

Regional  
Consultation on  
Women's Right  
to Participate in  
Political and  
Public Life

## Report

9 to 12 December 2004  
Jakarta, Indonesia

Organiser & Host :  
IWRAP Asia Pacific & APIK

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**Regional Consultation on  
Women's Right to Participate in Political and Public Life  
(Articles 7 and 8 of the Convention on the Elimination of  
All Forms of Discrimination against Women)**

**9-12 December 2004  
Jakarta, Indonesia**

**Organised by International Women's Rights Action Watch Asia Pacific (IWRAP Asia Pacific)  
Hosted by Indonesian Women Association for Justice (APIK)**



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# BACKGROUND<sup>1</sup>

## Introduction

This consultation stemmed from a project coordinated by the International Women's Rights Action Watch Asia Pacific (IWRAP Asia Pacific) called "Facilitating the Fulfilment of State Obligation Towards Women's Equality", the Facilitating Project in short. Starting in 1997, IWRAP Asia Pacific had embarked on this initiative with women's groups in 12 countries of South East and South Asia, with the following objectives in mind:

- The setting-up of country core groups to act as monitors and to form networks of women's rights advocates, nationally and regionally, towards the long-term goal of assessing State compliance with their obligation to women's equality under the CEDAW Convention;
- The production of thematic baseline reports for purposes of identifying discrimination against women, good practices of the state and for the identification of advocacy recommendations to governments;<sup>2</sup>
- National, regional and international advocacy to promote recommendations; and
- Regional meetings to develop a framework for information gathering, drawing up of indicators and evaluation and planning the various stages of the project.

To move the project forward, IWRAP Asia Pacific is holding a series of consultations on the common issues identified in this project, paving the way for the core groups to share the findings and recommendations of their baseline reports as well as learn from the experiences of other groups working on these issues. It was hoped that this would create broader based advocacy with other women and NGO groups working on these issues, and to consolidate women's voices in identifying and implementing strategies for advocacy.

## Women's right to participate in political and public life

The right of women to participate in political and public life is specifically provided for under Article 7 of the Convention on the Elimination of All Forms of Discrimination against Women (the CEDAW Convention). This right is also protected by other international treaties and documents such as Article 21 with Article 2 of the Universal Declaration of Human Rights, Article 25 with Article 3 of the International Covenant on Civil and Political Rights, the Vienna Declaration and Programme of Action, the Beijing Declaration and Platform for Action, the Convention on the Political Rights of Women and various others. In many countries, this right to participate in political and public life is also protected by the constitution or national laws.

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<sup>1</sup> Adapted from the concept note prepared for the consultation.

<sup>2</sup> The themes identified for research were: South East Asia: Indonesia (state-sponsored violence against women sponsored); Laos (rural women and their livelihood); Malaysia (women's rights in marriage and divorce); Mongolia (women's employment rights); Philippines (violence against women); Thailand (trafficking in women); and Vietnam (women's employment in the market economy). South Asia: Bangladesh (violence against women); India [(i) women in armed conflict situations; (ii) political participation of women; and (iii) rights of women in marriage]; Nepal (inheritance rights of women); Pakistan (political participation of women); and Sri Lanka (domestic violence).

Equality in participation in political and public life includes equality in the (i) right to vote and to be elected; (ii) the right to participate in the formulation and implementation of government policy; (iii) the right to hold public office and perform public functions; (iv) the right to participate in non-governmental organisations (NGOs) and associations, whether national or international; and the (v) right to represent government in international arenas. CEDAW General Recommendation No. 23 states that as political and public life is a broad concept, the right to equality in political and public participation encompasses all areas of public and political life. It extends to the exercise of legislative, judicial, executive and administrative powers. It also covers all aspects of public administration and the formulation of policy at the international, national, regional and local levels. The concept also includes the many aspects of civil society, including public boards and activities of bodies such as political parties, trade unions, professional and industry associations, and women's and community-based organisations.

### **Importance of women's participation and representation in political and public life**

Women's participation and representation in political and public life is an important aspect of civil and political rights. Women's right and opportunity to representation includes the right to take part in the conduct of public affairs, directly or through freely chosen representatives.<sup>3</sup> It is also recognised that a balanced participation of men and women in the management of public affairs is central to any democracy.<sup>4</sup> In many politically stable countries, the concept of democracy is no longer perceived as the private and exclusive domain of men and therefore, the identification of women's exclusion from the political process is regarded as a "democratic deficit".<sup>5</sup>

Furthermore, in recent decades, there has been increasing recognition that a country's political, social and economic development grows when women are significantly represented and are active participants in the public and political life of the country. Research demonstrates that if women's participation reaches 30-35 per cent, there is real impact on political style and the content of decisions.<sup>6</sup>

### **The persistence of discrimination against women**

Unfortunately, one of the challenges we face today is the unequal and insufficient participation of women in public and political life. Often, women vote in fewer numbers, run for office with little success, have less access to political support and institutions, participate less in policy design and implementation, exercise less political and economic power, and feel more detached from the public life of the nation and their communities. All of the above are forms of discrimination against women even if there is no legal impediment that prohibits women from participating in political and public life.

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<sup>3</sup> International Covenant on Civil and Political Rights, Article 25 reads "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives....".

<sup>4</sup> Inter-Parliamentary Union paper for the United Nations Office of the Special Adviser on Gender Issues And Advancement of Women, Expert Group Meeting on "Enhancing Women's Participation in Electoral Processes in Post-Conflict Countries", EGM/ELEC/2004/EP.3. 19 January 2004. para 3.

<sup>5</sup> *ibid.* para 27.

<sup>6</sup> Commission on the Status of Women, Thirty-ninth session, Report of the Secretary General E/CN.6/1995/3/Add.6. 1 February 1995. para 20.

