

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Recommendation 111 (2002)¹ on women's individual voting rights: a democratic requirement

The Congress,

1. Recalling the declaration adopted at the 4th European Ministerial Conference on equality between women and men (Istanbul 1997), and especially the commitment to “ensure that the realisation of equality between women and men is a part of the monitoring of member states’ fulfilment of their democratic obligations”;
2. Recalling the Council of Europe’s role in promoting and upholding the highest standards of democratic practice in the member states;
3. Noting that Council of Europe member states are constitutionally and legally committed to upholding democratic electoral practices, including the equal voting rights of women and men;
4. Drawing on the relevant international instruments, in particular the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (1979) and the Declaration and Platform for Action adopted at the Fourth World Conference on Women (Beijing, 1995);
5. Recalling that the guarantee of a secret ballot, as set out in the Additional Protocol to the European Convention on Human Rights, and in the Copenhagen Document adopted in 1990 by the Organisation for Security and Co-operation in Europe (OSCE) is an essential condition for ensuring the free expression of the opinion of the people in the choice of the legislature;
6. Having regard to the findings of the reports on election observation missions conducted by the Parliamentary Assembly, the Congress of Local and Regional Authorities of Europe and the OSCE in recent years, which have highlighted the practice of family voting in some fifteen European countries;
7. Recalling the report by Mr Georges Clerfayt and Parliamentary Assembly Resolution 1264 (2001) on the code of good practice in electoral matters;
8. Considering in this respect that women’s individual voting rights are one of the principles of European electoral systems;
9. Affirming that the exercise of women’s individual voting rights is a fundamental requirement for the functioning of democracy and should not be regarded as a secondary issue;

10. Considering that family voting is a practice which tends to deprive women, and sometimes young people, of their individual voting rights and as such amounts to a form of electoral fraud;

11. Aware that family voting is a difficult and sensitive issue for the states concerned;

12. Bearing in mind that socio-economic, cultural or local factors are sometimes used to justify the denial of individual voting rights;

13. Believing that eliminating the practice of family voting requires a concerted effort by various players – national, regional, and local governments, non-governmental organisations (NGOs) and judicial authorities;

14. Taking the view that the activities conducted by the Stability Pact Gender Task Force and the OSCE-backed activities in this area are useful in raising women’s awareness of the role they can play in preventing conflict and creating stability in the region;

15. Welcoming furthermore the steps taken by the Council of Europe to encourage women’s participation in public life, which necessarily includes the right to participate on an individual basis in decision making, and first and foremost in elections,

16. Calls on the Council of Europe member states:

a. to strictly enforce electoral law as part of the democratic electoral process in member states and to ensure that the commitments entered into with regard to electoral rights are actually honoured;

b. to give particular attention, therefore, to the prevention of family voting when training electoral commissions;

c. to state publicly and make it widely known that women have the same right to vote as men and that, consequently, any denial of women’s right to cast their ballot is prohibited;

d. to conduct public information campaigns in advance of elections, emphasising the importance of the individual right to vote and the fact that family voting is an unacceptable and illegal practice. Such campaigns could take the form of targeted women’s rights education, but could also be part of more general public education programmes on democracy, using women in decision-making posts as role models for participation in the democratic decision-making process;

e. to encourage research into the causes and extent of family voting and, on the basis of the findings of this work, to draw up a national programme to eliminate such practices, with timetables, targets and monitoring mechanisms;

f. to implement and support good practice with regard to electoral procedures;

g. to invite the ministers responsible for electoral law and women’s rights to take the appropriate measures to prevent family voting;

h. to make the necessary arrangements to enable the following requirements to be met:

i. electoral legislation should contain a clause holding electoral commission officials liable for any failure to observe democratic voting practices and in particular the exercise of women's individual voting rights;

ii. electoral commission officials should be aware of the risk of severe sanctions if fraud is discovered in a polling station for which they are responsible. Such sanctions should be enforced for family voting as well as for other infringements of electoral law;

iii. electoral commission officials should be fully trained in the conduct of a democratic poll, with emphasis on the importance of individual voting and the secrecy of the ballot, and on the need for zero tolerance of practices that diverge from these principles;

iv. electoral commission officials should have adequate facilities and staff, to enable them to perform their duties in accordance with the best democratic practices;

