

PREVENTING AND COMBATTING SEXISM AT LOCAL LEVEL IN KOSOVO*

A guide for women and men in local politics



Congress of Local and Regional Authorities
of the Council of Europe

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PREVENTING AND COMBATTING SEXISM AT LOCAL LEVEL IN KOSOVO*

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| Original:
| *Preventing and combatting sexism at local level*
| *in Kosovo**: A guide for women and men in local
| *politics (English version)*

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| Cover design and layout: YUSTON
| Illustrations: Good Way

| © Council of Europe, December 2021

| Printed by LEOPRINT

Acknowledgements

This guide for women and men in local politics on Preventing and Combatting Sexism at the local level in Kosovo* was developed in the framework of the project “Promoting local democracy”, implemented by the Congress of Local and Regional Authorities within the framework of the Council of Europe co-operation with Kosovo*.

The guide was drafted by gender equality experts Gabrielle Bardall Ph.D and Iliriana Banjska, with contributions from Donjeta Morina, gender equality expert. The overall co-ordination was ensured by the Co-operation and External Relations Division of the Secretariat of the Congress of Local and Regional Authorities of the Council of Europe.

The guide is part of a series of country-specific guides on preventing and combatting sexism in local politics that aim to equip elected and appointed local representatives and candidates with the knowledge and skills necessary for recognising and addressing sexist behaviour, and for revising and putting in place mechanisms to prevent and combat sexism.

* All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

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Foreword

Gender equality and the equal participation for women and men in politics and at all levels of decision-making have been widely acknowledged as essential to more prosperous and stable societies. The Council of Europe has made preventing and combatting gender stereotypes and sexism its first strategic objective in its Gender Equality Strategy. Likewise, the United Nations 2030 Agenda for Sustainable Development acknowledges gender equality as one of its 17 goals.

A particularly significant area where equal participation should be pursued is local government because it is often an entry point for women into politics and local decision-makers are at the forefront of responding to citizen needs with policy solutions that might be later adopted at the central level. However, many obstacles hinder the active involvement of women in local politics. Sexist discourse, attitudes and violence against women candidates and local elected representatives is an important obstacle to the participation of women and the advancement of their political careers.

Recognising the negative impact of sexism, the Committee of Ministers of the Council of Europe has adopted a Recommendation on preventing and combatting sexism with a comprehensive set of measures designed to prevent and condemn sexism, and calling for specific action including legislation that condemns sexism and criminalises sexist hate speech.

Within the Council of Europe, the Congress of Local and Regional Authorities of the Council of Europe is working towards balanced representation of women and men, including through its Recommendation and Report on preventing and combatting sexist violence in politics and encouraging local and regional authorities to take appropriate measures in their institutions and administration.

Preventing and combatting sexism requires a concerted effort on the part of local and regional elected representatives with the support of public administration at all levels, law enforcement bodies, and civil society. Effective structures, mechanisms and policies need to be put in place to promote equality within public institutions.

In Kosovo*, the political representation of women remains low despite the significant progress made in the 2021 general election. In the spirit of the European Charter of Local Self-Government and the right of citizens to participate in the affairs of a local authority, this guide aims to equip local decision-makers and candidates in Kosovo* with the knowledge necessary to recognise and address sexism in their institutions, thereby enhancing women's political participation and representation at local and regional levels.



Andreas Kiefer

Secretary General

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Introduction

Women who seek and hold local elected office are pioneers in advancing human rights in an area still heavily dominated by men. Among the many barriers they face, sexism plays a major role in limiting their ability to fully and freely exercise their civic duties.

This guide provides practical advice to both local authorities and national associations of local and regional authorities. It is also intended to assist individuals who are possible targets of sexist violence (including sexist speech and sexual harassment) and gender-based discrimination. It offers guidance on how to recognise, prevent and combat sexism through practical measures before, during and after elections. The guide includes examples of good practices on awareness raising, codes of conduct and regulations to be adopted by municipalities *inter alia*, as well as some examples of sanctions against perpetrators and remedies for those targeted by sexist behaviour. It also provides a general overview of the concrete measures intended to address the underlying causes of sexism by enhancing gender equality at the local level.



Sexism is defined by the Council of Europe as “Any act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex, which occurs in the public or private sphere, whether online or offline, with the purpose or effect of:

- i. violating the inherent dignity or rights of a person or a group of persons; or
- ii. resulting in physical, sexual, psychological or socio-economic harm or suffering to a person or a group of persons; or
- iii. creating an intimidating, hostile, degrading, humiliating or offensive environment; or
- iv. constituting a barrier to the autonomy and full realisation of human rights by a person or a group of persons; or
- v. maintaining and reinforcing gender stereotypes.”

This is the first ever internationally agreed definition of sexism.¹

Widespread and prevalent in all sectors and all societies, sexism is rooted in historically unequal power relations between men and women which lead to discrimination and prevent the full advancement of women in society.²

Sexist attacks targeting representatives of local and regional authorities and civil servants and sexist behaviour within and among these authorities is a major barrier to elected women's effective participation in local government (note: this guide does not address sexist policy or behaviours that local bodies may enact towards their citizens). Local government is a particularly important area where this problem should be addressed because of the impact local decision-makers have on the daily lives of citizens in key areas such as housing, security, transport, and the economy.

Local government is often an arena for policy innovation and problem-solving, where policymakers identify and pilot test solutions before they are introduced on a national scale. Local politics is also often a gateway for women to enter politics. Barriers such as sexism against women candidates and local office holders can deter women from entering or advancing in their political careers. Women's equal participation and representation at this level of public decision-making is vital to ensure that the needs and issues of the entire population are adequately addressed, and the Sustainable Development Goals (SDGs) are localised.³

This practical Guide aimed at combatting sexism and promoting gender equality at the local level has six concrete objectives:

-  **To advance human rights and achieve SDG 5 (achieve gender equality and empower all women and girls);**
-  **To advance gender quality and promote equal participation of women and men in in political and public decision-making, in line with the Council of Europe Gender Equality Strategy 2018-2023;**
-  **To enable local authorities and associations of local and regional authorities to address a key problem, create tolerant and supportive workspaces that promote and advance gender equality in society;**
-  **To empower local elected women to be effective in their roles by eliminating a major obstacle;**
-  **To contribute to creating a secure and empowering environment for aspiring women to compete for local elected office; and**
-  **To advance popular perceptions of legitimacy, representativity and effectiveness of local government.**

Women in local government: the legal framework and current statistics



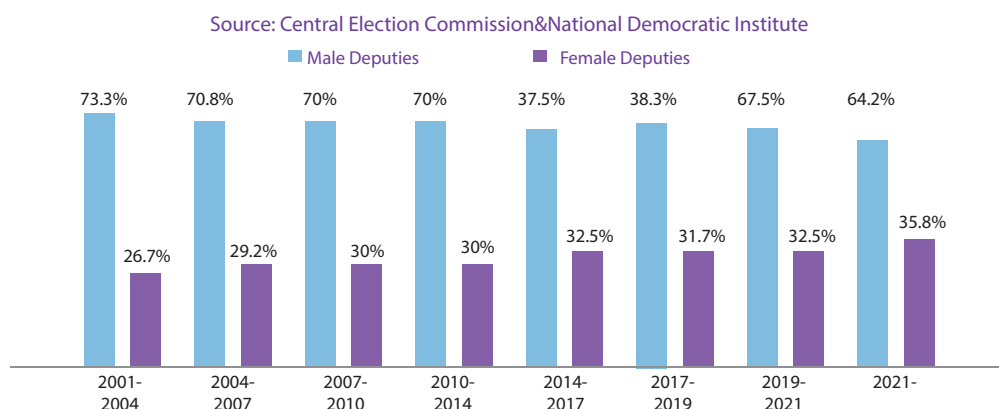
Equitable representation and political empowerment of women are some of the most serious challenges for achieving gender equality. Kosovo* has committed to gender equality under the Sustainable Development Goals (Goal 5.5, Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life).

From the surface, the legal framework is one of the most advanced in the region regarding women’s political rights, however a deeper look reveals ongoing inequality and unequal challenges. Unlike neighbours in the region, Kosovo* has had a gender quota in place since its first general elections. Initially introduced by the United Nations Mission in Kosovo (UNMIK) in October 2000, the 30% local and national candidate quota was codified under the 2008 Law on General Elections (LAW NO. 03/L-073) and the Law on Local Elections (Law No. 03/L-072). Women’s representation in the National Assembly has slowly but consistently grown since that time, rising from 26.7% to 35.8% (see below). Women have also held important leadership roles, including as ministers, head of the electoral commission and most recently, as the president. In 2015, a new Law on Gender Equality obliged all public institutions to ensure equal gender representation (defined as 50% representation of women and men), including in leadership positions. Despite the shift to a parity framework, political parties mostly continue to present candidate lists for national and local elections with a 30% ceiling on women’s inclusion.

