

Sub-regional workshop on Special Measures


*International and Regional Commitments
of Pacific Island Countries*

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A pair of hands is shown from a top-down perspective, gently cupping a small, light blue globe of the Earth. The globe is centered in the frame, with the continents of North and South America visible in a darker shade. The hands are positioned on either side of the globe, with fingers slightly curled. The background is a light-colored, woven fabric with a consistent diamond-shaped pattern. The overall lighting is soft and even.

*[T]he full and complete development of a country,
the welfare of the world and the cause of peace
require the maximum participation of women on
equal terms with men in all fields.*

CEDAW Preamble



INTRODUCTION

- Is the removal of legal barriers to political participation enough?
- Historical and current economic, social, cultural and institutional barriers are massive.
- De jure (the right) vs. de facto (the reality)



Why do we need balanced representation of women and men in Parliament?

- Legitimacy: Parliament speaks for the population which is 50% women, 50% men
- Gender responsive governance: Policies developed and decisions made by men alone inevitably reflect only part of human experience and potential
- Real impact: If women's participation reaches a minimum of 30-35% ("critical mass"), there is a real impact on political style and the content of decisions
- Realisation of human rights: CEDAW's examination of States Parties' reports shows that where there is full and equal participation of women in public life and decision-making, the implementation of their rights and compliance with the Convention improves.



International Covenant on Civil and Political Rights (ICCPR)

Adopted 1966, in force 1976

Article 2

1. Each State Party ... undertakes **to respect and to ensure** to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, **without distinction** of any kind, such as race, colour, **sex**, ...
2. Where not already provided for by existing legislative or other measures, each State Party ... **undertakes** to take the **necessary steps**, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such **laws or other measures** as may be necessary to **give effect** to the rights recognized in the present Covenant.



ICCPR (cont'd)

Article 3

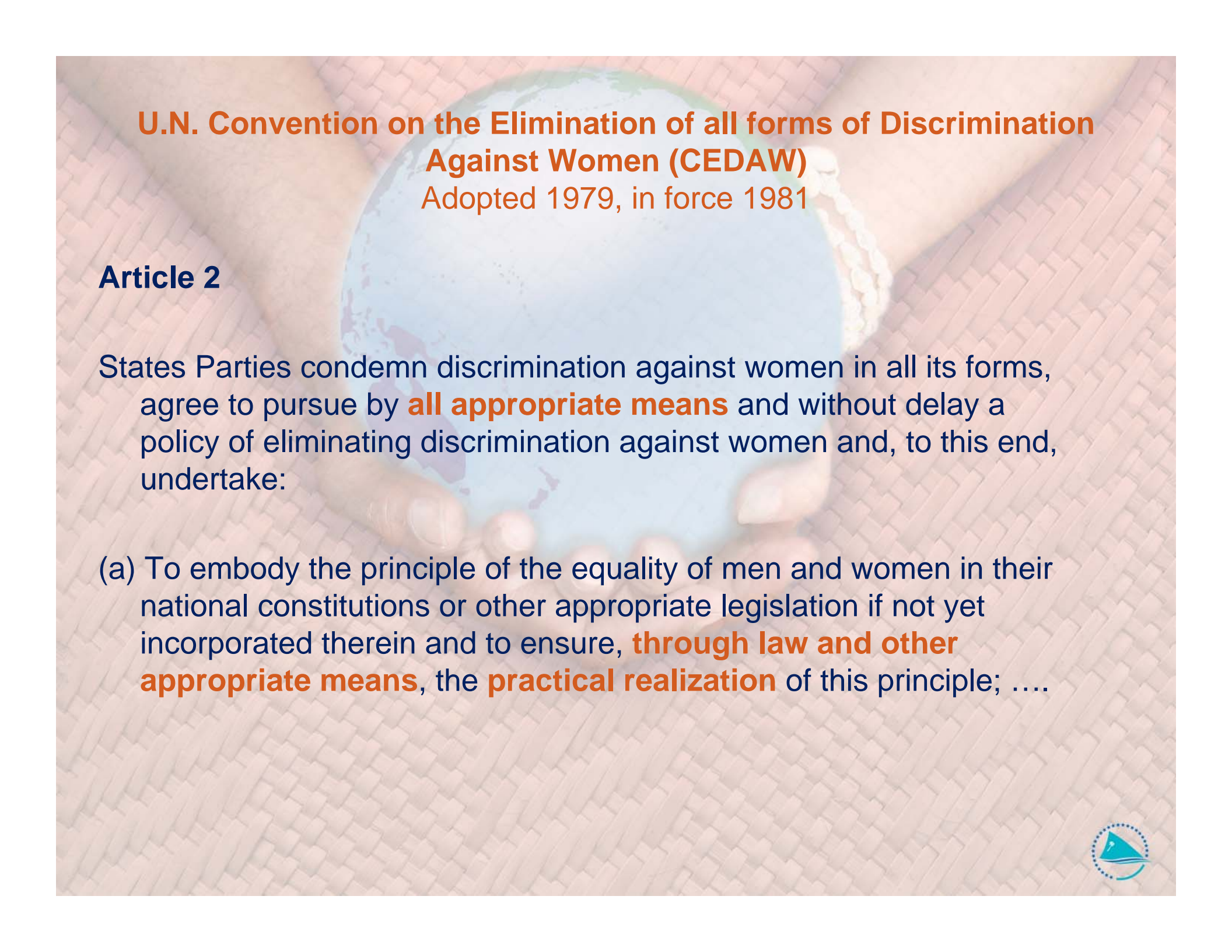
The States Parties ... **undertake** to ensure the **equal right of men and women** to the **enjoyment** of all civil and political rights set forth in the present Covenant.