## **Obstacles and challenges women face at the entry and functioning level of participation and representation in political and public life**

Women face various obstacles and impediments in participating in political and public life and these obstacles not only arise at the entry level but also at the functioning level. The cultural framework of values and religious beliefs contribute significantly to women being confined to the private spheres. Society ascribes to the view that women's role is only limited to the domestic sphere and not beyond. Stereotyping, negative attitudes to participation in public life, violence against women, women's lack of self-confidence and comfort with political issues, restrictions in movement and women's inequality in education and self-development trainings are some examples of the encumbrances that women often struggle with in entering public life.

Furthermore, women often have less access to the resources that can enable them to engage in political and public life. They have less information, for example, on how to run for political or public office. Women's multiple burdens and financial constraints are often not taken into consideration and they are also not provided with enabling conditions or supporting systems to enable them to participate or to function effectively. They often assume power due to influence of a male family member.

The domain of public institutions is inherently masculine in nature, due to men's domination in public life historically and this is a real barrier against women's participation. The preservation of male interests is embedded in the structures of all establishments including Parliament, political parties, religious institutions, trade unions, the courts, the bar councils and other institutions and this is a big hurdle for women to overcome in making significant contributions and decisions to and within those institutions. The structures of networking which is exclusive to men, also hinders women's participation. Even in other fields for example, education and employment in what is deemed as male professions such as engineering, law, medicine and many others, the structures of networking prevent women from being promoted to supervisory and managerial levels because they are not visible and easily overlooked.

## **Other considerations in addressing inequality in women's participation and representation**

Besides addressing specific obstacles that women may face in exercising their right to participation and representation in political and public life, it is useful to consider various broader aspects that may have an implication. For example, it is believed that a nation's form of government is a significant factor in determining women's participation. The Report of the Secretary General of the Commission on the Status of Women in 1995 stated that the fall of centralised communist states and socialist systems had led to a reduction in the number of women holding high-level decision-making positions.<sup>7</sup> On the other hand, however, a view that changing political systems will answer the problem is myopic. The "electoral system structure, left party government, the timing of women's suffrage, the share of women in professional occupations, and cultural attitudes toward the role of women in politics each play a role in accounting for variation in the degree of gender inequality in political representation around the world".<sup>8</sup> However, in post-conflict countries, where governments are formed on a clean slate, the

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<sup>7</sup> *ibid.* para 1-2.

<sup>8</sup> Kenworthy, L. and Malami, M. (1999) "Gender Inequality in Political Representation: A worldwide comparative analysis" in *Social Forces*, 78(1), pp235-69, quote p235.

requirement for women's participation in post-conflict and peace building initiatives has created an impetus for the acceptance for women's leadership. Most of these countries include electoral quotas in its constitutional drafting process and have some of the highest representation of women in Parliament such as Rwanda (48.8 per cent), Mozambique (30 per cent) and Timor Leste (26.1 per cent).<sup>9</sup>

## **CEDAW and state obligations**

CEDAW offers a framework to analyse discrimination against women's right to participation and to specifically identify the obligations of the state in relation to this. CEDAW is useful as it clearly points to the interconnectedness of all human rights. It opens possibilities for analysing all institutions – for example the state, the community, the family – that perpetuate gender inequalities and that have an impact on women's ability to participate.

States parties should not assume that they have fulfilled their duties by merely having laws that prohibit discrimination against women's participation in public and political life. They have to ensure that an enabling environment is created for women to have *de facto* rights and not just equality in the law. CEDAW also obligates States parties to adopt temporary special measures to accelerate *de facto* equality and put women's participation on an equal level with men. In this analysis, it is also useful to ensure that other human rights treaties and mechanisms are used to afford the best standard of protection.

## **Current advocacy**

There are regional and international initiatives that promote women's participation. At the regional level, for example, the ASEAN Inter-Parliamentary Organisation which has eight state members from the South East Asia region, recognises equality between men and women and the role of women as political leaders and suggested the setting up of a study committee to identify a pilot project aimed at the promotion of women in political leadership. At the international level, initiatives include the establishment of the Meeting of Women Parliamentarians and its Coordinating Committee of the Inter-Parliamentary Union.<sup>10</sup>

Women's groups have also done much work at the national level in terms of research and advocacy on women's political participation. As previously mentioned, IWRAW Asia Pacific with national groups in Pakistan and India have worked together in monitoring state obligations on the elimination of discrimination against women's political participation.<sup>11</sup>

Although more women are being elected and appointed at the decision making levels in public institutions, there still needs to be a continuous monitoring, support and activism to ensure that any remaining obstacles are overcome and that the positive outcomes attained are sustained and enhanced.

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<sup>9</sup> Inter-Parliamentary Union, Panel discussion on women's participation in electoral processes in post-conflict countries, CSW side event. 3 March 2004.

<sup>10</sup> The Meeting of Women Parliamentarians and the Coordinating Committee of the Inter-Parliamentary Union carries out, amongst other things, studies on issues that directly concern women's participation, including women in national parliaments, political parties and electoral training, financing women's electoral campaigns and so forth. See <<http://www.ipu.org/wmn-e/subjects.htm>>.

<sup>11</sup> IWRAW Asia Pacific's Facilitating the Fulfillment of State Obligation to Women's Equality Project, India: Baseline Report on Women and Political Participation in India; and Pakistan: Baseline Report on Women's Participation in Political and Public Life in Pakistan.

Based on the foregoing, it is important for women working in this field to continuously evaluate, develop and revise strategies for the promotion of women's rights to participate in political and public life. It is for this reason that IWRAW Asia Pacific convened this regional consultation.