There have been slow and modest improvements in both the local and central level, but women remain underrepresented at both levels. Women’s representation remains lower than the requirements of the Law on Gender Equality. According to some data, the number of women candidates for municipal assemblies has not changed significantly since the first local elections after the war, in 2000. For example, in 2000 the number of women candidates for the assembly was 1,322. Out of 5,239 candidates for municipal assemblies in 2021, only 1,943 were women, or only about 37%. Despite the 2015 shift to parity targets under the Gender Equality Law, the majority of municipalities still have around 30% women members of assemblies as required by the 2008 quota target. Only the municipality of Hani I Elezit/Elez Han had parity representation in its assembly member composition. Some municipalities failed to meet even the 30% mark, including Graçanicë/Gračanica (14%), Suharekë/Suva Reka (26%) and Glllogoc/Glogovac (26%). In 2019, the majority of municipal assemblies had between 30% and 40% of women members. Among those with a higher percentage were Parteš/Partesh (45%), Klokot/Kllokot (41%), Glllogoc/Glogovac (41%) and Mitrovicë/Mitrovica South (41%). Meanwhile, the lowest participation of women was in Mamushë/Mamuša (20%), Dragash/Dragaš (21%), Viti/Vitina (23%), Novo Brdo/Novobërdë (24%) Lipjan/Lipljane (24%) and Shtime/Štimlje (25%).⁴

Women’s Representation in the National Assembly

Source: Central Election Commission & National Democratic Institute



Representation in mayoral races is very low. Only one woman has been elected mayor since independence: Mimoza Kusari Lila, was elected in Gjakova/Djakovica in the 2013 local elections. In the 2021 elections, there were only 14 women candidates out of 166 (8.4%), in other words, there were no women candidates running in three quarters of Kosovo’s* municipalities.⁵ Similarly, in 2017, only eight (3.9%) out of a total of 204 mayoral candidates were women.⁶ None were elected in either year.

The Constitution and domestic laws guarantee equality of women and men in all spheres of life and several key international treaties on gender equality and women’s rights are included in the Constitution. Nevertheless, specific mechanisms to comply with these obligations require reinforcement, including counteracting discrimination and sexism.

KOSOVO*'S LEGAL AND POLICY FRAMEWORK FOR GENDER EQUALITY



International & Regional Commitments

United Nations Sustainable Development Goals (SDGs) for 2015-2030

Although Kosovo is not an official signatory to the UN SDGs⁷, in January 2018 the Assembly of the Republic of Kosovo voluntarily adopted a parliamentary resolution on adopting the SDGs.⁸*

SDG5: Achieve gender equality and empower all women and girls

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1980)

Although not an official signatory to CEDAW, Kosovo has directly implemented this international instrument in its Constitution, through Article 22 on the Direct Applicability of International Agreements and Instruments⁹.*

Eliminate discrimination against women and girls in all areas and promotes women's and girls' equal rights.

Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community and Kosovo* (2016)¹⁰

Ensure equal opportunities for women and men in multiple sectors, including decision-making.

Council of Europe Convention on preventing and combating violence against women and domestic violence

Although not an official signatory to this Convention, Kosovo has directly implemented this international instrument in its Constitution, through Article 22 on the Direct Applicability of International Agreements and Instruments.¹¹*

Article 40. Sexual harassment - Parties shall take the necessary legislative or other measures to ensure that any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, is subject to criminal or other legal sanction.



Domestic Law and Policy

Constitution¹²

Article 7.2. The Republic of Kosovo ensures gender equality as a fundamental value for the democratic development of the society, providing equal opportunities for both women's and men's participation in the political, economic, social, cultural and other areas of societal life.

As stated above, the Constitution defines certain international conventions and instruments as directly applicable in domestic legislation. These should prevail over other domestic acts and laws in cases where there are inconsistencies. It does so more specifically in Article 22.

Article 24.

1. All are equal before the law. Everyone enjoys the right to equal legal protection without discrimination.
2. No one shall be discriminated against on grounds of race, color, gender, language, religion, political or other opinion, national or social origin, relation to any community, property, economic and social condition, sexual orientation, birth, disability or other personal status.
3. Principles of equal legal protection shall not prevent the imposition of measures necessary to protect and advance the rights of individuals and groups who are in unequal positions. Such measures shall be applied only until the purposes for which they are imposed have been fulfilled

Article 71.2

The composition of the Assembly shall respect internationally recognized principles of gender equality.

Law on General Elections in the Republic of Kosovo¹³ and Law on Local Elections in the Republic of Kosovo¹⁴

Both laws contain provisions on gender quotas and on sanctions for violating its principles (see below for details). Article 27 of the Law on General Elections states that: "27.1 In each Political Entity's candidate list, at least thirty (30%) percent shall be male and at least thirty (30%) percent shall be female, with one candidate from each gender included at least once in each group of three candidates, counting from the first candidate in the list". Article 7.2 of the Law on Local Elections states that «Each candidate list shall comprise at least 30% certified candidates of the other gender».

Law on Gender Equality (from now on LGE)¹⁵

Contains definitions of equal rights and opportunities for women and men, gender-based discrimination, positive actions, sexual harassment, etc. Article 2 sets out the general scope: "This Law applies to men, women and persons who have a protected characteristic of gender identity or sex determination, and guarantees equal opportunity and treatment in public and private areas of social life, including political and public life, employment, education, health, economy, social benefits, sport and culture and other areas set out by the present or other law."

Law on the Protection from Discrimination (from now on LPD)¹⁶

Contains key definitions which includes gender based discrimination, the right to be elected, affirmative actions and more. This law sets out institutional mechanisms that are in place to monitor its implementation and those that should act when violated.

Kosovo Program for Gender Equality 2020-2024¹⁷

"The overall strategic objective of Kosovo Program for Gender Equality is to ensure that gender equality is placed at the centre of the transformation processes in Kosovo, within all structures, institutions, policies, procedures, practices and programs of government, agencies, civil society, the private sector and the donors' community". This includes "Promoting the realization of rights in decision-making, peace, security and justice and thereby guaranteeing the achievement of gender equality."

Recognising sexism in local government



Sexist behaviour¹⁸ in local government can be direct or indirect, including written, verbal, physical, electronic or other forms of expression. Sexist behaviour and sexual harassment may be physical and/or psychological and can involve obvious and active actions such as physical assault or openly discriminatory comments, or passive and subtle actions such as persistent teasing or regularly “forgetting” to include women councillors in meetings and decision-making processes. These actions may be single incidents or repeated behaviours over a period of time. Sexism impacts all women differently based on their unique identities. It is often accompanied by other forms of identity-based discrimination. Intersecting factors, differences between women, situational vulnerabilities and aggravating circumstances need to be recognised and taken into account when devising approaches to combat sexism.

Sexual harassment is defined by the person targeted by the behaviour, not the person engaging in that behaviour – claiming “it was a joke” or “I didn’t mean to offend” do not excuse the behaviour. Sexist comments do not need to be targeted at an individual to be harmful. For example, a male council member who makes a derogatory statement about women’s inferiority could be recognised as committing an act of harassment against women council members because it contributes to a hostile work environment for women in the council.

In the context of local government, the perpetrators of sexist speech and sexual harassment can include fellow council members, members of council staff and administrative staff, other elected officials and staff from other levels of government. It can also include constituents and community members. Perpetrators may include both men and women and may be known to the target or not. Social media can be a vector for encouraging sexism aimed at women in local government, when users express derogatory comments, ridicule, etc. in these spaces.

Sexism against women in politics in Kosovo* is common. The 2018 “Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo” identified “patriarchal norms and stereotypes regarding women’s role in politics” as one of the structural barriers women face when it comes to political participation.¹⁹ Although no data exists specifically regarding local elected women, a recent survey that included representatives from political parties, civil society organizations (CSOs), the media,

international organisations, government agencies and academia found that sexism against women politicians at different levels of government and political activity is widespread.²⁰ According to focus group participants and interviewees, women in politics face physical, sexual, verbal and psychological violence and face threats, coercion and online violence, forming one of the biggest barriers for women entering politics and continuing their careers in politics. A senior woman from a political party participating in this research stated that “women have to fight for their place. Psychological violence is more present towards women in politics.”²¹

Women who are active in political life regularly face sexist bias, ridicule, humiliation and gender-based discrimination. According to a study done by the Agency of Gender Equality (AGE), in the years 2010-2011, women in politics - and in particular women in decision making positions - received the most media coverage compared to women in other fields.²² According to the “Kosovo Program for Gender Equality”, more or less the same goes for recent years.²³ However, when compared to their male colleagues, women in politics receive much less space in the media. The European Commission 2020 Report for Kosovo* concluded that during the campaign for the 2019 general elections, the media gave priority coverage to male candidates.²⁴ The same goes for the most recent general elections in 2021. A media monitoring analysis published in March 2021, shows that the amount of time that women candidates had in the chronicles covering the elections, was only 7% compared to 93% for men.²⁵ Moreover, the percentage of women candidates appearing on TV debates was only 20%, and only 16% were given space in advertisements.²⁶

