

**VENICE COMMISSION - CENTRAL ELECTION COMMISSION OF
GEORGIA**

**REGIONAL CONFERENCE ON GENDER EQUALITY IN ELECTORAL
PROCESSES**

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**Working session 2 – Gender Equality, electoral processes and
electoral systems**

25 November 2015, 2-4pm

Dear participants,
Dear colleagues,
Ladies and gentlemen,

It is a real pleasure for me to be here today and I am grateful for this opportunity to cooperate once again with the Venice Commission – and for the first time with the Georgian authorities.

I am currently preparing a report for the Parliamentary Assembly on measures to improve women's political representation, and the current version of the report opens with a quotation from the *Guidelines on Political Parties Regulation* prepared by the Venice Commission. It reads:

“The small number of women in politics remains a critical issue which undermines the full functioning of democratic process”.

Indeed, the current level of political representation of women is at odds with the principle of gender equality which should be one of the pillars of our democracies.

Representative democracy, in spite of its shortcomings, is still the most efficient system for governing complex societies. In other words, democracy is not perfect, but we have not found a better option. However we should ask ourselves, if women, the largest share of the population, are

not adequately represented, can we consider a system representative? Can we call it democratic?

Today in Europe, even though women represent more than half of the population, the institutions are still composed of an overwhelming majority of men.

Changing this state of affairs requires proactive measures, such as the introduction of legal obligations. Or a radical change in people's mentalities. Or both.

The Parliamentary Assembly has consistently taken a stand in favour of measures intended to address the under-representation of women in democratic institutions. The Assembly focused on various facets of this matter, including of course the elections, back in 2004 with a Resolution on *Women's participation in elections*¹ and then in 2010 with one on *Increasing women's representation in politics through the electoral system*², to mention only the adopted texts most strictly relevant to our exchange today. In the preparation of my report, I took into account some other texts and particularly Resolution 1898 (2012) on Political parties and women's political representation.

In the last decades, a wide range of measures have been introduced, in Europe and beyond, to enhance women's representation in politics. The question is, did they have an impact? As a starting point of the report, we prepared a comparative table, showing the proportion of women in the parliaments of Council of Europe member States in 2005 and today.

The table showed that the overall level of women's political representation is on the rise. In the large majority of Council of Europe member States, the proportion of women parliamentarians has increased over the last 10 years.

This is good news. However, the increase is very slow. It took 10 years to bring the percentage of women parliamentarians from approximately 18% to about 25%. At this pace, it would take decades to reach gender parity. We need to take action to accelerate this process.

¹ Resolution 1676 (2004)

² Resolution 1899 (2010)

Quotas

Positive measures, and in particular quotas, are among the main means currently used to increase women's political representation. The Quota Project, a global online database on quota systems originating from cooperation between International IDEA, the Inter-Parliamentary Union and Stockholm University, underlines that the use of electoral quotas reserved for women is much more widespread than is commonly held: an increasing number of countries are introducing various types of gender quotas. At the moment, approximately half of the countries of the world use some type of electoral quota for parliamentary elections.

Support for quotas is not unanimous. They raise criticism on several grounds. The main arguments against quota systems include the idea that they are in breach of the principle of equality: critics think that some candidates are favoured over others based on their gender. Quotas are also often viewed as reducing the freedom of choice of voters.

Even many female politicians oppose quotas. They say that they "do not want to be elected just because they are women". However, support for quota systems is increasing. Indeed, support for gender equality is increasing. Not only in the old sense of "equal opportunities" for women and men. Now we try to achieve equality of results.

At the beginning of my political career, I was not in favour of gender quotas myself, even though gender equality was high in my priorities. I thought that positive measures in general were not necessary. I believed that women could run for a seat in Parliament and win thanks to their commitment and their skills, just like men.

Then, a few years ago, I had the opportunity to attend a university course on women in politics and the institutions. The course gave me a better understanding of the barriers that women face when they enter a political career, and throughout all the subsequent steps (political work is not only about campaigning and running for elections. There are many other aspects of it, which keep us busy day after day). I came to the conclusion that the competition is so unequal and the need to reverse the situation so urgent, that gender quotas are justified. In fact, they are necessary.

In Europe, legally binding quotas for parliamentary elections have been introduced in a number of countries, including France, Poland, Serbia, Spain and many others.

In other countries, some political parties have decided to apply voluntary quotas. This is the case of Austria, Germany, Sweden or the United Kingdom.

In a few other countries there are no quotas at all. These countries include Bulgaria, Denmark, Estonia, Finland.

Interestingly, by observing the proportion of women parliamentarians in all of these countries, we cannot conclude that quotas are the perfect solution. There are countries with a high level of political representation of women and no quotas, such as Denmark. And other countries with low representation, even though there are gender quotas.

This depends on many factors.

Firstly, the level of representation required by quotas regulations is of course very important. If there is a minimum percentage of candidates of any sex required by the law, but this minimum is only 15%, we cannot expect this system to reach gender parity easily. Quotas can help achieve gender equality only if they set the bar high. Quotas need to be ambitious. I find the idea of introducing gender parity in the Constitution or in electoral legislation particularly interesting. Some Latin American countries have done so and I think that we should look very attentively at their experience. The Parliamentary Assembly could recommend that Council of Europe member states at least consider following that example.

Introducing a parity system, in the sense of equal, 50-50 representation at all levels, would require strong political will and wide support. It would certainly represent a solid foundation for gender equal democracy.