### **The Consultation on women's right to participate in political and public life**

IWRAW Asia Pacific's four-day regional Consultation had the following objectives:

- Assess the status of women's situation in participation in political and public life;
- Identify obstacles to women's rights to participate in political and public life;
- Analyse how states have interpreted their obligations under the CEDAW Convention (Articles 7 and 8 and other related articles) and implemented the General Recommendations relating to these (No. 23 and 25) and the Concluding Comments;
- Identify and share best practices and successful experiences as well as lessons learned in addressing women's rights in political and public life;
- Acquire knowledge on ways CEDAW and other human rights treaties and mechanisms can be used to ensure women's equality in participating in political and public life;
- Analyse and evaluate current strategies to address women's participation, and to craft comprehensive strategies for advocacy;
- Develop more responsive ways of monitoring state obligation with regard to women's participation in political and public life; and
- Link activists interested in exploring new strategies to promote women's participation.

It was expected that there would be:

- Exchange of experiences in the region on the various ways of addressing discrimination in women's participation in political and public life;
- Development of comprehensive strategies that takes into account national and regional experiences as well as international human rights standards, especially CEDAW; and
- Building of a regional constituency working on women's participation.

The Consultation took place from 9-12 December 2004 in Jakarta, Indonesia, organised by International Women's Rights Action Watch Asia Pacific (IWRAW Asia Pacific) and the Indonesian Women's Association for Justice (APIK). A total of 33 persons attended this meeting, including Ms Heisoo Shin, CEDAW Committee member from the Republic of Korea. These included co-partners of IWRAW Asia Pacific, and others working on the issue of women's participation in political and public life. All had an interest in and were committed towards continuing advocacy on this issue after the Consultation. IWRAW Asia Pacific was represented by Rea Chiongson and Rozana Isa.

# SESSION 1

## **Women's Right to Participate in Political and Public Life: Scope, elements and state obligation under the CEDAW Convention<sup>12</sup>**

**Heisoo Shin, CEDAW Committee member**

This session sought to establish conceptual clarity on the breadth of women's rights in relation to their participation in public and political life. It also aimed at highlighting the elements and conditions necessary for this right to be fulfilled, as well as the obligations of the state under the CEDAW Convention and other international human rights instruments.

### **Background**

The specific articles of the CEDAW Convention relevant to the issue of women's participation in political and public life are Articles 7 and 8. However before going into the details of the state's obligations under the CEDAW Convention, it is important to make reference to the other international treaties on human rights.

There are seven major human rights treaties:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW Convention)
- Convention against Torture (CAT)
- Convention on the Rights of the Child (CRC)
- Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW)<sup>13</sup>

All these conventions have committees set up to monitor their implementation.

While the first two covenants, ICCPR and ICESCR, contain articles pertaining to the rights of women, the CEDAW Convention is the most comprehensive in dealing with women's rights. It is the second most popular treaty, next to the CRC, with 179 ratifications.<sup>14</sup> However, the Beijing Platform for Action's call for universal ratification and full implementation of the CEDAW Convention by 2000 and the withdrawal of reservations has yet to be fully realised.

### **Women's human rights under the CEDAW Convention**

The CEDAW Convention consists of 30 articles. Articles 1-5 deal mainly with the general obligations of the state while articles 6-16 identify specific issues like health, education, employment, etc.

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<sup>12</sup> A copy of this presentation is found in Annex 3.

<sup>13</sup> The Committee on Migrant Workers and their Families was the last to be formed, i.e. in 2003.

<sup>14</sup> As at December 2004.

Article 1 of the CEDAW Convention provides the definition of discrimination against women. It is a broad definition and applies to all fields and all women whether married, single, divorced, widowed, etc. It reads:

“any **distinction, exclusion or restriction** made on the basis of sex which has the **effect or purpose of impairing or nullifying the recognition, enjoyment or exercise** by women, irrespective of their **marital status** on a basis of equality of men and women, of human rights and fundamental freedoms in the **political, economic, social, cultural, civil or any other field.**” [emphasis added in bold]

This definition covers formal (*de jure*) equality and substantive (*de facto*) equality and calls for equality of opportunity, equality of access to opportunity, and equality of results.

However, in order to accelerate *de facto* equality, article 4.1 of the CEDAW Convention provides for the implementation of temporary special measures. While there have been many terms used to describe such special measures, for example positive measures and reverse discrimination, the CEDAW Committee feels that these are not appropriate terms. It has to be made clear that these measures are temporary in nature and will cease if the inequality it attempts to correct has ceased.

Article 4.2 talks about special measures that apply to the protection of maternity. There should not be any confusion between temporary special measures and special protections for motherhood. Governments often give examples of the implementation of temporary special measures in the form of laws for the protection of motherhood. This is however something that is always needed and should not be temporary in nature.

Article 5 calls for states to take action against the perpetuation of gender roles and stereotypes.

Although the CEDAW Convention doesn't contain any specific provision on violence against women, the CEDAW committee issued General Recommendation 19 on violence against women, making clear that this is an issue of discrimination against women and that states parties should include in their report information on violence against women and the action taken to eradicate it.

The following are the specific issues covered by the CEDAW Convention:

- Elimination of trafficking and exploitation of prostitution (article 6)
- Political and public life (articles 7 and 8)
- Nationality (article 9)
- Education (article 10)
- Employment (article 11)
- Health (article 12)
- Economic and social life (article 13)
- Rural women (article 14)
- Equality before the law (article 15)
- Marriage and family law (article 16)

## The Optional Protocol to CEDAW

The Optional Protocol to CEDAW was adopted in 1999 after four years of discussion by the Commission on the Status of Women. It came into effect in 2000 and presently has 68 ratifications.<sup>15</sup> The Optional Protocol provides for two procedures:

- Individual complaints procedure where individuals or groups of individuals can send complaints directly to the CEDAW Committee having exhausted all domestic remedies.
- Inquiry procedure for the CEDAW Committee to investigate cases of grave or systematic violation in a country.