Not only do women candidates not get the same type of access to media coverage as male colleagues, they also receive unequal treatment when represented in the media. For the same elections mentioned above, the National Democratic Institute (NDI) identified various online news outlets and social media posts which used misogynistic and sexist language, including posts directly attacking women candidates for members of parliament, false or misleading information, women candidates receiving criticism on their personal lives and appearances and portraying women candidates as flirting with or benefitting from male political leaders.²⁷

This unequal treatment can also be observed when analysing the types of issues women candidates are asked to speak on compared to their male colleagues when appearing on different media outlets. Women tend to often be asked to speak on stereotypical “women’s issues” rather than wider policy discussions.²⁸

This type of sexism is also reflected on social media where women politicians face sexist comments on a regular basis. Leading women politicians have spoken on this issue, explaining from personal experience how comments on social media tend to focus on their looks, their weight, their personal/love lives and other issues not related to their work and achievements.²⁹

The negative impacts of sexism in local government include diminishing an elected woman’s ability to express an opinion or influence public policy by isolating her, not taking her opinions seriously or overtly disbelieving her because of her gender. Women targeted by sexism or working in sexist environments may lose out on opportunities to advance their political careers (media coverage, training, leadership of influential committees, etc.) and may even decide to drop out or not run for a second term of office. The impacts are not limited to the targeted individuals themselves. Witnesses of sexism and sexual harassment both within local government structures and in the community may be afraid to express support or intervene for fear of personal backlash. They may become divided and conflicted amongst themselves, resulting in expensive and distracting mediation or litigation processes and less effective governance overall.

Examples of sexist and harassing behaviour

Spreading malicious rumours, gossip or innuendo

Persistently criticising, demeaning or ridiculing a person

Undermining or deliberately impeding a person's work

Excluding or isolating someone

Physical threats or assault

Calling someone derogatory names

Teasing or joking about a person

Making aggressive or threatening gestures

Displaying offensive posters, cartoons, images or other visuals

Verbal threats or abuse

Playing pranks, vandalising or hiding personal belongings or work equipment

Unwelcome invitations or requests

Unwelcome physical contact

Publicly ridiculing or disciplining

Blocking applications for leaves, training or promotion

KEY DEFINITIONS

Sexism

Any act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex, which occurs in the public or private sphere, whether online or offline, with the purpose or effect of: i. violating the inherent dignity or rights of a person or a group of persons; or ii. resulting in physical, sexual, psychological or socio-economic harm or suffering to a person or a group of persons; or iii. creating an intimidating, hostile, degrading, humiliating or offensive environment; or iv. constituting a barrier to the autonomy and full realisation of human rights by a person or a group of persons; or v. maintaining and reinforcing gender stereotypes.

Direct gender discrimination

“When an individual is treated less favourably on grounds of gender, is treated, has been treated or would be treated an individual of the other gender in comparable situation”

Indirect gender discrimination

“When a provision, criterion or impartial practice shall, have or will put person of other gender at an unequal position, unless that such provision, criterion or practice is objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary”

Sexual harassment

“Any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment”

Gender-based violence

“All acts of violence that result in, or are likely to result in, physical, sexual, psychological, social or economic harm or suffering on the grounds of gender, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”

Indirect discrimination

When a provision, criterion or impartial practice in appearance, has or will put the person in an unequal position compared with others, according to one or more of the grounds such as nationality, or in relation to any community, social origin, race, ethnicity, colour, birth, origin, sex, gender, gender identity, sexual orientation, language, citizenship, religion and religious belief, political affiliation, political or other opinion, social or personal status, age, family or marital status, pregnancy, maternity, wealth, health status, disability, genetic inheritance or any other grounds, unless the provision, criterion or practice can be objectively justified by a legitimate purpose and the means of achieving that purpose are appropriate and necessary.

Direct discrimination

Occurs where one person is treated less favourably than another is, has been or would be treated in a comparable situation based on one or more grounds such as nationality, or in relation to any community, social origin, race, ethnicity, colour, birth, origin, sex, gender, gender identity, sexual orientation, language, citizenship, religion and religious belief, political affiliation, political or other opinion, social or personal status, age, family or marital status, pregnancy, maternity, wealth, health status, disability, genetic inheritance or any other grounds.

Incitement to discrimination

Promoting hatred based on one or more of the protected grounds such as nationality, or in relation to any community, social origin, race, ethnicity, colour, birth, origin, sex, gender, gender identity, sexual orientation, language, citizenship, religion and religious belief, political affiliation, political or other opinion, social or personal status, age, family or marital status, pregnancy, maternity, wealth, health status, disability, genetic inheritance or any other grounds, and when done intentionally.

Combating sexism through practical measures



Solutions for ending sexism require engaging diverse groups of people as well as leveraging processes and institutions. This section presents the main areas of action where practical measures can actively contribute to combatting sexism in local government. It begins by looking at how different stakeholders can take appropriate action. This includes discussions of how local government authorities can make better-informed decisions through data and research and how they can improve co-operation with civil society. This section also looks at methods for enhancing capacity of candidates and aspirants as well as how working with men (including young men) can strengthen outcomes. It discusses standards and transparency measures that help local governments enhance their responsiveness to issues of sexism and offers ideas on how networking and engaging new technology facilitates solutions.

All interventions discussed here can be targeted at different phases of the electoral cycle (pre-, during and post-election) or can be overarching across the electoral cycle as a whole.

Entry points for a multi-stakeholder strategy to combat sexism

Ending sexism in local government requires the involvement of many different actors working in multiple areas. This section presents how core actors (local government authorities) can improve the quality and impact of their actions in combatting sexism. It reviews how local government can work with other key groups, including civil society, to enhance responses. Other target groups, such as male counterparts in local bodies and women candidates and aspirants, can also be supported to better contribute to a constructive environment.

Improving informed decision-making

Evidence-based approaches help organisations ensure that their policies, practices, events and decision-making processes are fair and do not present barriers to participation or disadvantage any protected groups from participation.³⁰ The Council of Europe Recommendation on preventing and combatting sexism urges informed decision making: stakeholders should “initiate, support and fund research, including collaborative research across member States, that provides systematic and sex- and age-disaggregated data on the incidence and negative impact of sexism and its manifestations, including on sexism and sexual harassment in the workplace, sexist hate speech, targets, perpetrators, the means of transmission, media and public response; Disseminate widely such data on a regular basis to the relevant public authorities, education establishments and the public; (...) Undertake regular studies and gather sex- and age-disaggregated data on cybersexism and cyberviolence and share outcomes as appropriate.”³¹

Equality Impact Assessments (EIA) and other documentation and research (surveys, data collection, etc.) are essential tools for local and regional councils to identify the nature of the issue in their institutions and set a baseline to measure improvement. Local government authorities can introduce these measures at multiple levels, generally for their institutions and more specifically around significant policies and procedures. Data collection should be consistent and ongoing for local authorities and should always be gender disaggregated. Some data such as reporting on sexism during campaigning and polling would be specific to electoral periods. All data, documentation and assessments should be conducted in a timely fashion to ensure that their results can meaningfully feed into decision-making processes.

These findings may guide local authorities in improving internal processes and structures as well as being useful for reducing sexist practices among external actors, such as political parties. EIA are commonly used to assess new or proposed changes to policy. Evidence-based approaches have the added value of creating a written record of equality considerations taken into account and enhancing institutional transparency.

Kosovo*

The Ministry of Local Government Administration set up a monitoring and evaluation system called the “Municipal Performance Management System” in 2009. Its purpose is to “monitor service delivery through valid performance measurements, to provide the necessary information to facilitate decision-making in municipalities, to motivate local government bodies and to promote responsibility and accountability during their work in creating conditions for a dignified life of the citizens of the Republic of Kosovo.”³² Chapter/field 16 of this system is on gender representation. This chapter/field explains how the LGE sets out that all public institutions are obliged to disaggregate their data and provides indicators and explanations of how to report on those indicators. Indicators include: “Women employed in municipal institutions / administration”, “Appointed women political officials in political positions in the municipality”, “Gender equality among members of municipal committees’ and ‘Gender equality in the composition of local councils”.

