refers to ensuring that all authorities in educational institutions with

a responsibility in these cases know exactly what their role is, so they are also accountable for the adequate handling of cases.

How do we ensure a protection mechanism?

According to Ms. Labelle, what we are dealing here is one of the worst corruption issues. The perpetrators have power, the victim does not. Victims do not report if they do not feel safe. The reporting mechanism need to be in place, and several conditions must be considered, which should include systems to ensure that the information is private, and that the location of the responsible offices ensure privacy. The investigative angle must be done in a very careful way, otherwise the victim can be put in a bad situation.

The contracts for all professors/teachers must be very clear and include clauses that they must act with integrity and that student protection is vital. It is also key that the victim is informed of the case regularly. The University principal/president's contract must be very clear on responsibilities on how to deal with this. She further emphasized the role of prevention and on how schools can adopt practices to inform and advise students on what behaviours are inappropriate and the mechanisms for reporting.

Arwa Hassan: GIZ

She emphasised that she is speaking from the viewpoint of her experience as an international development expert and that her views do not represent the official views of GIZ. She discussed the new approach to development, referred to as “feminist development policy” and quoted a statement from the Ministry for a global community for justice. She was keen to explain that it is important that this language and this nomenclature is not misunderstood. When countries refer to feminist development policies, the speaker asked whether that did not actually refer to policies that are simply more inclusive and participatory, for that is surely the ultimate aim, to ensure that everyone (including women and girls) benefit from development policy decisions. For example, she argued that equality would mean more development, the inclusion of women in such policies would mean that men and women would be equally targeted by development initiatives fighting hunger, climate change, health issues, etc. Feminist development policy- is about more inclusiveness, not about promoting women to the disadvantage of men – and to quote SDG “No-one left Behind”, that is surely the direction that we want to be heading.

Looking at Support During Trial

The moderator summarized the initial presentations, emphasizing the main point made by speakers that reporting was still an issue, even when data and policies are in place. She also pointed out that the speakers all concurred on the need for a whole of government, whole of society approach to the issue.

Main outcomes of the session (include quotes/highlights and interesting questions from the floor)

Questions from the audience

- Request for more information about reporting mechanisms for students in Nigeria and support for victims.
- How do you address cases in which the victim either changes their mind after reporting and asks for the report to be dropped – should there be opportunities for third persons to report such cases or should only victims be able to report?
- Nigeria – whistleblowing – whether improving whistleblower protection legislation is being considered by the country to improve reporting and make it safer for victims?

- There is need to recognize the problem publicly so more people can identify it and victims are not blamed, so how can this happen in a way that protects victims and promotes reporting and conversations about the issue?
- An attendee congratulated UNODC on providing data on cases and the issue and suggested to UNODC to consider further disaggregating the data in its surveys to provide more nuance to groups within each category, for example, disaggregate more to have more data on the experiences of women with disabilities.
- What tools to improve information are available to victims so they know how to report their cases in a way that better translates to legal terms that need to be used in official documents for investigations and trials as well as how to train officials investigating cases, so the language used does not re-victimize the victims?
- Anonymous reporting is key – one of the reasons that people did not report 95% of cases – what has the ICCP done about that?
- We need to recognize the problem publicly and make it a discussion- how should we speak about this publicly in a way that is constructive and ensure it does not backfire?

Responses

- ICPC is assisting educational institutions to strengthen their policies and mechanisms and working with victims to guide them on how to safely report, such as advising on anonymous reporting. Current legislation has some protection for whistleblowers, but it is not sufficient. ICPC tries within its capacity to make reporting safe for victims though, including by working with universities so they are aware of investigations and the procedures to try to protect victims.
ICPC cited two cases where CSO reported on behalf of the victim. They encourage reporting by third parties.
- The moderator stated that experience from the trials of other corruption cases in protecting the identity of victims or whistleblowers should be considered for sexual corruption cases as well.
- Arwa Hassan shared the experience of the German judiciary in which victims are allowed to provide evidence in closed sessions to protect themselves. Such experiences should be shared with and encouraged in other countries.
- Timby further explained that reporting systems are customized to each group that will be reporting to adapt to specific needs.
- UNODC further explained the survey parameters of the work they are carrying out seek to capture a wider disaggregation of the data, including, for example, disabilities, age groups, education and income levels, and, in some cases, sexual identification besides gender. This allows for more ways to analyse the data in turn.
- ICPC is providing training to officials on language that can and should be used when investigating cases, as well as providing training to students on what constitutes inappropriate behaviours, so they know the language to use to report.
- The Moderator added to the experience of Nigeria by sharing how UNODC's technical assistance in whistleblower protection works to ensure that officials understand that victims/whistleblowers do not have an obligation to know exact legal terms of what constitutes a corruption offence. In addition, UNODC supports countries in adopting a victim-centred approach to investigations and on how to collect testimonies.

Key recommendations for the future and concrete follow-up actions

- Psychosocial elements: Once the aggression becomes visible, the parents must be brought in/integrated as the parents might become aggressive.
- Need to put in place preventive measure: yearly awareness for students, training and re-training of teachers, include this issue in teachers training programmes
- Feminist development policy- is about more inclusiveness, not about promoting women to the disadvantage of men – No-one left Behind
- The contracts for all professors/teachers must be very clear and include clauses that they must act with integrity and that student protection is vital. And it is key that the victim is informed of the case regularly.
- The University principal/president's contract must be very clear on responsibilities on how to deal with this issue.
- There is a need to protect the identity of the victim/survivor and ensure that the name of the victim/survivor is not made public.
- Positive action by the Government to ensure punishment of offenders – e.g. the ICPC which has been handling such cases
- Can the hearings be held with limited publicity and the names of the victims shielded from the public glare?
- Publicise the policy and ensure an annual sign-off by staff, so that it's not left on paper.
- Simplify processes for reporting and ensure proper investigation.
- Responses of persons in positions of Authority to be appropriate – they should be trained and sensitised.
- Need to bring more parameters for desegregation – under the constructs of female there are several groups for example women with disabilities.
- Language can be helpful or unhelpful: There should be tools to collect information to help the victim to define what happened to them.
- Need to foster a protective environment as this issue is affecting education and ultimately development.
- Language used is key and critical: we need to be mindful that policies are to be inclusive but also ensuring that the language used is inclusive.

Final words

- Huguette- Collectively we can find ways for victims to report cases and prevent further individuals from being victimized.
- ICPC-Criminal offenses should be treated as criminal offenses
- Timby-Technology is not the solution but needs to be part of the solution
- UNODC – cases don't victimize only women, but also men.
- Lilian-Need to create an environment that enables reporting, given the effects on education of individuals, access to justice and ultimately the achievement of the SDGs.
- GIZ – language is as important as the content behind it. Important that not only policies are inclusive but also that the language used to identify how those policies are implemented is inclusive and adequate.
- Moderator- Those that are invisible in data are also invisible in policies
- Floor- Basel Institute how should speak about this publicly in a way that is constructive and does not backfire?
- Moderator – The time is now, we can't wait – it costs lives to wait. We are all biased, but are we aware of our biases?

Rapporteur's name
Name and Surname
Position
Organisation

Date submitted
29TH June 2024

Action! This report needs to be emailed to iacc-av@transparency.org within 24 hours of the session. If you wish to update the report, please do so by 21 July. Thank you.