The CEDAW Committee has received four individual complaints so far, and out of the four individual complaints, one has been decided as inadmissible due to the fact that domestic remedies had not been exhausted and also due to the issue of time bar. The remaining three individual complaints will be dealt with in January 2005 and in future sessions. Regarding the inquiry procedure, the Committee conducted and completed one case of inquiry, which is on the continued murder of women in Mexico.

## The CEDAW Committee

The CEDAW Committee comprises 23 individual experts elected for a four-year term by states parties to CEDAW. This expert body meets twice a year for three weeks each to review states parties reports and draft General Recommendations. Unfortunately, this time is not enough due to the backlog of reports to review, and given this, the Committee has asked the General Assembly for more meeting time.

Under the CEDAW Convention, a state party's obligations are as follows:

- *Implement the Convention.* Although the Convention is a legally binding document, there is no real enforcement mechanism that can "punish" governments which fail to implement the Convention. Within the UN system, the only enforcement mechanism is the UN Security Council which has the powers to dispatch troops, etc. For all other agencies, it falls on to the political willingness of states to comply with their obligations.
- *Report to the CEDAW Committee.* Governments have an obligation to report to the CEDAW Committee on the status of women in the country one year after ratification. Thereafter, they must submit a periodic report every four years. Currently the Committee has a backlog of about 40 reports. To solve this problem, the Committee has requested that governments with long overdue reports, combine their reports. The review of the government's reports take the form of a constructive dialogue.
- *Implement the CEDAW Committee's Concluding Comments.*<sup>16</sup>

## The role of NGOs

NGO play a very important role in the reporting process, mainly by contributing shadow reports that serve as a valuable source of information that either complement or fill in the gaps of a government report. The CEDAW Committee makes use of alternative information it receives in its review of a particular government. Another strength of CEDAW is that NGOs can provide

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<sup>15</sup> As at December 2004.

<sup>16</sup> Concluding Comments highlight accomplishments, shortcomings and obstacles that a reporting State party has faced in its implementation of the CEDAW Convention. They also identify areas of concern and suggest recommendations for further action.

information on other countries if it relates to women in that country. For example, when Japan was reviewed, many women from Indonesia, Korea etc, provided information on the comfort women issue.

NGOs are allocated an informal meeting time with the CEDAW Committee during the CEDAW session, and also when the pre-session working group meets. Government delegates are asked too whether NGOs were involved in the government report and whether NGOs were consulted for their opinions.

## **The CEDAW Convention and the participation of women in political and public life**

Articles 7 and 8 of the CEDAW Convention focus on the issue of the equal participation of women in political and public life.

Article 7 reads:

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

- (a) to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies
- (b) to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government
- (c) to participate in non-governmental organisations and associations concerned with the public and political life of the country.

Article 8 reads:

“States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organisations.”

The scope of articles 7 and 8 are elaborated in the CEDAW Committee’s General Recommendation No. 23 on women in political and public life. It is important to note that the right covers all areas and levels of political and public life and is not limited to what is mentioned in article 7(a), (b) and (c). It refers to the exercise of political power in all areas and levels of political and public life. This includes legislative power, judicial power, enforcement of the law, executive power, presidential office, administrative power, etc. It also includes many aspects of civil society like public boards, local councils, activities of organisations such as political parties, trade unions, professional/ industry associations, women’s organisations and community based organisations.

When interpreting articles 7 and 8, we have to keep in mind why we need these specific articles. We have to remember the private/public dichotomy and how the public is still to a large extent the domain of men, while the private sphere is seen primarily as the responsibility of women (i.e. the role of reproduction and child rearing). Activities in the private sphere are still considered inferior, while the public life more valued. Women’s voices are silenced within the private sphere and their contribution and experience remain invisible.

Some of the most significant factors blocking women's participation in political and public life include:

- Cultural values, religious beliefs on women's proper roles in society
- The lack of social services for childcare
- Men's failure to share domestic tasks
- Women's economic dependence on men
- Women in the public sphere who find themselves limited to feminine areas/ fields (e.g. appointed minister of health or welfare but rarely minister of defence. Even in Finland, where there is a woman minister of defence it was revealed that in that country, defence is not an important field).

There is still no equality for women in political and public life despite having the relevant constitutional provisions, laws and policies. There is still no *de facto* equality. While the system might be democratic in principle, economic, social and cultural barriers exist that prevent *de facto* equality. This inequality is further reinforced by the low level of women's participation in political and public life.

To bring about *de facto* equality, temporary special measures are necessary to help women enter into the political and public spheres. This includes the recruitment of women candidates, the offering of financial assistance and training, amending electoral procedures, organising campaigns directed at equal participation, and setting numerical goals and quotas for women's participation. For example, the government of Rwanda has the highest percentage of women in Parliament (48.8 per cent) because of a new law that was introduced.

There are however several impeding factors to women's right to vote and to be elected. These include:

- Less access to information on party platforms, candidates, voting procedures
- Illiteracy, lack of knowledge and understanding of the political systems
- Women not registering for voting
- The double burden of work and finance – a financially dependent situation might prevent women from going to the election polls
- Traditions, social and cultural stereotypes that discourage women to vote
- Influence of men and control over women's votes
- Restrictions on women's freedom of movement
- Lack of confidence in women candidates and support by the electorate
- Some women consider politics distasteful and too violent. For example, when the government of Sri Lanka was reviewed, it was revealed that because of the assassinations, women don't want to be candidates.

The electoral system is very important. Depending on the kind of system that has been adopted it can effect women's participation and representation. How are seats distributed? Is it proportional representation? Even the general restrictions that are imposed could have an adverse effect on women. For example, limiting only those with high school and higher education to run as candidates can exclude a lot of women in a society where women have less access to education than men.