As mentioned above, all public institutions are obliged by the LGE to disaggregate their data according to gender. Moreover, this law stipulates fines up to €500 for all public institutions that fail to collect gender disaggregated data.³³ At the municipal level, the Gender Equality Official/Officer (see also below) is responsible for collecting this data or assisting in its collections pertaining to the implementation of the LGE, Kosovo Program for Gender Equality, and all strategies and curricula drafted by the municipality or the central level.³⁴

Moreover, the government adopted the “Better Regulation Strategy 2.0 for Kosovo 2017-2021”.³⁵ This strategy introduces a Gender Impact Assessment as an ex-ante policy analysis tool in order to “prevent unintended negative and strengthen the intended positive consequences, including women empowerment, of proposed policies and legislation that affects the already existing inequalities between men and women in society”. This means that all policies and laws should integrate a gender perspective by policy-makers. The Agency for Gender Equality has developed a manual to inform this process.³⁶

United Kingdom

For over a decade, dozens of local authorities across the UK have used EIA to meet their responsibilities under the Public Sector Equality Duty (PSED).³⁷ This Act requires all public authorities to eliminate discrimination, harassment and victimisation related to sex and gender as well as other protected characteristics. While each locality adopts its own procedures, in general EIA in the UK involve a screening evaluation to come to a decision about whether and why further

analysis is – or is not – required. If further analysis is required, a full assessment questionnaire is completed and the report is made public.

EIA questions may include gender analysis of the proposed policy, referral to relevant public data, consultation with community actors, data collection and evidence. Resulting recommendations are based on whether the proposed policy will meet the council's responsibilities in relation to equality and human rights. Examples of EIA forms, guidance and reports can be viewed at <https://bit.ly/33oP71q>.

Setting targets and tracking progress through co-operation with civil society organisations

Accurate data and documentation allow local authorities to set targets for improvement over time. Setting ambitious yet realistic targets for decreasing the prevalence of sexism and increasing gender equality within local elected bodies establishes a tangible roadmap to improvement. Targets should be based on solid data and developed collaboratively in consultation with multiple stakeholders, both state and non-state depending on the context. To ensure compliance, unmet targets can be set to automatic policy changes, for example failure to meet a target could automatically trigger budget increases on spending for equality measures. Collaboration between local bodies and civil society organisations (CSOs) can be especially helpful in this. CSOs may contribute testimony, research and documentation to track progress against targets. They may also enhance awareness raising about local authority targets and progress, which promotes confidence and perceived legitimacy by the population.

EXAMPLES

COLLABORATION TO SET TARGETS AND TRACK PROGRESS ON COMBATTING SEXISM

Kosovo*

There are several non-governmental organisations (NGOs) that perform gender-specific monitoring in different areas. For example, Kosovo Women's Network (KWN) and several of its members engage in gender mainstreaming of policies and budgets at the local level and monitoring the implementation of the LGE and EU Gender Action Plan relevant to local politics.³⁸ In its work, KWN applies gender mainstreaming principles that include looking at women and men from diverse backgrounds. Other examples include the National Democratic Institute (NDI), the Kosovar Gender Studies Center (KGSC) and the Democratic Institute of Kosovo (DIK) which conduct gender-monitoring of local and central elections, monitoring media coverage of women in politics and more.

France

A French example in the area of education could be adapted to other areas of local authority. In France, the Hubertine Auclert Centre publishes analyses of sexist representations in school textbooks (history, mathematics, and French language). An evaluation grid is available as well as a practical guide for textbooks to be used as tools for equality. In November 2017, the Centre launched its website on stopping cyber-sexism. Working with specialised organisations to evaluate local government policy and resources is useful to set targets and track progress.

Equipping candidates and aspirants to navigate local politics

Sexism is a deterrent for many women that are considering entering local politics. To overcome this, aspirants and candidates must understand the recourse available to them and trust that officials will protect them by sanctioning harmful behaviours both online and offline. This may include offering targeted information sessions, public service announcements and briefings during campaign periods. Strategic communications by official actors involved is also helpful, including statements of policy and intent by electoral bodies, police and security actors, local authorities and political parties.

Mentoring programmes facilitate the sharing of knowledge, experience, perspectives and skills within local government by providing an opportunity for elected women at all levels to learn from each other to progress in their own careers. Similar to networking strategies, mentoring and sponsorship programmes pair emerging women leaders with both men and women with longer experience in their field. This strategy helps combat sexism by equipping newly elected women with the tools and resources needed to exercise their duties free of harassment.

EXAMPLES

CAPACITY BUILDING FOR CANDIDATES AND ASPIRANTS

Kosovo*

There are several active leadership schools for women in politics that focus on empowering women leaders from different areas and sectors through new knowledge and skills to pursue career development, increase women's leadership roles in political parties, government agencies and NGOs, and improve women's participation in community decision making. Some examples are: the EU supported a programme on women in leadership that provided training and mentoring for women from diverse groups (socio-economic, religious, ethnic background, etc.) since 2019. NDI organizes its yearly Week of Women which focuses on enhancing

women's skills and techniques in order for them to become more effective leaders in fields such as politics. As a follow-up to this, NDI also hosts the Women's Leadership Academy in which women attend skills-building and networking activities over a period of six months.³⁹

Portugal

The "From Women to Women" programme in Portugal aimed to increase young women's participation in politics. Older women active in politics provided twelve months of mentoring to 30 young women aged 16-30, who also took part in training activities on gender equality, democracy, political systems, and other topics, and visits to political institutions. Young women belonging to minority ethnic and cultural groups were particularly encouraged to apply.⁴⁰

Working with men to combat sexism and promote gender equality

Sexism is reinforced by gender stereotypes and also affects men and boys. Expectations towards men can lead to sexist behaviour. Constructive engagement with men (including young men) must be a part of any solution to combat sexism. Male counterparts in local government can learn to better understand what constitutes harmful sexist behaviours, avoid engaging in them and promote gender equality instead. Capacity building activities can promote collaborative design and implementation of policies to sanction sexist behaviour and sexual harassment.

Practical measures to engage with men to cease contributing to cultures of sexism in local government include training, dialogue initiatives and mentoring programmes designed to raise awareness of personal bias and sexist behaviour and identify strategies to overcome them. These may be organized by specialised third-party actors (CSOs, etc.) or directly by the local bodies themselves. Similarly, local elected representatives (women and men) who want to contribute to improved policy responses may benefit from targeted training or comparative studies of responses in other regions or countries. Beyond training and education, strategies to promote men's engagement against sexism and for equality may include party pacts and personal commitments, incentive programmes, recognition and training in skills to intervene and respond in harmful situations. Mentoring programmes can also be used in different ways, for example by mentoring incoming male representatives on how to actively contribute to gender equal and sexism-free local government. "Reverse mentoring" is another strategy whereby women active in local politics provide gender sensitivity training to regional or central level officials.



Global – Barbershop Initiative (HeForShe)

Barbershop events encourage men and boys to become actively engaged in promoting gender equality by better understanding how gender inequality limits the ability of individuals, businesses, and communities to reach their full human, economic and social potential. Barbershop events provide men with tools to address this inequality and become agents of change. The Barbershop Initiatives offers a range of tools in three areas: 1. Leadership sessions 2. Workshops 3. Increasing engagement. These resources are targeted at audiences of men across a range of levels, starting with the highest levels of leadership. Toolkits and resources are available free online at <https://www.heforshe.org/en/barbershop>

Kosovo*

The Young Men Initiative is a program implemented by the NGOs SIT and YMCA in partnership with CARE International in the Balkans. It involves working with young men and women towards breaking gender stereotypes, fighting inequalities and more.⁴¹ Since 2017, this initiative contributes to addressing issues such as misogyny, homophobia and transphobia. It also focuses on male agency and provides participants with ‘cool’, but gender equitable and non-violent, role models in the persons of the trainers.⁴²

Sweden

The Swedish Association of Local Authorities and Regions (SALAR) represents and advocates for local government in Sweden. All of Sweden’s municipalities and regions are members of SALAR. The Government of Sweden has an agreement with SALAR, in 2017 to strengthen the focus of gender equality work on men, boys and questions of masculinity. <https://www.government.se/articles/2018/01/the-government-of-swedens-measures-against-sexual-violence-and-harassment/>

Caribbean states

Parliamentarians have identified the following good practices:



In legislative and oversight functions

- Assessing legislation and budgets through an intersectional gender lens to consider the potential impacts on diverse groups
- Advocating for laws and initiatives that will positively impact women and help build the political will to pass them
- Consulting with women's groups to seek feedback on proposed legislative initiatives (not just those explicitly related to gender equality) and integrating the results into decision-making



In meetings (including committees, plenary, and in the constituency)

- Chairing meetings in a way that encourages equitable participation by all members (e.g. inviting those who have not spoken to contribute)
- Listening respectfully when each member of the group is speaking



In the media and online

- Leveraging social media as a tool to keep informed about the work of gender equality advocates and joining discussions on pertinent topics
- Challenging gender stereotypes and bias when they emerge on online platforms or through interview questions



In everyday life

- Learning about key gender equality issues and sharing knowledge with others
- Encouraging other men to become allies
- Using gender-sensitive language (i.e. communication that demonstrates respect for women and does not make them invisible) and draw attention to harmful uses of language in day-to-day conversations.
<https://www.parlAmericas.org/en/gender-equality.aspx>

Setting standards and introducing transparency measures

The Congress of Local and Regional Authorities of the Council of Europe identified transparency and open government as priorities in preventing corruption and promoting public ethics.⁴³ The principles of open government are directly connected to the government's willingness to address sexism and promote gender equality. Specifically, open government increases the availability of information about governmental activities, supports civic participation, promotes government integrity and leverages new technologies for transparency and accountability. These actions contribute to closing gender gaps on information, access and participation and allow women and gender advocates to have a greater say in how government services are provided and to hold officials accountable.⁴⁴

These are equally important measures for preventing and combatting sexism in local and regional bodies. Local and regional bodies should publish key documents and information, promote public consultation processes, and support the monitoring and implementation of transparency measures around issues relating to sexism and sexual harassment within the institutions and surrounding women's political participation. Standards of behaviour may be agreed upon and formally established to prevent harmful sexist incidents from occurring within the institutions. Training may be offered to promote widespread understanding and awareness of new standards of behaviour.