Article 25

Every citizen shall have the **right and the opportunity**:

- (a) To **take part in the conduct of public affairs**, directly or through freely chosen representatives;
- (b) To vote and to **be elected** at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his (sic) country.





**U.N. Convention on the Elimination of all forms of Discrimination
Against Women (CEDAW)**
Adopted 1979, in force 1981

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by **all appropriate means** and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, **through law and other appropriate means**, the **practical realization** of this principle;



CEDAW (cont'd)

Article 3

States Parties **shall** take in all fields, in particular in the **political**, social, economic and cultural fields, **all appropriate measures**, including legislation, to ensure the full development and advancement of women , for the purpose of guaranteeing them the **exercise and enjoyment** of human rights and fundamental freedoms on a basis of equality with men.



CEDAW (cont'd)

Article 4

1. Adoption by States Parties of temporary special measures aimed at **accelerating de facto equality** between men and women shall **not** be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be **discontinued** when the objectives of **equality of opportunity and treatment** have been achieved.



CEDAW (cont'd)

Article 7

States Parties **shall** take **all appropriate measures** to eliminate discrimination against women in the **political and public life of the country** and, in particular, shall ensure to women, on equal terms with men, the right:

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; ...



Beijing Platform for Action (BPA)

1995

Strategic objective G.1: Take measures to ensure women's equal access to and full participation in power structures and decision-making

Strategic objective G.2: Increase women's capacity to participate in decision-making and leadership



BPA (cont'd)

Actions to be taken by governments

Strategic Objective G.1:

- ...set specific targets and implement measures to substantially increase the number of women with a view to achieving equal representation of women and men, **if necessary through positive action**, in all governmental and public administration positions
- Take measures, including, where appropriate, in **electoral systems** that encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men
- Review the differential impact of electoral systems on the political representation of women in elected bodies and consider, where appropriate, the adjustment or reform of those systems



A pair of hands is shown holding a small, light blue globe of the Earth. The hands are positioned at the top and bottom of the globe, with fingers gently cupping it. The background is a light-colored, woven fabric with a diamond-shaped pattern. The text is overlaid on the image.

BPA (cont'd)

Actions to be taken by governments and others
(Strategic Objective G.2):

- leadership training
- training in political campaigning
- training to encourage women to participate in the electoral process



Millennium Development Goals (MDGs)

2000

Goal 3:

Promote gender equality and empower women

Indicator 3.3:

Proportion of seats held by women in national parliament



U.N. General Assembly Resolution on Women in Political Participation

58th session (2003)

1. Urges States to:
 - (a) implement **positive measures** that would accelerate the achievement of equality between men and women
 - (d) counter, as appropriate, negative **societal attitudes** about women's capacity to participate equally in the political process that contribute to the low proportion of women among political decision makers
 - (e) promote the goal of gender balance in all public positions, and take all appropriate measures to encourage **political parties** to ensure that women have a fair and equal opportunity to compete for all elective and non-elective public positions
 - (f) review the differential impact of their **electoral systems** on the political representation of women in elected bodies and to adjust or reform those systems where appropriate





Pacific Plan 2005

Strategic Objective 8 (Sustainable Development): Improved gender equality

Indicators: Includes 'Percentage increase in Gender Empowerment Measure (GEM)'

GEM measures:

1. political participation and decision making power
2. economic participation and
3. command over resources

Political participation = female and male shares of Parliamentary seats



Pacific Plan (cont'd)

Strategic Objective 12.6 (Good Governance): Develop a strategy to support **participatory democracy** and consultative decision-making (**including** [among others] **women**), and electoral process.

Indicators: Uses World Bank indicators including 'Voice and Accountability' indicator

Voice and Accountability measures:

-extent to which country's citizens are able to participate in selecting their government



Pacific Platform for Action (PPA)

Revised August 2004

Goal 2.2: Full participation of women in political and public decision-making

Objective 2.2.2: Equitable participation by women and men in public life

Strategy: Increase the number of women appointed and elected to public office

Indicators:

- Proportion of seats held by women in national parliament
- Increased numbers of women candidates standing for elections

Responsible: Electoral commissions, Government offices for gender policy and planning, NWMMs



A pair of hands is shown holding a small, translucent globe of the Earth. The hands are positioned at the top and bottom of the globe, with fingers gently cupping it. The background is a light-colored, woven fabric with a diamond-shaped pattern. The text is overlaid on the image.

PPA (cont'd)

The 9th Triennial Conference of Pacific Women, which adopted the revised PPA, encouraged governments to “take **affirmative action** by promoting and putting in place policies and practices that enhance gender parity in political representation.”



Definitions

CEDAW General Recommendation No. 25 (2004)

Element

Meaning

Temporary

Until such time as they are no longer needed, i.e. the goal has been achieved and sustained for a period of time

** Could take a very long time! Unrestricted.*

Special

Designed to serve a specific goal

Measures

A wide variety of legislative, executive, administrative, regulatory, and policy steps



What do TSMs aim to achieve?

- Acceleration of equality *in reality* (de facto)
- The structural, social and cultural changes necessary to correct centuries of deeply embedded discriminatory practices and attitudes
- Compensation



Effective temporary strategies include:

- ✓ Recruiting, financially assisting and training women candidates
- ✓ Amending electoral procedures
- ✓ Developing campaigns directed at equal participation
- ✓ Targeting women for appointment to key public positions (e.g. judiciary)
- ✓ Setting numerical goals and quotas





Food for thought

- ‘Merit’ and ‘qualifications’ can be gender biased (they are normatively and culturally determined)
- Having Parliamentarians that represent and reflect both halves of the population is a key and neglected consideration in assessing qualifications
- Other factors must be considered including democratic fairness, electoral choice





Thank you

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