The right to participate in political and public life includes the right to participate in policy formulation in all sectors and at all levels. This is where the element of gender mainstreaming is required. Women should be appointed to high positions, and women's groups should be consulted and their advice incorporated into public policy. Women also have the right to

participate in NGOs as well as public and political organisations. Governments need to identify reasons for the under representation of women in these sectors and adopt effective measures to overcome the obstacles, including the provision of information, finances or other resources.

Women have the right to hold public office and perform all public functions in all areas and at all levels, especially in high positions including finance, defence and conflict resolution. Women are sometimes excluded from exercising royal powers, becoming judges of religious or traditional tribunals or even from enjoying full participation in the military. For example, the present law in Japan forbids a woman from becoming emperor. However, since the emperor's son currently only has one daughter, they have been forced to consider reviewing this position.

As well, states have an obligation to ensure the international participation and representation of women at all levels and in all areas of international affairs, including economic and military matters. The CEDAW Committee is always asking about the percentage of women in the diplomatic core and high-level ambassadors, when it reviews reports of states parties. Sometimes, these appointments are restricted by the marital status of women and thinking that married women cannot perform these functions as they would then have to be posted overseas. However, this can be overcome by providing them with the same spousal and family benefits.

#### **Example of the CEDAW Committee's Concluding Comments on Articles 7 and 8**

While welcoming the measures taken to increase the number of women in the National Parliament, the Committee expresses concern that the number of women in decision-making positions remains low in politics, the judiciary, the civil service and the foreign service. The Committee is further concerned that the lack of women-friendly environment in these sectors may contribute to women's low representation.

The Committee recommends that the State party adopt proactive policies for women's increased participation at all levels and when necessary, adopt temporary special measures and establish effective policies and a timetable to increase the number of women in decision-making positions in all spheres. It also recommends that the state party introduce legislations providing for the direct election of women to the National Parliament rather than through selection by members of the parliament. The Committee furthermore calls on the state party to sensitise government officials on the issue of gender discrimination in order to promote a women-friendly environment that would encourage the participation of women in the public life of the country.

Source: Concluding Comments to Bangladesh (31<sup>st</sup> session, July 2004)

## Conclusion

For better implementation of the CEDAW Convention, there is a need to widen publicity on CEDAW and ensure its implementation is monitored. The ratification of the Optional Protocol to CEDAW is also an important factor that will contribute to women's right to equal participation in public and political life. Last but not least, there should be close cooperation between the government and NGOs, among NGOs, and with the CEDAW Committee.

## Discussion

### *Exhaustion of domestic remedies under the Optional Protocol to CEDAW*

To use the Optional Protocol, one must fully exhaust domestic remedies first. This means that one must try and solve the problem at the national level through the local court system. If the judiciary is not in place, or in states where the situation is fairly volatile so much so it is difficult to even ascertain whether there are domestic remedies, one can send an individual complaint to the CEDAW Committee. This body will then interpret the situation as to whether domestic remedies have been exhausted. There is the possibility that a progressive Committee can interpret delays in the court process as grounds for admissibility of a case.

### *Factors influencing decisions of the CEDAW Committee*

The composition of the CEDAW Committee can affect the kind of decisions that this body makes. The committee comprises government officials, academics, diplomats and NGO representatives. When its members discuss whether it should conduct an inquiry into a country, like the Gujerat case, many said that the situation did not qualify as 'grave' or 'systematic' violence. The problem is that in the UN system one has to deal with states parties. As such, if one takes too much of a progressive position, there is a possibility that governments will not listen. This puts the Committee in a very precarious position.

### *Usefulness of shadow reports*

Shadow reports are received from NGOs of almost all countries that are examined by the CEDAW Committee. Sometimes more than one shadow report is submitted from one country as there can be different reports emphasising different issues. There are also shadow reports from international organisations (e.g. OMCT that focuses on VAW issues). These are all very helpful. There are often discrepancies between the government report and the shadow report, but rather than being contradictory, this is supplementary. For example, government reports often do not give information on the effectiveness of laws, policies etc. which a shadow report may contain. Shadow reports also fill the gaps of government reports with information from the grassroots. Further, while the government report talks about structural adjustments and how this results in a reshuffle of budgets, the NGOs are then able to provide information on how certain programmes/services suffer because of a cut in government funding. With both reports the CEDAW Committee is able to get a more complete picture of women in the country. Government delegations often criticise NGOs for making false accusations. The CEDAW Committee, however, is very careful in distinguishing credible and reliable information by NGOs from those that are politically motivated. NGOs should also be accountable for the information they provide.

### *Raising awareness about the CEDAW Convention*

In Pakistan, despite ratification, there is no government institution that really knows what the CEDAW Convention is. It is NGOs that are constantly raising the issue of implementation of the Convention, while the government makes little effort to ensure that key institutions understand their obligations under this treaty. During a review of states' reports, the CEDAW Committee always asks the government delegation about the dissemination of information on the CEDAW Convention and Concluding Comments. In Korea, only a handful of people knew of the ratification of CEDAW at that time. In 2000, research by a women's association revealed that out of 500 to 600 women, only five per cent were familiar with CEDAW. There is thus a lot more that remains to be done.

### *Ensuring effective implementation of the CEDAW Convention*

In a country with a federal system like India however, the government says that each of the states is autonomous and it is therefore difficult to enforce implementation of the CEDAW Convention. However the Federal government is ultimately responsible for the implementation of the Convention right down to the lowest level of governance. While the CEDAW Committee cannot demand specific actions to be taken, they can recommend strongly that the government take up certain measures. This is however where the NGOs come into the scene. Often times if the NGOs can provide concrete information on the situation to support a certain recommendation, then the CEDAW Committee can use that recommendation from the NGO and make the suggestion to the government.