EXAMPLES

STANDARD SETTING



Global – The Open Government Partnership

78 countries and a growing number of local governments—representing more than two billion people—along with thousands of civil society organisations are members of the Open Government Partnership (OGP). Although Kosovo* is not a member, as of 2013 it committed to the principles of open and accountable government and continues to improve its governance transparency tools and practices.⁴⁵

In April 2020, the OGP launched a new phase focused on local government, called “OGP Local”. At all levels of government OGP recommends the following actions to promote gender equality and end sexism:

- Proactively invite and positively encourage women's organisations, gender networks, and leaders to participate in government multi-stakeholder forum;

- Work with gender advocates to conduct an analysis of government action plans to identify where people of different genders have disproportionate levels of access or potential benefit, and then use that analysis to mainstream gender considerations into specific OGP commitments; and
- Consider a new commitment that uses open government to address a specific gap in women and girl's services or policy needs.

Many more examples of open government recommendations for promoting gender equality can be found at <https://bit.ly/35zyO4I>

Also see: <https://www.opengovpartnership.org/ogp-local/>

Canada

Canada has chosen to explicitly integrate gender in its open government action plan. For the first time ever, the Government of Canada undertook a gender-based analysis plus (GBA+) assessment of its open government plan in order to examine how various intersecting identity factors might impact the effectiveness of Canada's open government work. Based on this review and feedback from a multi-stakeholder process and feminist and inclusive peer review, the Government of Canada produced its 10th National Action Plan Commitments for 2018-2020. Available at <https://bit.ly/2FER3KQ>

Leveraging regional and national gender equality networks

Gender equality networks are powerful tools for women in local government to gain fresh ideas and perspectives both about overcoming shared problems (such as sexism) as well as improving policy solutions for their constituencies. Such networks provide a fora for advice and career support, build confidence and help people gain different perspectives. There are many examples of networks for local elected women worldwide, ranging from national associations that bring together women at specific levels of government (for example, national networks of women mayors) to networks spanning global regions or groupings (for example, the Forum of Women Mayors in South East Europe,⁴⁶ the Commonwealth Women in Local Government Network,⁴⁷ the Federation of Canadian Municipalities⁴⁸ and the Network for Locally Elected Women of Africa – REFELA, in its French acronym).⁴⁹

Kosovo*

After the second general elections, in 2005 the Women's Caucus was established as an informal group in the Assembly. It gathered women deputies from different political parties and has been functioning as a highly structured advocacy and lobby group on gender equality related matters. One of the biggest successes of the Caucus was the joint lobby they formed together with KWN and the UN chaired Security and Gender Group to include domestic violence in the Criminal Code of the Republic of Kosovo.⁵⁰ The Caucus is active in Assembly committees, especially in those where there is a lack of women's representation and a gender perspective in its work.

The Women's Caucus has created local branches at the local/municipal level. Some of the activities of these caucuses include gender mainstreaming, roundtable discussions and trainings on gender related issues, gender responsive budgeting and other activities that involve local political leaders and women in the community.

In 2014, the Kosovo Lobby for Gender Equality was established by KWN. This Lobby unites Women's Civil Society Organizations (WCOSOs) and women in politics at the municipal level and across political party, ethnicity, age and abilities. The Lobby meets at least twice a year to share experiences, discuss their advocacy strategies and create new ones. KWN provides the needed support to members of this Lobby in achieving these advocacy goals at the municipal level with great success over the years.⁵¹

In 2018, a new coalition of women in politics was established by these Lobby members after the need was identified to expand their efforts and collaborate with women MPs toward common goals and aims. This resulted in the creation of the Coalition for Equality.⁵²

Integrating new technologies

Although social media and other new technologies can transmit and amplify harmful sexist messages, they are equally potent as tools for educating and awareness-raising. Webinars, online rallies and Q&A sessions can offer women in local politics the opportunity to both share experiences on a peer-to-peer basis as well as to reach out to the public and raise awareness of the harmful effects of sexism against women in politics. Podcasting is another useful tool.

Podcasts can be used to offer more in-depth information on challenges and opportunities. Podcasts can also be used to focus on more targeted audiences such as local women councillors/aspirants and male politicians.

Solutions to online expressions of sexism can also be found in creative use of new technology by local government actors. The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) recommends implementing awareness-raising campaigns targeting women and men, girls and boys at different levels of society on different forms of violence against women perpetrated in the digital sphere as well as on the support services available to victims. Local authorities may also consider developing and disseminating accessible information on the legal avenues and support services available to victims of violence against women perpetrated in the digital sphere and create online and offline complaints mechanisms within law enforcement and prosecution services that are easily and immediately accessible to victims, including those with physical as well as intellectual and psychosocial disabilities, that comply with international and national data protection regulations, in line with the Council of Europe's Modernised Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 223).⁵³

EXAMPLES

LEVERAGING NEW TECHNOLOGIES TO END SEXISM IN GOVERNMENT

Kosovo*

KWN, Open Data Kosovo and Girls Coding Kosovo launched an app named Ec Shlire (Walk Freely) in 2016 which enables people to report instances of sexual harassment from their smartphones. The user can anonymously report such cases, allow the app to register their location so that other users could get an overview of where instances of sexual harassment take place and at what time and lastly the app allows for the user to report the perpetrator.⁵⁴

Europe

The Council of Europe's online Human Rights Channel presents a range of helpful information on how to end sexism. Accessible in multiple languages, the resources available include information on understanding sexism, videos, statistics, examples and recommendations. It also includes an interactive quiz to test users' knowledge and personal perceptions around sexism.

<https://www.coe.int/en/web/human-rights-channel/stop-sexism>



Global

Many podcasting examples to promote women's political participation and reduce sexism exist in other parts of the world, for example the Canadian "No Second Chances"⁵⁵ podcast follows the political journeys of 12 women ministers, and helps listeners understand how gender played a role in both low and high points of their careers. "The 23%: Conversations with Women in Government" is a podcast that talks to women leaders about what motivated them to run for office, lessons they've learned along the way and the policy battles they're facing ahead.⁵⁶

Institutional channels for combatting sexism within local government

The LGE (2015) and the LPD (2015) as well as the other national policies listed in the table presenting Kosovo's* legal and policy framework for gender equality provide a basic framework for combatting sexism in local government. Applying this framework in practice is an ongoing challenge and opportunity for enhancing local governance. Determining the responsibilities and institutional authorities for combatting sexism in local government is critical to effective implementation. Responsibility can be assigned to one or more institutional actors, in addition to the measures for political parties, discussed above.

Here we consider ways in which state processes and institutions can be adapted to improve their ability to respond to and prevent sexism and discrimination at the local level. We begin with codes of conduct and ethical guidelines for local authorities and progressively examine possible institutional solutions from local to regional and to central levels. We close with an overview of possible sanctions and remedies, and a note on resource planning.

Codes of conduct and ethical guidelines

Local government codes of conduct establish consistent standards of behaviour for members of local councils in how they conduct themselves with their elected colleagues, with staff and with the public. Written codes of conduct help ensure that members of local government share a common basis for acceptable conduct. They enhance public confidence in institutions and elected officials.

Local council codes typically represent an additional set of rules to supplement existing regional or central legislation or policy. Some jurisdictions (such as the Province of Ontario, Canada⁵⁷) require local governments to establish codes of conduct for local elected officials and certain boards. They may also mandate these codes to include specific matters, including sexism and discrimination. Local government codes of conduct may also be introduced because the issues related to responsible conduct of individual elected officials fall outside the mandates of existing offices responsible for government oversight. Alternately, they may be adopted as a first line of action in a broader hierarchy of government oversight.

Codes of conduct should include clauses to ensure women and men's equal participation by specifying guiding principles and specific practices that constitute prohibited sexist and discriminatory behaviour. These should include non-criminal sexual harassment, intimidation, bullying (including cyber bullying and social bullying), hate speech and disrespectful behaviours. Including these behaviours in codes of conduct is essential because they provide a basis to sanction perpetrators and they boost public awareness and multiparty unity on the topic.

