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## **GENDER EQUALITY COMMISSION (GEC)**

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**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 2<sup>nd</sup> 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).

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Further to the discussions at the recent Gender Equality Commission meeting regarding the third round of monitoring the implementation of CM Recommendation Rec(2003)3 on balanced participation of women and men in political and public decision making, you are invited to submit any comments on the memorandum on the revised questionnaire on balanced participation to [gender.equality@coe.int](mailto:gender.equality@coe.int) by Monday, 5 January 2015. The compilation of comments already received from member states is attached for ease of reference (GEC(2014)15).

A revised questionnaire will be prepared for discussion and agreement at the next GEC meeting – 15-17 April 2015.

As agreed also at the GEC meeting, a deadline of six months from the launch of the on-line questionnaire will be given for receipt of replies.

**BULGARIA**

With reference to the Memorandum on the revised questionnaire for conducting the third round of monitoring the implementation of CM Recommendation Rec (2003)3 on balanced participation of women and men in political and public decision-making and further to the discussions at the recent GEC meeting, the MLSP in Bulgaria would like to put forward the following comments and suggestions:

*Thematic scope:* We would suggest the questionnaire to be focused on the fields which are included in the Recommendation and not to be expanded.

*Timeframe for the answers:* The election time of the last country elections (parliamentary, regional, local...) when it refers to electoral data (e.g. the composition and rank order in party lists, the parliament composition, etc.). We would suggest the countries to note the date of the last country elections which the collected data refer to.

*Questions on political parties:* We would suggest the proposed set of questions to be answered from the political parties that have their own parliamentary group/delegation in the national parliament.

We would suggest receiving instructions on the cases when a parliamentary group/delegation is a coalition consisting of two or more political parties. In such cases the answers will refer to each of the constituent parties or to the coalition as a whole? If the answers refer to the coalition as a whole they will not reflect the specifics of the parties, e.g. some of the constituent parties may have quota rules, others do not. At the same time questions which refer to the separate parties (e.g. the question about the percentage of women from this party elected to the parliament) wouldn't be correct as well, as the party doesn't have an own electoral list, since coalitions participate in the elections with a joint electoral list.

Regarding the positive action measures of the political parties, we would suggest to be given the possibility to provide any additional information on that issue complementing the answers to the questions.

*Instructions and explanations:* We would suggest the questions to be provided with comprehensive instructions and explanations. This would be necessary in order to have a common understanding. E.g. what stands behind 'Level 1 / Level 2 administration', 'junior minister', (there isn't such category in our country), etc.

*Distribution of questionnaire:* We would suggest receiving the questionnaire in a format that could be easily distributed to the relevant institutions and organisations, as it will be necessary to collect information from them.

*Access to guidance:* We would suggest having the opportunity for Q and A throughout the period of 6 months of providing replies.

## DENMARK

We have concerns regarding the extent of the questionnaire. For instance, the section about political parties requires respondents to answer 26 questions for every political party represented in legislative bodies. In the Danish parliament, eight political parties are represented. Investigating internal processes and rules of each party would be an administrative burden.

The section on corporate boards only includes questions on quotas. To give a more precise picture on country policies for gender equality in corporate boards, we suggest that the question should be on whether or not the country has legislative obligations regarding gender equality in corporate boards instead of on quotas alone. In Denmark, the 1,200 largest private companies, state-owned companies and central government institutions are required to set up target figures and policies for increased gender equality on boards. If the companies do not comply with the requirements of setting a target figure and establish policies, they will be met with sanctions (fines). Furthermore, questions on police and military might be too excessive in the light of the already extensive questionnaire.

## 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).

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In addition to our comments already submitted I would like to repeat the suggestion I already made during the GEC-meeting concerning data-collection on the local level:

From our point of view it seems necessary to gather data on the local level in a manner that is feasible and allows comparisons between countries. Therefore, we suggest to define the administrative units on the local level for which data is to be collected as NUTS-3-level units – or, where NUTS codes are not defined, comparable units.