### *Evaluation of states parties' reports by the CEDAW Committee*

When a state party reports, the CEDAW Committee will ask questions around progress of implementation. This is a useful approach because the issue is not how a state is doing in comparison to another state but how the women in the country are doing compared to the men. So, it is not about ranking the states against each other but about progress in eliminating discrimination within each country. Some governments have excessive fear of appearing before the CEDAW Committee. Yet the review process can be beneficial at least for a women's ministry given its status as one of the weaker ministries in almost all governments. At least they can use the Concluding Comments of the Committee to strengthen their position in government.

### *Dealing with overdue reports*

Many countries still have not submitted their CEDAW reports and there are many long overdue reports. The CEDAW Committee has had a meeting with states parties to discuss this situation and discovered that the latter lack the resources and technical assistance needed to prepare these reports. The Division for the Advancement of Women, the Secretariat of the CEDAW Committee, offers some funding and technical assistance in this regard. There was also a meeting with non-states parties and thereafter there were a few more ratifications.

### *Enforcement mechanisms*

The CEDAW Committee has discussed the possibility of monitoring and following-up on its Concluding Comments to states parties' reports. However, so far, no mechanism has been established since there are no resources for this. The only thing that the Committee has done is to discuss the possibilities of reviewing a state party's progress even when it has not submitted an official report. But this would only be done as a last resort. Another strategy is to schedule for review, governments which have delayed submission of their reports. Hopefully this will prompt them to submit their long delayed reports.

## SESSION 2

### Women's Political Participation and Representation: Country presentations

This session aimed to showcase the status of women's political participation and representation in different countries of the region. For this, two types of input were solicited. The first involved groups in IWRAW Asia Pacific's Facilitating Project that had focused on the theme of women's political participation. These were asked to share the findings and recommendations of their baseline reports. The second involved presentations by groups who had been working on women's political participation. They were to talk about the obstacles to the exercise of this right; identify and evaluate the different types of state and NGO interventions in this regard; and highlight best practices and lessons learnt.

#### INDIA

Shantha Mohan, National Institute for Advanced Studies and  
Neelam Chaturvedy, National Alliance of Women<sup>17</sup>

#### Disparity in women's political participation in India

There is a disparity in the number of women and men contesting elections. Few women contest despite the probability of winning being almost double for them. Parties still seem to prefer supporting and investing in men rather than women. There is a lack of critical mass of women in political institutions making it difficult for them to push their agenda forward. As well, they lack the support of an organised electorate in the form of women's collectives, NGOs and an informed and politically conscious women's constituency to support them.

At the parliament level, the representation of women has never crossed 9 per cent in the lower house (*Lok Sabha*) and not more than 12-15 per cent in the upper house (*Rajya Sabha*). This is a clear indicator that after 50 years of women being in politics, ratification of CEDAW Convention, introduction of monitoring mechanisms etc., not much has changed. In fact, in recent elections, there has been a reduction of women especially in the lower house (which is the house that candidates are directly elected into).

At the state level, representation of women is even lower than that in Parliament. There has also been a decline in women being elected in state legislatures. Even the more politically advanced

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<sup>17</sup> The following write-up is based on two separate presentations by Shantha and Neelam. Both spoke on the Indian situation but while Neelam talked about the experiences of NAWO on the issue of women in politics, Shantha's presentation was based on research conducted under IWRAW Asia Pacific's Facilitating Project. The framework of the research called for the identification of parameters and indicators against which women's status and enjoyment of their rights and freedoms in political life are measured. It further called for the identification of reasons why women do not or are unable to participate equally in this sphere, and how this has affected them. Having identified these, an assessment of state action followed to further reveal the gaps in state mechanisms, laws and policies. Recommendations were then made based on an analysis of the above data. This project and its monitoring framework are elaborated on in Session 6. See also Annex 4 and 5 for the full papers by Shantha and Neelam respectively.

states like Kerala and West Bengal, which in previous terms had a higher representation of women than other states, do not have a single woman in legislature in its current term. This calls into question the myth that when women reach a higher level of development, education and literacy, they can automatically access political decision-making bodies on their own. There is still a need for an enabling environment within which they can make this shift.

At the level of decentralised governance, more women tend to be nominated than elected. This plus the fact that they lack vibrant and supportive constituencies for themselves makes them more accountable to those who nominated them rather than their constituencies. Women become puppets in the hands of those who put forward their nomination, be it a political party, landlord of the area, etc. Even when the 73rd and 74th constitutional amendments provide for reservations of no less than one-third the number of total seats for women in the three-tier institutions of decentralised governance (District, Block and Village), there have been instances of states violating this constitutional provision, reserving less than the one-third requirement. In other cases, they have manipulated the provision so that preference and support is extended to women they can use rather than encouraging the participation of women who are concerned with the greater social and women's good. Clearly then, even with the constitutional provision for reservation of seats for women, it takes more pressuring and monitoring to ensure results.

As voters too, women's participation has declined because of the criminalisation of politics. Women have been stopped *en route* to the polling booths, beaten up and sent home. Husbands have been given money to lock their women at home. There is also a lack of faith in politics itself because of rising corruption.

## **Challenges faced by women**

### *Poor access to and control of resources and information*

Through legislation, opportunities for formal equality have been created but the *de facto* situation is that women are still not getting equal access to resources and information. Part of the problem can be attributed to low levels of education and high levels of illiteracy. More importantly, even when women do have access to resources and information, they have no control over them.

### *Lack of support mechanisms*

Women lack family and community support to take part in politics. Their participation is further impeded by factors such as their marital status, number of children, class, caste, and income levels.