Codes of conduct may also contain rules following a finding of misconduct. Codes may include rules regarding enforcement, or they may reference other governing policy. In some cases, codes of conduct may be supplemented by by-laws that establish local-level accountability officer positions to handle complaints and enforcement. Complaints of violation of codes of conduct may be made by members of the public, staff as well as other members of the local council. Codes of conduct may accommodate both formal and informal complaints.

EXAMPLES

CODES OF CONDUCT AND ETHICAL GUIDELINES

Europe

The European Charter for Equality of Women and Men in Local Life establishes a formal commitment by local and regional governments to use their powers and partnerships to achieve greater equality for their people. To assist in the implementation of these commitments, each signatory authority undertakes to draw up an Equality Action Plan, which sets out its priorities, actions and resources and undertakes to engage with all of the institutions and organisations in its territory, in order to promote the achievement of real equality in practice. See: https://www.ccre.org/docs/charte_egalite_en.pdf

Canada

Provincial governments provide various resources to assist local governments to develop their codes of conduct. These include model documents and companion guides, reports on best practices across the province or between other provinces and links to other helpful material.

Model Code of Conduct: <https://bit.ly/2GZNSOM>

Local government ethics resources: <https://bit.ly/2FrU3e1>

Canada

In 1995, the Government of Canada committed to using Gender-based Analysis Plus (GBA+) to advance gender equality in Canada, as part of the ratification of the Beijing Platform. GBA+ is an analytical process that provides a rigorous method for the assessment of systemic inequalities, as well as a means to assess how diverse groups of women, men, and gender diverse people may experience policies, programs and initiatives. The “plus” in GBA+ acknowledges that GBA+ is not just about differences between biological (sexes) and socio-cultural (genders). All federal public servants are asked to incorporate GBA+ into their work by asking some basic questions and challenging personal assumptions about diverse groups of women, men and gender diverse people. Through the systematic use of GBA+, federal officials are able to improve their work, ensuring it is inclusive of diverse perspectives.

<https://women-gender-equality.canada.ca/en/gender-based-analysis-plus.html>

Georgia

In 2017 Government of Georgia approved General Rules of Ethics and Conduct in a Public Institution, according to which a public servant shall avoid committing any form of discrimination, as well as refrain from using hate speech in public and/or making discriminatory comments. Moreover, the rules provide for the prohibition of sexual harassment and ensuring equality, through the creation of equal opportunities and refraining from stereotypes.⁵⁸ One of the recourses where a person can report on violation of ethical norms is through the online portal Mkhileba.gov.ge run by the Bureau of Civil Service of Georgia. A number of Georgian municipalities, such as Baghdati and Vani, have adopted codes of conduct for civil servants which echo the abovementioned rules, incorporating equality and non-discrimination and the prohibition of sexual harassment.⁵⁹

Accountability Officers and Ethics Standards Boards

Enforcement of codes of conduct may be overseen by accountability officers or ethics standards boards. These officials must ensure that all parts of codes of conduct are equally protected, which may require supplemental training regarding gender provisions in cases where these are newly introduced.

Globally, there are various types of accountability officer roles that may enforce gender provisions at the local level. These are usually established under local by-law and may include:⁶⁰

- a municipal Ombudsperson. The municipal Ombudsperson's function is to investigate, in an independent manner, decisions and recommendations made and acts of the administration of a municipality, local boards and certain municipal corporations. The municipal Ombudsperson is a separate office from the central or regional Ombudsperson, who also may also have a role with respect to local government;
- a closed meeting investigator. A local government (municipality or other) may appoint an investigator to investigate, in an independent manner, complaints about closed meetings. Should the local government not appoint an investigator, the Ombudsperson at the next jurisdiction level would be expected to serve in that role;
- an Integrity Commissioner. Integrity Commissioners report to local councils. Their role is to independently apply the code of conduct and associated procedures, rules and policies governing ethical behaviour of local government members. They may issue periodic watchdog reports or investigate specific complaints. If a Commissioner's inquiry into an ethics complaint finds a violation of the code of conduct, the local council may impose a penalty at their discretion.

In contrast to creating an individual role to oversee ethics, many countries establish Local Government Standards Panels or Boards to administer justice and resolve complaints relatively quickly and to provide the local government sector with guidance and benchmarks about acceptable standards of behaviour.⁶¹ Under this model, local councils choose to elect an independent standards board on a periodic basis (annual or other) that is representative of political representation as well as of local diversity (sex, race, religion, etc.).

Standards Boards have the authority to make binding decisions to resolve allegations of minor misconduct and to deal with complaints about council members having allegedly committed a breach of one or more of the provisions of their code of conduct. To be effective, they must establish clear procedures for filing complaints, both for internal and external actors. Standards boards may have the authority to apply sanctions and temporarily or permanently suspend council members who are found guilty of non-criminal sexual harassment and other prohibited behaviours. Appeals to local standards boards may be made to higher authorities, such as the Ombudsperson.

EXAMPLES

ACCOUNTABILITY OFFICERS AND ETHICS BOARDS

Kosovo*

Each Municipality and Ministry has an appointed Gender Equality Official whose roles and responsibilities include ensuring that the LGE is implemented and thereby ensuring that sexism and gender-based discrimination are eliminated at the central and local level of governance.

Georgia

The Georgian Charter of Journalistic Ethics is an independent self-regulatory body, which among other functions, studies the facts of violation of professional standards by journalists, as well as engages in educational activities to increase the professionalism of journalists.⁶² The 11 provisions provided by its statute are in accordance with international journalistic standards and determine main professional principles of all the members of the Charter. Article 7 specifically refers to non-discrimination by stating that the journalists “shall take all efforts to avoid discrimination of any person by race, gender, sexual orientation, language, religious, political and other opinion, national or social origin or any other feature”.

In 2017, the Charter adopted Guidelines on the Coverage of Gender Issues.⁶³ Through the guidelines, the Charter underlines the vital role of media in shaping and reinforcing gender roles and stereotypes, as well as in the mitigation of such practices. Therefore, the guidelines are based on several core principles, such as eradication of strongly rooted gender stereotypes and gender roles, tackling and responding to use of sexist language, as well as ensuring gender balance in their work. According to the guidelines, special emphasis should be made on broadcasting and coverage of gender related matters and relevant legal and policy developments, identification of use of gender stereotypes by public figures and politicians, violence against women, sexual harassment, as well as women representation in elections.

Austria

In 2011 an advisory board on anti-sexism to the Austrian Advertising Council was installed including qualified gender experts in order to counteract gender-discriminatory advertising and to raise awareness of the advertising industry for a non-discriminatory portrayal of the sexes.

Out of 278 complaints received in 2012, more than half dealt with “gender discriminatory advertising” (53.41%). The anti-sexism Advisory Board reviewed these complaints and provided its opinion to the Council. In 13 cases (7.39%), the Council called for immediately stopping the campaign. Similar models can be applied for local government.

Canada

The Integrity Commissioner for the city of Vaughn, Ontario filed a Code of Conduct Complaint Investigation Report to the city council following receipt of a complaint with allegations of sexual assault, harassment and reprisal by a deputy mayor and a councillor (2017). Referencing the provisions of the municipal code of conduct that protect against sexual harassment, the report documented the investigation and recommended sanctions (reprimand and suspension of remuneration for

90 days), corrective actions (apology to the complainant and the city) and the suspension or removal of some procedural powers. Ultimately, the deputy mayor and councillor resigned.⁶⁴

Role of Associations of local and regional authorities

Associations of local and regional authorities give voice to the needs of local government at a national or regional level and promote local needs. These associations can play an important role in responding to sexism and harassment in local government in several ways. They can collect appropriate data, monitor progress, raise awareness, advocate for improvements, educate local councils about solutions at the council level and set standards for their members. Associations of local and regional authorities may require capacity building support directly to achieve some of these goals.

EXAMPLES

STRENGTHENING LOCAL GOVERNMENT ASSOCIATIONS RESPONSE TO SEXISM

Bolivia

The Association of Local Councilors and Mayors of Bolivia (ACOBOL) collected data and testimonies of victims of violence against women in politics between 2004 and 2012, including more than 4,000 complaints of harassment from women participating in politics received by the Bolivian police. Based on this, Law 243 was passed to 'establish mechanisms to prevent, attend to and sanction against cases of political harassment and/or violence toward women, to guarantee their political rights.'⁶⁵

Australia

Local Government Managers Australia, Queensland (LGMA Queensland, founded in 1957) supports local government advocacy, collaborative learning and professional development. The LGMA offers an in-depth Framework for Action to Promote Gender Balance in Senior Management in Local Government. The Framework is an internal guidance document outlining the vision, strategic priorities and mechanisms to assist in integrating gender awareness through local government organisational cultures and management, as well as within the LGMA itself. It includes guidelines on implementation, monitoring, reporting and review. https://www.lgprofessionalswa.org.au/Documents/Gender%20Balance%20Framework/LGMA%20Gender%20Balance%20Framework_Nov2015_B.pdf

Role of the National Office of the Ombudsperson

The Ombudsperson Institution in Kosovo* is an independent institution whose roles and competencies are established in the Constitution and in the Law on Ombudsperson and come down to “monitoring and protecting human rights and freedoms of legal and natural persons from unlawful and irregular actions or inactions of the public authorities”.⁶⁶ The Ombudsperson has the power to investigate, on the basis of filed complaints or on its own initiative, if findings suggest that the authorities have violated human rights and freedoms stipulated by the Constitution, laws and other acts, as well as international instruments on human rights.⁶⁷ This includes cases of non-discrimination and gender equality as well.