v. electoral commissions should rigorously enforce democratic procedures;

vi. ballot papers should be sensitive to voters' needs (for example, dual-language ballot papers, party symbols on ballot papers) to enable any voter who is illiterate or insufficiently informed to have access to sufficient information to make an individual decision;

vii. complaints procedures need to be accessible, easily understood and swift, and should incorporate an effective investigative procedure;

viii. when appointing electoral commissions, consideration should be given to having non-locals officiate in regions where family voting is more likely to occur (for example, rural areas);

i. to require political parties to develop democracy-education programmes incorporating gender-equality modules in order to qualify for state funding;

j. to provide general citizenship and equality education in schools, with the emphasis on women's equal rights with men in the political, civic, social and economic spheres. Where appropriate, these programmes should seek to address local traditions and cultural practices and perceptions that consign women and girls to a subordinate role in society;

k. to recognise that literacy should be a basic right for all, with equal access for women and girls from all backgrounds to a full education;

l. to support and facilitate NGO activities which aim to:

i. promote women's education and the exercise of their fundamental rights, including individual voting rights; and

ii. raise men's awareness on the importance of women's participation in public life and their exercise of individual voting rights;

m. to encourage, by all appropriate means, women's NGOs to network with democracy-building NGOs, with a view to pooling experience, knowledge and strategies for supporting women's individual voting rights;

n. to support the extension of political awareness-raising schemes such as the Women Can Do It campaign and the grassroots women's political empowerment programmes devised by the Stability Pact Gender Task Force in areas where family voting is an issue;

17. Calls on the Council of Europe's Committee of Ministers:

a. to develop a concerted programme of action to prevent family voting and to devise initiatives designed to help institutions and individuals to make use of democratic practices, in particular as part of the Council of Europe's integrated project Making Democratic Institutions Work;

b. to accordingly invite the Steering Committee for Equality between Women and Men (CDEG) to include this issue in the CDEG's work programme and in particular to:

i. prepare and widely disseminate a compendium of good practices and strategies for achieving gender-balanced representation in political and social decision-making and to encourage practical preventive measures to eliminate family voting;

ii. hold awareness-raising seminars on women's political rights and the exercise of their individual voting rights, in co-operation with local NGOs working for gender equality, democracy-building agencies and national, regional, and local authorities. These activities could notably be conducted within the framework of the Stability Pact, the assistance programmes for Council of Europe member states, and pre- or post-accession programmes for future or new member states;

iii. hold regional multilateral seminars for the chairs of electoral commissions in order to promote the sharing of experience and good practice and thus encourage the introduction of training courses for trainers of national and local electoral commissions in the countries concerned;

c. to support the activities of NGOs specialising in democracy building and gender equality in order to improve awareness, at local level, of women's rights as active members of society, including their voting rights;

d. to support, in particular, local NGOs involved in election monitoring and to draw their attention to the issue of family voting;

e. to forward this recommendation to the 5th European Conference of Specialised Ministers to be held in Skopje on 21 and 22 June 2002 on democratisation, conflict prevention and peace-building: the perspectives and the roles of women;

18. Invites the Venice Commission to address the issue of women's individual voting rights when carrying out electoral assessments, and when drafting the code of good practice in electoral matters, in consultation with the

Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe;

19. Calls on the Parliamentary Assembly:

a. to draw attention to the inappropriateness of family voting in the work of its competent committees, in particular the Political Affairs Committee, the Committee on Legal Affairs and Human Rights and the Committee on Equal Opportunities for Women and Men;

b. to hold a hearing on family voting and to commission research on best practice and effective strategies regarding awareness-raising programmes on women's rights which could be promoted within national parliaments;

c. to give particular attention to family voting during election observation missions and to emphasise that such practices are unacceptable in a democracy;

d. to bring the issue of family voting to the attention of parliamentary committees on women's rights in the Council of Europe member states concerned;

20. Calls on the Organisation for Security and Co-operation in Europe (OSCE) and the Office for Democratic Institutions and Human Rights (ODIHR) to give particular attention to the issue of family voting when implementing its "democratisation" activities, and during its election observation missions in Europe.

1. Debated and adopted by the Congress on 6 June 2002, 3rd Sitting (see Doc. CG (9) 7, draft recommendation, presented by Mrs D. Bunyan, rapporteur).