NUTS stands for “Nomenclature of territorial units for statistics”. NUTS codes are available for all EU member states as well as for IS, LI, NO, CH, ME, MK (FYROM) and TR. Further information, especially information on the administrative level which corresponds to NUTS-3 in various countries, can be obtained from the EUROSTAT webpage:

<http://ec.europa.eu/eurostat/web/nuts/overview>

NUTS-3 is in our view the best choice of administrative level, from which it is reasonable to expect a comparable data set. The two levels below NUTS 3 (LAU 1 and LAU 2) are either not defined and/or contain units so small, that comprehensive data cannot be expected.

## **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).

## **IRELAND**

We consider that it would be most useful to have a concise questionnaire which aims to give a general picture of the progress made since 2008 in the situation in each country as regards gender balance in decision-making and which is focused on the topics explicitly referenced

in the Recommendation. With this in mind, we suggest some sections could be simplified as follows:

- The section on the internal arrangements of political parties could be simplified by leaving out questions 9-17.
- In the section on judicial power, the question concerning Ombudsperson cannot be answered easily in respect of the Irish legal system as more than one Ombudsman scheme exists in Ireland (in areas such as public services, the defence forces, policing, children, pensions, financial services, press complaints etc). We also suggest the option of 'not applicable' could be provided for the 'Administrative Courts' question, to cater for situations such as in Ireland where there is no single comparable body.
- In the section on national delegations to international organisations, questions 2 and 3 could usefully be clarified to explain what information is intended to be captured. This is not clear at the moment (e.g. one representative is nominated by each EU member state Government for appointment to the EU Commission, while the Member State's seats in the European Parliament are filled by direct election).
- The section on security could be simplified by deleting questions 6 and 8 on the national police force, and by reducing the section on the military to questions 7, 8, 9 and 11. It would be useful to clarify if the questions concerning the military relate to staff at both officer and other ranks, or solely to officers (in particular questions 7-8).
- In the section on business and finances, in order to provide for meaningful comparison between states, the cohort of companies to be included under questions 1-7 should be defined. We suggest this section should exclude SMEs and focus on large enterprises. As many large companies operate across borders, we suggest also that the scope should be clarified to include, for example, only companies whose registered office is in the State and whose shares are traded on a stock exchange in that State.

## **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.

## NETHERLANDS

We would like to thank you for the opportunity to submit comments on the memorandum on the revised questionnaire on balanced participation (REC(2003)3). In general we believe that it is a good idea to reflect on the 2008 questionnaire and to examine whether the questionnaire could be further improved.

Compared to the questionnaire of 2008 the revised questionnaire is comprehensive and detailed. We can partly support the elaboration of the questionnaire, especially where it concerns the integration of qualitative considerations in the questionnaire. We believe that this will make it more easy to compare the collected statistical data. However, we cannot support the expansion of the 2008 questionnaire to other fields as suggested in the revised version. Although the suggested questions are indeed linked to the Recommendation on balanced participation of women and men in political and public decision-making, we believe that the balanced representation of men and women in business and finances and society are not the core of the Recommendation. Therefore, we would suggest to leave these fields out of the questionnaire. We would also like to point out that some of the data are already collected by other institutions (for example EIGE) and we would like to suggest to make full use of the data already available.

Specific suggestions:

- Political parties: As the Netherlands has a multi-party system, this would mean that we would have to respond to 27 questions for every political party. We believe that not all questions are relevant. Questions 4, 5, 6, 14, 15, 16, 17, 18, 19, 20, 21, 22 can be removed.
- Business and finances and Society: As mentioned above we believe these questions are less relevant and should be left out.
- Timeframe: With regard to the proposal to change the timing of data collection to the electoral time, we would like to express our doubts. It is not clear to which elections the data collection will be linked. The elections for national parliament? In that case the timing of the data collection is only relevant to a small part of the questionnaire and thus does not have much added value. Also this would mean that there could be a big gap in period of time between member states submitting their data. This might lead to a wrong premise. We would also like to point out that linking data collection to the time of elections is becoming less relevant, since national parliaments more often do not complete their term resulting in early elections. If the proposal implies that member states respond to different parts of the questionnaire at different times (depending on the elections of national parliament, regional parliaments and elections at local level) we agree that the collected data are more accurate, however, the process becomes fairly inefficient.

