

**WORKING SESSION TWO:
ELECTION OBSERVATION AND WOMEN'S PARTICIPATION:
INTERNATIONAL STANDARDS, METHODOLOGY AND RECOMMENDATIONS**

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Regional Conference on Gender Equality
in Electoral Processes

26 November 2015
Tbilisi, Georgia

Ladies and Gentlemen, Distinguished Guests,

Good morning and thank you for this opportunity to speak about election observation and women's participation. Allow me to begin by expressing my appreciation to our colleagues from the Georgian Central Election Commission and from the Venice Commission for the kind invitation to join this important event.

Allow me to also welcome the timing of this event. This year, 2015, provides an opportune moment to take stock of recent achievements and challenges in promoting women's electoral participation. Indeed, in this year when we are celebrating the anniversary of many important electoral milestones – the 25th anniversary of the 1990 OSCE Copenhagen Document and the 10th anniversary of the Declaration of Principles for International Election Observation – we should not forget that this is also the 20th anniversary of the Beijing Declaration and Platform for Action, which set important targets for women's participation, including having at least 30 per cent of women elected to parliament.

This morning I would like to focus on two key issues: (1) the development of election observation methodology to effectively assess women's participation, and (2) the challenges that remain in achieving equal opportunities for women, as identified by the recommendations of our election observation missions.

But I would like to first take this opportunity to place ODIHR's observation of women's electoral participation within a specific OSCE context.

At ODIHR, the foundation of our work rests in the recognition by all OSCE participating States that equality between men and women is a fundamental aspect of a just and democratic society. All states have explicitly committed themselves to promote equal opportunities for the full participation of women in political and public life, and this is reflected in a rich body of OSCE commitments and international obligations related to gender equality.

We have already heard a very clear and comprehensive overview of these standards and I will not repeat this now; but allow me to draw out two key notions, which are particularly pertinent to our work. First, is the fundamental and overarching theme of equal rights, which can be traced back to Article 3 of the ICCPR, which enshrines the notion of the “equal right... to the enjoyment of all civil and political rights”; this language of equality of opportunity and non-discrimination recurs throughout all later gender-specific standards. The second key theme is more specific, as outlined in CEDAW, which calls for temporary special measures to accelerate *de facto* equality between men and women. CEDAW makes clear that such measures should not be considered as discriminatory and later CEDAW General Recommendations elaborate upon this and provide further guidance as to what measures may be applied.

Here, I would underscore that the election-related gender obligations outlined in the ICCPR and CEDAW are all supported by OSCE commitments, be it in the 1990 Copenhagen, 1991 Moscow or 1999 Istanbul document. And, most recently, at the 2009 Athens Ministerial Council, the participating States committed themselves to “consider possible legislative measures, which would facilitate a more balanced participation of women and men in political and public life and especially in decision-making”.

Moreover, all OSCE participating States have explicitly committed themselves to comply with CEDAW in the 1991 Moscow Document (paragraph 40.2) and, at present, only two OSCE participating States have not acceded to the Convention: the Holy See and the United States.

Let me now turn more specifically to the development of our methodology for assessing these standards for women’s participation in the framework of our election observation missions. In 2004, as part of a broader Gender Action Plan, the ODIHR received a special mandate from

the participating States to “...continue, as a part of its Election Observation Missions, to monitor and report on women’s participation in electoral processes”. This provides a clear and fundamental building block for our methodology.

Yet, ODIHR had begun to systematically address women’s electoral participation as early as 2000, when a dedicated gender expert joined our election observation mission to Romania. The expert developed an initial methodology in this area and, for the first time, we specifically commented on women’s participation in our preliminary statement and final report.

During the course of 2002, the methodology was further refined, resulting in the 2004 publication of the ODIHR *Handbook for Monitoring Women’s Participation in Elections*. Through our methodology, we endeavour to take a broad approach to the issue, assessing women’s participation as voters, candidates and elected representatives; their involvement in leadership roles within state institutions, electoral commissions and political parties; and how the legal framework and media structures affect women. And we report on these issues throughout the electoral cycle: in our needs assessment reports prior to deploying an observation mission, in interim reports once a mission is on the ground, in the post-election day statement, and in the comprehensive final report that follows the conclusion of a mission.

Our *Handbook for Monitoring Women’s Participation* remains a core element of our methodology. But as with all good methodologies, it should be seen as a process and not a final product, and we have sought to refine and polish our approach in recent years. We do continue to deploy a dedicated Gender Analyst on our observation activities when a Needs Assessment Mission identifies a very specific need. However, in recent years, we have moved to a mainstreaming approach whereby all members of the core team – specifically the Legal Analyst, Political Analyst, Election Analyst, and Media Analyst – are requested to analyse how gender issues relate to their area of responsibility. In keeping with this, instead of having a separate section on women’s participation, we now mainstream this analysis into each of the the relevant thematic sections.