### *Lower awareness levels*

At times, women's awareness about politics is low due to their limited mobility. After all, many political institutions conduct informal consciousness-raising sessions after working hours at liquor shops and villages located far away. Worse, when questioned why women are excluded from decision-making, the standard response is that they did not attend these meetings. Fortunately, some reforms have been introduced to counter such practices. This includes giving three days notice for meetings, and if less notice is given, all decisions taken at these meetings are void.

### *Socio-economic and cultural factors*

Factors such as lack of access to and control over economic resources (e.g. earnings, land, housing, credit facilities, etc.), as well as being economically dependant on men and their family, combine to inhibit women's effective participation in electoral politics. In addition, the criminalisation, corruption, and communalisation of politics give it the image of being "dirty" and therefore deter women from opting for a career in this arena. Also problematic are the character assassinations and party interference.

What stands out for women too is the backlash they get when they demonstrate themselves as assertive elected representatives. This situation is made worse by how patriarchal values have combined with the politicisation of religion in the last two decades to glorify women's roles and responsibilities within the home, further detracting from those who choose to do otherwise.

### *Institutional obstacles*

The majority of political parties do not encourage and facilitate women's involvement in party politics. In the main, there is a high level of resistance by men, in particular, those occupying positions of power.

### *Laws and policies*

There is affirmative action at the lowest level of decentralised government but none that enable women to participate in higher levels of political governance at the state and central levels. The fact that the bill for the reservation of seats for women at the state and parliamentary legislatures has lapsed five times, suggests that the state is not in favour of bringing in women at the highest level. This is possibly due to fears that men will lose one third of their positions in power, a perception made worse by the positive performance of women and their contributions in other political institutions.

The 33 per cent reservation is supposed to be a minimum not maximum standard. Yet there is often a deliberate misinterpretation of this reservation quota to limit women from exercising their right to contest in elections beyond this quota. There has also been a trend of passing "no confidence" motions against elected women and replacing them with men. After some advocacy with the state, it was agreed that if a "no confidence" motion is passed against a woman, only another woman could replace her. With that, there was a 75 percent decrease in the 'no confidence' motions.

There is a rotation policy in place where every five years, a female representative of the District/Block/Village is moved from area to area. This is unfair because it denies her the opportunity to build up and work for her constituency. Men, on the other hand, have held the same constituencies for the last 40 years. Equally unjust are the policies on having a maximum of two children, minimum education qualification, and the toilet rule which is imposed on all election candidates but disproportionately disadvantage women as by and large, they do not have control over their sexuality and decision-making within the home.

## **Assessment of state action**

Although the government of India has introduced various measures to enhance women's participation in politics, and in general political institutions have become more transparent and accountable, there still remain gaps in the effectiveness of state action as already suggested above. For instance:

There is still a very low representation of women in politics. By and large they lack the experience to enter into this field (e.g. not knowing enough about electoral processes). Even when they do participate, there is a lack of quality candidates to choose from. Further, there are few women in public positions (e.g. chairpersons of boards), and in cooperative societies even though separate societies have been created exclusively for women.

### **Positive action: The Indian Parallel Women Assembly**

The Parallel Women Assembly, initiated by NAWO and Sakhi Kendra in the state of Uttar Pradesh, is an arena to discuss women's issues and 'pass' bills relating to women's interests, rather than 'begging' for this and the implementation of women's rights from the government. The Assembly also prepares women to run as candidates for Panchayat, municipal and parliamentary elections, as well as for public courts. Two sessions of the Parallel Women Assembly, one in winter and one in summer, have been organised in the state capital, Lucknow.

The Parallel Women Assembly replicates the functioning of the legislative assembly by having one speaker, eight members of Adhithata Mandal, two secretaries and ministers of health, law, social welfare, women and child welfare, human resources, finance, defence, etc. Members of the opposition and ruling party sit on the left and right side of the speaker respectively. There is also an audience and press gallery.

Agendas include a Question and Answer session where members of the opposition can raise questions and demand answers from the ruling party, and 'zero hour' where discussions centre on issues of violence against women and the plight of women in the present day society. Some of the "bills" passed during the Parallel Women Assembly include the domestic violence bill, the women's reservation bill, and the bill on land rights for women.

With the success of the Parallel Women Assembly, there is now an attempt to develop this further and organise a Parallel Women Parliament and Parallel Women Assembly in all states of India for greater impact.

Part of the problem lies in the education curriculum that reinforces stereotypical roles for women and points them into occupations traditionally occupied by them (e.g. nursing, teaching). These are made worse by the way the media portrays women too. Other obstacles include women having no access and control over resources, men controlling the right to vote and women's names missing in electoral rolls; and the prohibitive distance of polling centres from homes.

On the whole, equality is understood and implemented in terms of formal equality rather than substantive equality. As such even though there are various gender neutral policies in place, these have the effect of discriminating against women. For example, the earlier mentioned 'two children' and 'toilet' rules. The former disqualifies any candidate who has more than two children from contesting in elections, but since women have less control over their sexuality within a marriage, it is more difficult for them to comply with this. The toilet rule on the other hand stipulates that all candidates must have toilets within their homes but most women do not have money for this unlike men who can borrow if faced with the same problem.<sup>18</sup>

### **Recommendations for action**

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<sup>18</sup> After lobbying by women's groups, the ruling was withdrawn just two days before the closure of nominations.

- Enact the 85th Constitutional Amendment Bill which provides for seat reservations for women at the state and parliamentary levels.
- Introduce special mechanisms to induct women at all levels of decision-making.
- Ensure that women get important portfolios in government.
- Amend the Representation of People's Act, making it mandatory for every political party to have one third of its cadre to be women.
- Ensure gender sensitisation training for local, state and national-level administrative, political and other stakeholders.
- Increase women's awareness about electoral processes.
- Introduce a state policy for the advancement of women.
- At the local and state levels, set-up a woman's rights commission to check violence against women.
- Enforce measures to stop corruption, criminalisation and communalisation of politics.
- Enforce a maximum spending limit for expenses incurred during an election campaign.
- Promote gender-sensitive television and radio broadcasting programmes to eliminate prejudices against women.