## POLAND

### **General remarks:**

PL agrees with DE and other CoE member states that the questionnaire as proposed in the Memorandum on Revision GEC(2014)11, is overloaded. While gathering relevant data and statistics is necessary in order to be able to make educated decisions on further needs and developments in the field of balanced participation of women and men in political and public decision-making it would be prudent to avoid gathering data just for the sake of having it. The questionnaire should thus be as goal-oriented and focused as possible. Also, in order to avoid duplication of work, we suggest to make use of any similar reports and studies done on this subject by other international organizations. For example the author of the Memorandum points out that EC already collects certain data on the gender regional governments. If so it would perhaps be more useful and less time consuming to develop a more tight knit cooperation and channels of information exchange.

PL agrees on the timeframe concerning collecting electoral data after country elections, however in order to be comparable, the other data should refer to the fixed date (e.g. 1<sup>st</sup> September).

PL also agrees to the deadline of six months for the answers to the on-line questionnaire.

It will be extremely useful to have an explanatory note for all definitions and notions concerning each section of the questionnaire in order to avoid misunderstandings and confusions. Such information could be included at the beginning of the questionnaire or in the beginning of each section.

### **Specific issues:**

**Quota rules** – the proposed changes are acceptable

**Political Parties** – Not all information on internal rules adopted by specific political parties is easily accessible for the representatives of the government. Gathering answers for part 1 might prove extremely difficult as much would depend on the willingness of each party to cooperate. We suggest omitting this part or including it but with a much fewer number of questions than proposed in the draft. However, if the final version of the questionnaire includes this section, proposed option "a" (on selection criteria) would be preferable for PL.

It would be useful to have both data concerning the number of women candidates and already elected women in the Parliament.

**Regional Parliaments** - if certain information is already collected by the EC we suggest using that data.

**Executive Power** – if certain information is already collected by the EC we suggest using that data. Also we suggest that the questionnaire doesn't expand beyond deputy/junior ministers. With the many differences in the structures of public administrations the data might not be sufficiently comparable.

If it decided to include level 1 and 2 administrators, it would be useful to clarify what exactly the term "highest level of administrative (non-political) positions within the ministry and second level (...)" means.

**Judicial power** – as in previous comments we suggest to use the data already gathered by the EC.

**National delegations to international organizations** - adding this sections seems to be unnecessary. Potentially very time consuming and not as relevant as other parts of the questionnaire.

**Security forces** – it might be useful to add the question concerning the body or position responsible for women's issue/rights within the structure of the Police and military forces.

**Corporate boards** – it should be clarified whether the questions concern only executive positions (management boards) or both executive and non-executive positions (management boards and supervisory boards). PL also suggest to add question to the women on boards section concerning application of soft law such as recommendations or guidelines applied by MS in that area.

**Society** - gathering data in that area might prove difficult as it is not always publicly available and much would depend on the willingness to cooperate on the part of Social partners. Also selection criteria could be an issue. If it is decided to include this section in the questionnaire, questions concerning media should be limited to the national newspapers and tabloids.

## 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.

## SPAIN

Regarding the third cycle of monitoring the implementation by member states of Rec (2003)3 on balanced participation of women and men in political and public decision-making, please find below our comments:

- We agree in keeping the questionnaire relatively short and stick to the fields mentioned on the Recommendation. However, we understand it is not possible to cover them all as the recommendation has a very broad and qualitative view (campaigns, research, training, measures for reconciling work and personal life, public committees, non sexist language, youth...).
- The timeframe could be, in general, 1<sup>st</sup> of September (to have comparable data with previous rounds) but **after elections** if there are elected positions.
- Regarding quota rules for others, question 11 of the Memorandum, the question could be:  
 "Do any quota rules exist for groups as ethnic minorities, migrants or others for electoral lists? Yes /No,  
 If yes, specify which?"