In our experience, this has led to a more nuanced, technical analysis and has resulted in more concrete and specific recommendations. In many ways it has re-energised our approach to observing women’s participation. Yet, it does contain some risks, including potentially lower visibility or neglect of the issue at the level of meaningful analysis. To mitigate against this

we provide greater support to our analysts through briefings and guidance papers via our Desk Officers and we also include a dedicated paragraph on women's participation in the Executive Summary of our reports to ensure that it retains prominence and visibility.

In terms of methodology, let me also add that we have made greater efforts in recent years to cite CEDAW in our reports, including the Committee's General Recommendations and Concluding Observations for a given country – and, in turn, this has also helped with making our own recommendations more concrete. We have also incorporated gender into our handbooks on thematic issues, including on campaign finance as well as our upcoming handbook on the follow-up of electoral recommendations.

And within our observation activities, I should note that we also strive to ensure gender balance in the composition of our teams. In the last year, I'm pleased to report that 40 per cent of all electoral experts recruited and deployed by ODIHR were women – including those in decision-making positions, our Heads and Deputy Heads of Missions.

Yet despite international obligations and commitments – and efforts by ODIHR, the Venice Commission, and others to monitor and promote women's participation – it is clear that advancing equal participation of women in political life is still very much a work in progress. Women's parliamentary representation is currently at some 26 per cent across the OSCE region; or one in four of all MPs. This is an increase from 22 per cent in 2010, and just 15 per cent in 2000. Such advances, although not sufficient, show the positive effect of good practices in promoting women's political involvement in elections. However, I would add that this increase is largely due to significant progress made in a small number of participating States. In several other countries, progress has in fact stagnated. Only 17 of the 57 participating States have 30 per cent or more women in parliaments (an interim global benchmark set by the UN in 1995).

In understanding the challenges that remain in securing equal opportunities for women, it is illuminating to review past ODIHR recommendations from our election observation activities as they pertain to women's participation. Between 2009 and 2014, we made a total of 66 recommendations explicitly related to women's participation across the 65 elections observed

during that period. This, of course, works out at an average of 1 recommendation per mission, although I would note that recommendations – especially those related to gender – are often multi-layered and several specific recommendations may be packaged within one larger recommendation. Indeed, if we unpack these recommendations, the total is closer to 100. I would also add that other recommendations have a direct impact on women’s participation in calling for a more level playing field or the removal of discriminatory provisions.

But if we look only at those recommendations focussed exclusively on women’s participation, the direction of those recommendations is revealing. A rough calculation indicates that in the last five years, nearly half of these recommendations relate to candidate rights and registration, recognizing the importance of ballot access for advancing women’s elected representation. Indeed, using the language of temporary special measures, recommendations often cited the need to consider having a minimum number of women candidates, how to effectively order gender on candidate lists, and how elected representatives are replaced if a candidate resigns or otherwise gives up their post. Increasingly, recommendations also incorporate the need to impose effective sanctions for those parties that do not comply with gender requirements.

The second largest category of recommendations - nearly 20 per cent – are related to measures to enhance women's representation in electoral management bodies and other state institutions. Relying on the language of CEDAW, these recommendations have also evolved and increasingly focus on the need for women’s representation in senior decision-making positions.

Otherwise, around 12 per cent of recommendations were targeted at parties and campaigning, encouraging women's greater representation within parties - including leadership positions - as well as greater visibility in campaigns and to counter negative stereotyping. And a sizable number of recommendations - 10 per cent - focussed on voter education and training of polling staff to safeguard against election day abuses that disproportionately impact women, most notably family voting.

I would lastly add that less than 5 per cent of our recommendations, combined, related to media, campaign finance, or the provision of sex-disaggregated data. These are issues that we have paid increasing attention to in recent years, but a review of our recommendations

indicates that perhaps more thought and consistency can be given to these issues and I would be interested to hear your views on this.

In closing, I would like to underscore that many countries throughout the OSCE region continue to face challenges in enhancing women's electoral representation and it is clear that much work still needs to be done. It is equally true that international organizations need to continue to improve their approaches to assessing the issue and in making recommendations that are clear, implementable, and can lead to meaningful change. I think that this meeting provides a timely and valuable opportunity to take stock of recent developments – from each of our different perspectives – and to consider how we can be most effective in promoting women's electoral participation.

I thank you for your attention and I look forward to our discussions.