In light of this, the Ombudsperson office is well-placed to engage in supporting actions to end sexism and harassment in local government through a variety of actions. Specifically, the Ombudsperson conducts investigations, issues recommendations, publishes reports as well as advocates for human rights and freedoms. It is an equality mechanism for promotion, monitoring and support of equal treatment without discrimination on the bases protected by the LGE and the LPD.⁶⁸ The Ombudsperson’s office is also mandated to work with civil society towards these goals, including supporting the work of human rights defenders and co-operating with civil society on awareness raising activities. The national Ombudsperson has regional offices with similar powers.

EXAMPLES

OMBUDSPERSON ACTIONS TO STOP SEXISM AND SEXUAL HARASSMENT

Kosovo*

In 2019, the Ombudsperson Institution received 129 appeals of citizens reporting cases of discrimination and 100 of those cases were launched as legal proceedings. In that same year, this institution received 65 complaints on gender-basis leading to 39 cases being launched as legal proceedings.

In 2020, the Ombudsperson Institution received 145 appeals of citizens reporting cases of discrimination and 107 of those cases were launched as legal proceedings. In that same year, this institution received 43 complaints on gender-basis leading to 30 cases being launched as legal proceedings.⁶⁹

In its 2019 annual report, it was stated that cases of gender based discrimination rarely got reported due to a lack of knowledge on what this constitutes, and lack of case law in this field.⁷⁰

Another example of this institution using its role in promoting gender equality, happened in 2019 during which the Ombudsperson Institution issued a statement urging political parties running for the 2019 general elections to adhere to the LGE by making sure that 50% of their party lists were women representatives.

Croatia

Croatia has a dedicated Ombudswoman for Gender Equality who acts in an independent manner, monitors the enforcement of the Gender Equality Law and other regulations on gender equality and reports to the Croatian Parliament at least once a year. One initiative of this office was working with the Croatian radio and television (HRT). The HRT training centre, in co-operation with the Office of the Gender Equality Ombudsperson, introduced training programmes for editors and journalists on the elimination of stereotypes and of content that presents men and women in a sexist, offensive or degrading manner in the media.

Sanctions, Enforcement & Remedies

Globally speaking, several principles should be taken into consideration when developing appropriate sanctions and appeals processes. Sanctions for violations of prohibited behaviours should be commensurate with the severity of the violation, up to and including suspension of mayors and council members. More minor violations may be sanctioned with measures such as public apologies, public censure, fines or required training or service. For sanctions to be effective, there must be a clear set of guidelines on appropriate behaviour and identification of specific behaviours defined as sexist. These may be set in local government regulations or internal code of conduct. Sanctions must be mutually agreed upon by the signatories of the code of conduct. Appropriate institutions should also be involved in ensuring enforcement, including the office of the Ombudsperson and/or local ethics boards or accountability officers where they exist.

In addition to any sanctions levied against the perpetrator, in any given territory the local or central accountability infrastructure (e.g. office of the Ombudsperson or a local ethics board) may provide a remedy or compensation to the person targeted. Recourse may be in the form of financial compensation such as general damages for the loss of the right to be free from discrimination and violations to personal dignity. It can also include special damages to compensate the target of the sexist behaviour for money, opportunities or other losses that took place because of the discriminatory or harassing behaviour.

Non-financial remedies are also options for victims of sexist discrimination. These could benefit the individual person through actions such as protections against further action by the perpetrator and public apologies. It can also involve public interest remedies, which are designed to have an impact on the broader community, including other people who could have been affected by the discrimination. These remedies can raise awareness or educate about the issue in order to promote a better understanding of the problem of sexism and discrimination and prevent it from happening in the future. Examples of public interest remedies for sexist behaviour in local government include changing internal policy to afford better protections, developing/improving internal human rights complaint procedures, introducing educational programmes or posting ethics codes publicly in the local government offices.

In Kosovo*, the framework for recourse in cases of sexism and discrimination is set out in the LGE and the LPD and it includes the following:

A person that feels they have been treated unfairly, unequally or discriminatory, can file a complaint at the Ombudsperson Institution and/or submit a claim to the courts. The LPD provides for the reversal of the burden of proof in discrimination cases. Further, the LGE includes sanctions in the form of fines per violated right. In the case in which somebody is found guilty of sexual harassment, harassment or violating the right to gender equality, the person is required to pay a fine of 500 up to 700 Euros. Anyone violating the right to equal treatment is required to pay a fine of 700 up to 900 Euros. It's up to the court to decide on the violation procedure and impose sanctions. Similarly - but a bit more generally and vague - the LPD, sets out a list of fines in Article 23. This law also offers various remedial options that judges can choose to impose when discrimination is established. This includes:

- Prohibit the performance of activities which violate the right of the applicant, or compel the elimination of all discriminatory actions;
- Compensate material or non-material damage;
- Order temporary measures in accordance with the Law on Contested Procedure (if deemed necessary to eliminate the risk of irreparable damages, especially for severe violations of the right on equal treatment, or with the aim of preventing violence);
- Order a shorter deadline of execution than defined in the Law on Enforcement Procedure; or
- Publish the decision in the media.

Lastly, Kosovo's* Criminal Code includes sexual harassment as an offence, which sanctions the perpetrators to a fine or imprisonment of up to three years in prison.⁷¹ Remedies for individuals targeted by sexist behaviour vary from simple corrective measures to criminal justice, depending on the severity of the problem. This guide does not discuss criminal violations.

EXAMPLES

TRANSPARENT PROCEDURES FOR ENFORCING CODES OF CONDUCT

Canada

Transparent and accessible complaints procedures aid in effective enforcement of codes of conduct. The City of Barrie set forward clear procedures on filing complaints about violations of codes of conduct and publishes them on their website, summarised as follows:

Informal Complaints

Any individual who has identified or witnessed behaviour or activity by a member that appears to be in contravention of the Code may address their concerns in the following manner:

- Advise the member that their behaviour or activity contravenes the Code;
- Encourage the member to stop the prohibited behaviour or activity;

- If applicable, confirm to the member your satisfaction or dissatisfaction with his or her response to the concern identified;
- Keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information, including steps taken to resolve the matter;
- If not satisfied with the response received through the informal process, an individual may proceed with a formal complaint through the Integrity Commissioner.

Formal Complaints

Any individual who has identified or witnessed behaviour or activity by a member that appears to be in contravention of the Code may address their concerns through the formal complaint process:

- All formal complaints must be made using the City's Complaints Form / Affidavit.
- The complaint must include an explanation as to why the issue raised may be a contravention of the Code and any evidence in support of the allegation must be included with the Complaints Form/Affidavit; Complaints must include information on witnesses as well as the specific details of the case and be filed with the Integrity Commissioner.

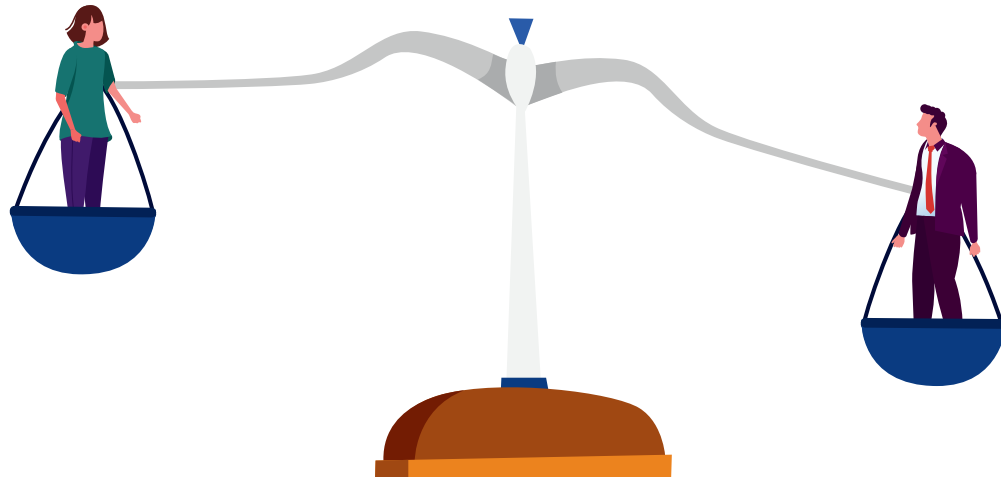
The Integrity Commissioner will determine whether the matter is a complaint with respect to non-compliance with the Code and/or a violation of other codes including a Criminal Matter or a violation of codes on Discrimination or Harassment. Available at <https://www.barrie.ca/City%20Hall/MayorCouncil/Documents/Code-of-Conduct-Complaint-Procedures.pdf>

Ensuring adequate resources

In order to offer effective remedies as well as to advance the other measures suggested in this guide, local governments should ensure adequate funding to support the measures described above. Strong institutional responses to sexism within local government require dedicated funds and human resources. For example, staffing of accountability positions, training and awareness-raising, processes to develop and adopt codes of conduct and investigation and reporting cannot be adequately implemented unless sufficient and consistent resources are allocated to them.

