

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 14 November 2014

GEC(2014)15

GENDER EQUALITY COMMISSION (GEC)

**Balanced participation of women and men in political and public decision-making:
Review of the questionnaire for the third round of monitoring the implementation of CM
Recommendation Rec(2003)3**

Comments from member states

Introduction

With a view to launching the third cycle of monitoring the implementation by member states of Recommendation Rec(2003)3 on balanced participation of women and men in political and public decision-making, at its meeting in April 2014 the Gender Equality Commission (GEC) instructed the Secretariat to update and expand the previous questionnaire. A Memorandum including proposals for new qualitative and quantitative indicators suggested by the GEC was circulated prior to and discussed during the 2nd meeting of the National Focal Points (NFPs) (Helsinki, 10 October 2014).

During discussions, NFPs underlined the importance of having comparable data in relation to previous monitoring rounds. They cautioned that detailed questions (for example those related to percentage of ethnic minority and migrant candidates for legislative elections, or those addressed to political parties), would result in a long and heavy questionnaire. The Secretariat informed NFPs that some of the additional questions being considered for the revised questionnaire relate to issues covered by Recommendation (2003)3 such as, for example, media, social partners and business boards. Others were raised during the discussions at the GEC meeting in April 2014 but are not covered by the Recommendation (e.g. security forces and the military, universities). NFPs expressed their preference to keep the revised questionnaire relatively short and focus on the text of the Recommendation. Due to time constraints, NFPs were invited to submit further comments in writing by 31 October 2014.

The following sets of comments have been received and are submitted for consideration of the GEC at its next meeting (19-21 November 2014).

GERMANY

We'd like to express our concerns about an overload of questions and the duty to respond. Germany is a federal state with 16 Laender and many of the proposals of additionally required data regards to responsibilities of the Laender so that the effort will be really high to gather them. We are convinced that it is very important to improve the statistic in this field and we would suggest to relate on data which is already available in other context. Moreover, we would like to recommend concentrating on fields and subjects which are directly named in the recommendation.

We would like to give two examples to support the previous remarks:

„Percentage of woman from this party elected at the local level“ (right after elections): Nationwide data regarding women's participation as candidates on the election lists or as mandate holders exist only on the county level, but not on a lower municipal level. In charge of the data collection are the Laender and their statistical offices who handle this task quite differently. At the moment the federal ministry is in contact with all of the Laender in order to gather more homogeneous data material in future elections.

The question concerning the ombudsperson can't be answered easily for Germany, because in Germany a number of ombudspersons exist for various domains (e.g. the Parliamentary Commissioner for the Armed Forces , Ombudspersons at the federal states (Länder), but also ombudspersons for the domains: children and youth welfare, insurances, esp. health and nursing insurances, bank (finance), newspapers).

GREECE

Our opinion is that it should be very concise and only contain the topics of the Recommendation and those explicitly implied. As concerns the extra questions to monitor more parts of the Recommendation, we agree on several of the referred fields in the memorandum on the revision of the Recommendation, such as social partners (a very short indicative list), universities (the two biggest), military, police. For the corporate boards it would be very difficult to collect data on, but if we select for example the 5 biggest companies per country we could try it. Moreover, we agree for the timeframe after country elections as it will be more accurate and will give a clear picture of the situation. As concerns the rest of the proposals of the memorandum, we agree with just one exception on the field of media. In Greece the majority of broadcasting organizations (TV, radio and news agencies) are privately owned, thus making unclear the image we will have if we only use the publicly owned TV and Radio agencies. Maybe we should discuss the possibility to collect data from the most popular TV and Radio channels (just the 2 or 3 most representative).

MALTA

With reference to the Memorandum on the Revision of Recommendation on Balanced Participation of Women and Men in Political and Public Decision-Making, NCPE would like to put forward a number of suggestions in relation to the proposed questionnaire. While all new proposed questions are certainly relevant to the issue of women in decision-making positions, some might be asking for too much detail and specific processes. Some sections which could be modified are:

1) *The new section about political parties would require respondents to fill 27 questions for every political party represented in legislative bodies. This would mean a heavier administrative burden on MS particularly those with multi-party parliaments. The answers to these questions would provide a great deal of detail about the structure and processes within each party. This is certainly interesting and relevant to the issue, but it would mostly generate a large amount of data on political parties across Europe, rather than give a general picture of the gender equality situation in each country. For example, in terms of the national level, the information gathered from questions 9 to 13 about elected women would have already been given in the Legislative Power part. Thus, NCPE would suggest keeping the following questions in the political parties section: 1, 2, 3, 4, 8 and 18 -27.*

2) *Two new sections involve the police and the military. We suggest leaving questions 3, 7 and 8 in the National Police Force section and questions 7, 11 and 12 in the Military section, since these specifically ask for information relevant to decision-making within these bodies.*

REPUBLIC OF MOLDOVA

The Republic of Moldova has analysed the 2008 Questionnaire (Recommendation Rec.(2003)3 on Balanced Participation of women and men in political and public decision-making) and Memorandum on the revision of Recommendation Rec.(2003)3 on Balanced Participation of women and men in political and public decision-making prepared by Tania Verge for which proposed the next ideas in the context of improving both documents.