Secondly, quota systems, whether legislated or voluntary, should not only prescribe that parties should present a certain proportion of women candidates. Other factors, and particularly the position of candidates in the list, also matter. In the case of Poland, for instance, the results of legislated quotas have been disappointing because political parties have often put women candidates in lower positions on the list.

Thirdly, and perhaps the most important factor – enforcement of quotas, and sanctions. The impact of quotas largely depends on whether and to what extent they are enforced. There have to be sanctions for non-compliance. These sanctions must be effective. In France legally binding quotas were introduced for parliamentary elections several years ago. However, sanctions for non-compliance were purely financial. In some cases, the parties chose to pay the fines, rather than abiding by the obligations, because they thought that having a high proportion of female candidates would lead them to lose votes. A really effective sanction for non-compliance of provisions on quotas is the rejection of the lists. This sanction cannot be ignored by political parties. Senegal, which introduced quotas and this type of sanction, today has a Parliament in which 42% of members are women.

Quotas are necessary. They should be well designed. They should be effectively enforced.

However, quotas are not the only possible measure, and they are not sufficient.

Recently I conducted a fact-finding visit to Sweden to collect information for my report. Sweden ranks first in the latest EU gender equality index (calculated by the EU's European Institute of Gender Equality - EIGE) followed by Denmark and Finland. Sweden has a score of 74.3%, the EU average is 54%.

Gender mainstreaming

This did not happen overnight. Making progress towards gender equality has been high in the priorities of the Swedish authorities for decades. Substantial changes were introduced in the labour market thanks to successive reforms:

- individual taxation (as opposed to joint taxation for married couples) in 1971
- parental leave in 1974 (and then measures to encourage fathers to use it),

- the gender equality law of 1979,
- the mandate of Gender equality ombudsman in 1980

The Swedish society evolved gradually, and the idea that women and men should have equal rights became increasingly rooted.

Political parties contributed to this process by introducing gender quotas voluntarily. Today, all of the four main political parties use quotas:

The Social Democratic Party chose a zipper system, alternating men and women candidates, over twenty years ago. Internal quotas were adopted already in 1978 to increase women's presence at all levels within the party structures.

The Left Party also introduced internal quotas in 1978, and since 1993 it enforces a 50% quota for women on party lists.

50% quotas lists also for the Green Party

And, last but not least, the Moderate Party, which also currently applies a 50% gender quota for the top list positions.

In addition to all this, ten years ago a Feminist Party was founded by a group of women who found that a party that was "feminist at heart" was still missing in the national political scene. Today, this party is represented at local level and has one seat in the European Parliament. During my visit I noticed that the other political parties were not afraid of this new party and they looked attentively at its work. This movement actually contributed to put gender equality back in the spotlight.

Standards are so high in Sweden as concerns gender equality that all my interlocutors considered that there was still room for improvement in the country - in spite of the remarkable progress achieved so far. They mentioned distortions in the labour market and a still existing gender pay gap.

What I particularly appreciated was the holistic approach of Sweden's authorities to gender equality. Policies and legislation relevant to the situation of women

take into account that all aspects of public life are interconnected. In fact, they also keep into account that private life counts. That is why measures to reconcile work and private life also played a role in helping women improve their presence in the public sphere, and ultimately in political representation.

Election observation

Recently, I took part in the Parliamentary Assembly's election observation mission to Turkey, which took place on 1st November 2015. Many of the barriers that typically keep women's representation low were visible there. The presence of women politicians in the media, for instance was limited. The paradox then was that only men could talk about women in politics. This is a particularly delicate aspect of elections and campaigning today. Effective campaigning is crucial for the final results of each party in the elections. And an essential part of campaigning takes place in the media. There is no way that women candidates can achieve the same results as their male colleagues, as long as their presence in the media is much lower.

Election observation also detects other specific barriers to gender equality in political representation, which should be tackled. "Family voting", which can be found for instance in some rural areas in Balkan countries, is a serious one. The "head of the family", that is a man, decides how the rest of the family should vote. That means that women and the youth often cannot vote freely.

Gender equality is an increasingly important aspect of election observation. The Parliamentary Assembly cooperates in this field with the Office for Democratic Institutions and Human Rights (ODIHR), which is also represented here today. The final report published by ODIHR after each observation mission contains a specific chapter on gender equality issues, which shows how carefully the factor of gender is taken into account.

Even the administrative structure in charge of organising and managing the elections should be more gender equal. Those who regularly deal with election observation know that very often women are an important part of the staff in ballot stations. Sometimes they are the majority there. However, as we go up the ladder of hierarchy and structures, we find fewer and fewer women. This situation should also be tackled.

Conclusions

Reaching parity in political representation is an ambitious goal which requires joint efforts from all stakeholders: the public authorities (including legislators), political parties and the civil society. Technical aspects both in the designing and implementation of electoral lists and electoral legislation play an important role, and I welcome today's conference for giving us an opportunity to exchange information and learn more on all the different facets of gender equality in the electoral processes.

I would like to close my presentation by calling on all stakeholders represented here to keep in mind how important it is to cooperate, particularly by connecting the administration and the academia with the political level: in the preparation of my report I have relied on researchers, civil servants in national governments and international organisations, as well as representatives of the civil society and political parties. I needed and I still need the contribution of all these people so that I can endeavour to present a timely, relevant work. And that I can submit to the Assembly's vote a draft resolution indicating effective measures. I am at your disposal to give voice within the institutions to your concerns and your proposals to improve the situation of women in politics. And I am sure that many other elected representatives are ready to listen and to bring new elements into the political debate, at national level and in the European institutions.

Thank you for your attention.