And delete questions number 12 and 13.

- In relation to political parties, we think that we could **only** add those questions:  
 1.- Are there any binding legislation on quota rules/regulations for political parties?  
 2.-.Number of women and men candidates and number of women and men elected on the **main parties**.  
 It would be just impossible to ask for so much information on each party.
- Talking about Regional parliaments and governments it would be enough to have the questions as it stood on the original questionnaire, **not** any data **on each region**.
- Regarding local governments (mayors, councilors...) it would be enough with the questions of the original questionnaire.
- In the administration, we would like to have clarification on what is included on Deputy/junior Ministers as well as in level 1 and level 2 administrators. We wonder

if it wouldn't be enough to have just level 1 if we are talking about non political positions within each Ministry.

- On judicial power, apart from the questions of the original questionnaire, it may be more interesting to know the number of women and men in all the judicial system (judges, magistrates, prosecutors...).
- We wouldn't include any data about security forces as police or military.
- It would be interested to include some relevant data on main corporate boards (question 1st to 3rd of the Memorandum on the revision). It has to be specified that we only ask about those main companies whose shares are traded on the stock exchange better than "in the largest publicly listed companies".
- We would agree in having a couple of questions regarding employer's and workers organisations, University and media.

## SWEDEN

In my view the questionnaire is in some respect too extensive, but still in lack of some important measures. The high level of detail will make the gathering of information difficult, and it might impact the comparison of data, due to the fact that the political system and owner structure in media, banks etc. varies widely between the countries. The extension of the questionnaire to include additional fields provides a better overall picture, though the set of questions need to be elaborated. As a whole the questionnaire is too heavily relying on quantitative measures, which is particularly prominent in the extension part.

For above reasons the questionnaire would likely benefit from:

- limiting the number of questions regarding political representation on different levels (for example those concerning political parties will involve hard work for countries with a multiple party system)
- including clear criterias for the selection of the political parties, media, banks, universities etc. of concern, that is applicable regardless of political system or owner structure.
- complete the set of questions to capture more qualitative aspects of gender equality (especially in the extension part). Focus need to shift from the sex of representatives only, to looking at what measures are undertaken that ensures equal participation in practice, such as standards of conduct, timetables, working methods and availability of dependent care that allow all elected representatives to participate fully.

**TURKEY*****Page 6, Heading "Political Parties", Paragraph 2:***

"The reservation with regard to the identification of the practises employed by the political parties pointed out here is very suitable. A set of criteria must be identified. For example it can be started from the parties which have a group in the parliament."

***Page 6, Heading "Party 1":***

"The questions related to the parties interrogate into the number of women elected by these parties but there are no questions related to the number of candidate women. It would be really useful to add the number of candidates to make a comparison. (both at local administrations and parliamentary elections)"

***Page 8, Heading "Single/Lower House":***

"This question can be included in the section related to the political parties and it must be included as a question in the relevant section."

***Page 9, Question 6:***

"A question (maybe open-ended) can be added to figure out that the committees in question is whether sex-disaggregated in terms of their field of work."

***Page 11, Heading "Local Level", Paragraph 1:***

"The total number of equality commissions countrywide in the parliaments of local administrations and equality units in the municipalities can be asked."

***Page 11, Heading "Executive Power", Question 2:***

"The field of activity of the Ministry with a woman as the Minister could be asked to measure how the activity fields are distributed by sex."

***Page 12, Heading "Ombudsperson":***

"The question should/may be asked in this way: "Do you have a ombudsperson responsible for woman?"

***Page 17, Heading "Universities":***

"The total number of the women academicians must be inquired so that glass ceiling phenomenon is revealed."

***Page 17, Heading "Media":***

“The private television channels that broadcast nationwide must be added. The senior and medium-level managers at the TV channels/ newspapers and periodicals could be asked.”