In Kosovo*, there are resources dedicated to gender equality mechanisms at the local level, however little information is available regarding funding allocations for dealing with internal complaints. Note that these resources are needed for internal measures to combat sexism in local government and are separate from resources required for public policy responses to sexual harassment and violence (i.e. funding for protective measures and medical needs). Gender Responsive Budgeting (GRB), i.e. the mainstreaming of a gender perspective in fiscal processes, is a legal requirement in Kosovo*.⁷² GRB requires ensuring that women and men's concerns are integrated into the budget planning, distribution, monitoring, and evaluation process, including in all sectors, economic categories, and budget lines. However, GRB is not fully institutionalised in Kosovo* and the majority of local and central level budget organisations do not implement it.⁷³ GRB has the potential to enhance gender equality, combat sexism, and overall ensure more transparent, efficient, and effective use of funds, if implemented correctly.

Promoting gender equality in local level government through concrete measures



The specific strategies for combatting sexism in local government that have been suggested above will only succeed if they are accompanied by efforts to address the root causes of sexism by promoting greater gender equality in local government. This final section provides a brief overview of some key measures for promoting gender equality in local government.

Adopting Temporary Special Measures (TSM) for local government

Temporary Special Measures (TSM) are “aimed at accelerating the improvement of the position of women with a view to achieving substantive equality with men, and to effect the structural, social and cultural changes necessary to correct past and current forms and effects of discrimination against women, as well as to provide them with compensation for inequalities and harm suffered.”⁷⁴

Gender quotas (the most well-known form of TSM) have been proven effective at increasing women’s representation in elected bodies, worldwide. Gender quotas can be either legislated or voluntary. There are two forms of legislated quotas: candidate quotas and reserved seats. As the name implies, candidate quotas guarantee more equitable gender balance among candidates but do not ensure that the target will be met. Reserved seat quotas set aside a designated proportion of seats for the under-represented sex, thereby guaranteeing a minimum level of representation. Kosovo* has applied gender quotas since the beginning of its own organized general and local elections. Two types of quotas were established in this period; during the years 2001 and 2004, 33% of the first 67% candidates on the candidates lists had to be women and for 2000 and the following years up to 2015,

30% of the total number of nominated candidates had to be women. These quotas were applicable for the Assembly and Municipal Assembly elections only.⁷⁵

Currently, Kosovo* finds itself in a challenging situation regarding the implementation of legally required gender quotas. There are two laws that mention gender quotas for central and municipal representation, however these have not been harmonised up to this day. On the one hand, there is the Law on General Elections that requires party lists to be composed of at least 30% of men and women respectively, and at least 30% of members of parliament to be of the underrepresented gender. Similarly, the Law on Local Elections requires that candidate lists include at least 30% of the underrepresented gender. Moreover, the Central Election Commission must ensure that these lists apply the quota in order to receive certification. On the other hand, the Law on Gender Equality (LGE) sets a 50% gender quota across all legislative, executive, and public institutions. Up to this day, only the 30% quota has been implemented despite efforts of different lobby groups to change this.

Nevertheless, the 30% requirement has been successful in making sure that women were represented at the central and local level, changing the face of politics in a positive way. The positive results were particularly evident during the last general elections that took place in February 2021 where out of the Assembly's 120 seats, 43 seats were won by women. Moreover, 34 out of these 43 women elected won their seats without needing the quota. This is a great improvement from the 2017 local elections, when from the total number of women that ran for elections, only 15% got elected as assembly members, of which only 5.67% were elected without the quota.⁷⁶

Quotas are only one kind of TSM that can be adopted to enhance women's representation. Other approaches include:

- special media and advocacy campaigning;
- capacity development programmes for women candidates and elected officials;
- campaign financing support for women running for office;
- voluntary party quotas.

Other structural reforms and policies

In addition to legislative changes to electoral laws and systems, there are many initiatives that can be taken at the local level to enhance gender equality and accordingly, combat sexism. These include measures taken directly by local governments as well as measures by national or regional bodies to govern local authorities, such as:



Introduce term limits. Term limits for councillors promote turnover and open new space for women to compete. Term limit proposals can be implemented with significant lead time, to allow sitting members to achieve their policy goals.



Promote gender equal workspaces for mayors and local councillors.

This may include instituting parental leave programmes, providing childcare or covering the costs of childcare for local councillors, allowing remote attendance of meetings and enhancing the use of technology in workplace accommodation and reviewing meeting times (avoiding evening meetings) in order to allow members with family care duties to attend.



Adopt policies on gender equality in leadership roles.

Local councils and municipalities may adapt policies to promote gender equality through various activities, including ensuring balance on any committees and equal representation in leadership roles.



Proactive recruitment.

Local authorities should publicly promote gender balanced recruitment ahead of election periods, to encourage equal representation. This may include targeted awareness raising and information sessions.



Gender focal point.

Identifying a gender focus point or diversity committee within local government can be a mechanism to advance monitoring and new initiatives.

For example, the LGE sets out clear obligations for all ministries and municipalities to appoint officials for gender equality. Their duties and responsibilities include: coordination of the implementation of this law and of the Kosovo Program for Gender Equality, inclusion of gender mainstreaming and budgeting in drafting and implementation of policies, cooperation with the Agency for Gender Equality and other relevant actors in the field of gender equality, preparation of annual reports on implementation of the Kosovo Program for Gender Equality and other reports that are submitted to the Agency and implementation of other measures foreseen by the LGE.⁷⁷ This includes measures on equal opportunities and representation. All ministries and municipalities in Kosovo* have gender focal points who undergo regular training organized by the Agency for Gender Equality and WCSOs on issues relevant to their duties and obligations.



Training.

Regular training activities for mayors and local councillors, online and in-person, can help improve the ability to recognise and combat sexism as well as to become better equipped to develop responsive local policy that advances equality in the community as well as in the institution.



Use Gender-Inclusive Language in public documents.

The European Union defines gender-inclusive language as “a generic term covering the use of non-sexist language, inclusive language or gender-fair language. The purpose of gender-neutral language is to avoid word choices which may be interpreted as biased, discriminatory or demeaning by implying that one sex or social gender is the norm. Using gender-fair and inclusive language also helps reduce gender stereotyping, promotes social change and contributes to achieving gender equality.”⁷⁸ The principle of gender-inclusive language

should be applied to public documents as well as internal policy and communication at all levels of government.

For further examples, refer to:

Gender in Local Government: A Sourcebook for Trainers (United Nations Human Settlements Programme, 2008)

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Manual for Gender Equality at The Local Level. (OSCE 2015).

Available at <https://www.osce.org/bih/216636>

Conclusion

Ending sexism in local government requires a concerted effort on the part of local elected representatives in partnership with civil society, law enforcement and regional and central authorities. Starting with reliable data, clear targets and shared understanding of the scope and nature of the problem, local authorities can adopt a range of strategies to address the existence of sexism and promote gender equality in local politics.

Local and regional authorities can demonstrate their commitment to ending sexism by developing adequate structures and policies to combat sexism and promote equality within their institutions. Allocating sufficient resources and staffing structures of accountability ensures that these commitments are applied and enforced. By dedicating themselves to transparent practices and creating gender-inclusive institutional cultures, local governments build public trust and are more able to successfully fulfil their roles.

Notes

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Preventing and combatting sexism in local politics is essential for guaranteeing equal participation for women and men and ensuring that their perspectives are represented in local policies.

This guide presents concrete measures for combatting sexism at local level and ensuring that women play an active and meaningful role in the decision-making process. It is intended for use by local authorities and their national associations as well as possible targets of sexist violence and gender-based discrimination such as women candidates and local office holders.

Combatting sexism in local government requires a concerted effort from all levels of governance in partnership with law enforcement bodies and civil society. Practical steps such as collecting reliable data, raising awareness, and building capacities can create a shared understanding of the scope and nature of the problem. Altogether, clear targets and commitment on the part of public authorities, accompanied by sufficient resources for ensuring accountability will lead to transparent structures, a gender-inclusive institutional culture and greater equality.

ENG

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