1. *Regarding Executive Power we need to mention not only ministries but also National State Agencies /National Departments, Offices, to whom were assigned certain tasks related to areas in what they are specialized and have the power to make important decisions
(Executive Power)*

National Agencies

- *How many members of National Agencies, State/National Departments, Offices are Women ___ Men ___?*

2. *For the chapter judicial power the version that was improved by Tania Verge, we propose to take into account the following questions based on the concrete arguments. We need to indicate what is the representation of men and women not only in constitutional court but also in the other decision-making institutions like Superior Council of Magistracy, that is responsible for control over the activity of judges, Local Courts in which presidents is a decision making position in the judicial national structure and have large influence on the repartition of the cases and, also we can mention Court of Audit in which exists not only the president of court but also other elected members that have the right to take responsibility on making collective decisions.*

Analysing the Public Prosecutor we can add an additional question like in the case of judges with a self-administrated authorised body to carry out control in this area.

(Judicial Power)

Superior Council of Magistracy

- *How many members of Superior Council of Magistracy are Women ___ Men ___?*

Local Courts

- *How many presidents of local courts are Women ___ Men ___?*

Court of Audit

- *How many members of court of Audit are Women ___ Men ___?*

Public Prosecutor

- *How many members of the Higher Council of Prosecutors are Women ___ Men ___?*

3. *Analysing the Expansions on the 2008 questionnaire we can add some new institutions on which we add the following questions each based on certain arguments:*

a. *Analysing the chapter - judicial power and the law system in other countries we see that there are specialized courts in different domains. We propose to introduce the sector Military Specialized Courts in which we will see the gender equality index. Depending on countries, this sector will represent the judicial power or the security force chapter.*

(Security force)

Military

Military Specialized Courts

- *How many members of Military Specialized Courts are Women ___ Men ___?*

b. *Regarding the possibility of adjusting the questionnaire 2008 we propose to analyse the representations Men/Women professors in Universities which will allow us to monitor the trend on how many women or men are establishing the high education courses in their countries.*

Society

Universities

- *How many members of University council are Women ___ Men ___?*
- *How many University professors are Women ___ Men ___?*

c. *Analysing the recommendations on CEDAW regarding article (8) „international representatives“ we propose to add the sector which will include the data of how many women/men are members of high body of NGOs or even presidents of NGOs. This statistic will provide the information regarding the participation and decisions-making of men/women in the social activities level.*

NGOs (National/ International)

- *How many presidents of NGOs (National/ International) are Women___ Men___?*
- *How many board members of NGOs (National/ International) are Women___ Men___?*

d. Also we propose to analyse the index of participation for women and men in the institutions that protect the rights of employees and employers through creating a general view on what is the trend in decision making bodies related to social partnership. Maybe there is the necessity to include some questions regarding Trade Unions, Employers' Bodies, National Social and Economic Councils. And also Attorney Union, membership of the Election Commissions (apparatus and electoral staff) would be recommended to be included as additional section.

SERBIA

As we agreed during our last meeting in Helsinki, please find below some of our comments on proposed revision of the 2008 questionnaire:

- 1) Re. Quota Rules - we could consider the following: Is there any rule regulating that MPs and/or local representatives could be substituted during their term by persons of the same gender only?*
- 2) Re. Political Parties - it seems too long for me. Nevertheless, I have one proposal concerning plans of political parties for balancing genders within their membership and management. It is a part of Serbian Gender Equality Act stipulating that Political parties shall, at the interval of four years, adopt special measures for promotion of equal representation of women and men in the party bodies and when nominating prospective MPs and councillors (Art.35(2)). In addition, Political parties shall publish their plans of activity with special measures which shall be uploaded to their official Internet site, and political parties the candidates of which have been elected for MPs, or councillors shall in addition submit the plans to Gender Equality Committee of the National Parliament (Art.35(4)). Therefore, you might include one point if there's been an obligation of political parties to publicise their plans.*
- 3) Society/Social Partners - it concerns trade union (very important subject, because it's been related to the law and economics/employment at the same time), but it is very short/weak in the questionnaire. It must be extended with more detailed questions and we can discuss about it during next meeting.*