## Discussions

### *Drawbacks of the rotation system*

In the rotation system, there are constituencies that are reserved for men, women, scheduled caste, scheduled tribes, 'backward' classes and general seats. However, this process is manipulated such that the dominant communities of an area have control over the candidate from the marginalised community who enters on a reserved seat. In one case, a woman candidate was brought in from a different region, given a house in the dominant community's area, and then asked to contest there. As the sole representative of the marginalised community, she is under tremendous pressure. The question of rotation thus needs to be revised.

### *Engendering political parties*

The importance of working with all parties and engendering the government was also discussed. In India, a woman heads the major national political party (Congress) but this has not changed the number of women in her own party. Women also do not hold any portfolios. Reservations are thus an important mechanism to bring women to the forefront. Their presence in political institutions will expose them to the public domain and would be a very enriching experience. Women are already showing how articulate they are and how they can contribute to the whole political dialogue. This debunks the myth that they are not effective. There is a need to monitor political parties who have committed to bring more women into higher positions within the party in their manifestos.

### *Exploiting the gender card*

At the last elections in India, many political campaigns recruited women entertainers to run as candidates thus resorting to the cultural popularity of these women. While not saying that they cannot stand for election, this was clearly a way of exploiting the loyalty of fans and the popularity of these women, a gimmick necessary because existing political leaders had lost their popularity.

### *Influence on politics – money and global actors*

Overall, a change in money politics – as evidenced by the Mongolian experience – is important as this is a major stumbling block. It is something that women and men can unite on to change as

it is against the interests of the general population. The way the global community forces its beliefs on us is also a problem – the way we do business becomes the way we have to do politics.

*Enabling women's participation in politics*

There is already a lot of money being spent through the UN system for women in politics. But after 10 years, this system does not seem to be working. In Asia, for instance, the number of women in politics is the same or has gone down. It is thus important for a specific fund be set up for women to stand in elections.

## PAKISTAN

Anis Haroon, Aurat Foundation<sup>19</sup>

Women in South Asia face many common challenges in relation to their participation in political and public life. Like in India, for example, there has been a long-standing demand by the women's movement in Pakistan for a 33 per cent representation of women in all bodies (local up to the Senate).

### **Women's political representation and temporary special measures**

In 1999, martial law was declared in Pakistan under General Pervez Musharaf. However, when this new government made plans for local bodies' elections in 2000, it accepted – with some reservations – the demand for 33 per cent representation of women. This included the demand that federal and provincial level quotas would only be decided in 2002, depending on the turnout of women candidates at the election of local bodies. Much credit goes to the women's groups who took up this challenge and worked on encouraging and training women to contest in these elections. They went into every nook and corner of the country to convince women to run, and men to put up and support women as candidates. They also trained women how to fill up application forms that were complicated. Had they not done this, no one would have accepted the fact that women should also be allocated reservations in Parliament, particularly since the number of women in local government was not sizeable.

This, combined with the campaign with the media and political parties as well as efforts by other NGOs working on different empowerment issues, resulted in a positive election outcome. In 18 districts and 956 union councils, 4,857 women were elected on reserved seats. (There were in fact 7,609 women who had filed nomination papers for 5,736 reserved seats but due to a complicated process, a number of nominations were rejected.) In the final analysis, 32,222 women were elected at the union council level, 3,741 at the *tehsil* (town) and district council levels, and 16 as *nazims* and *naib nazims* (mayors and deputy mayors). In addition, 126 women were elected on seats reserved for minorities.

Unfortunately there were a number of seats vacant in some areas where women were not allowed to participate. This is where political parties joined hands with religious groups to prevent women from voting and contesting. Women were thus forcibly deprived of their electoral rights in 21 union councils of Swabi Mardn and Dir. No action was taken to punish the violators but

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<sup>19</sup> Although Aurat Foundation participated in IWRAW Asia Pacific's Facilitating Project as well, the data in this presentation goes beyond the findings of that project given that that took place in 1999 and many changes have taken place since then. A copy of this presentation is available in Annex 6.

some who were threatened and deprived from contesting are now challenging this in the High Court.

Notwithstanding this set-back, based on this good showing, women's groups were looking forward to the next stage of having a 33 per cent representation at the federal and provincial levels. Instead, though, the government reneged on its word and fixed the reservation limit at only 17 per cent, and that too on the basis of indirect elections, i.e. only parties which get one per cent of the general votes can nominate its representative(s).

The 2002/3 elections saw 233 women entering the corridors of Pakistan's national and provincial assemblies, bringing the representation of women to 20 per cent. However, the system of proportional representation is unsatisfactory because it does not serve the criteria of *effective* representation. This system was introduced on grounds that women have no money nor do political parties wish to invest money in women to run in direct elections. As a result, the women brought into politics were wives, sisters and daughters of men in power (i.e. the political feudal elite) rather than those who have been doing the work on the ground.<sup>20</sup> In addition, women are made accountable to their male dominated parties rather than the electorate who votes them in.

Apart from giving disproportionate power to political parties, this system also does not give women the experience of electoral politics. Women's groups were advocating for direct elections, to take place over a period of three years, for different women's constituencies. The idea was that after three elections, women from all over the country would have had some experience of direct elections.

## **Challenges faced by women in politics**

### *Lack of support mechanisms*

There is a need to continuously support women's participation in politics due to the immense pressure on them to perform in this new field. The media for example, monitors their movements and actions, questioning women candidates who appear 'westernised', for example. Male candidates or politicians who do the same are seldom put under similar scrutiny. This contributes to the women feeling insecure.

### *Socio-economic and cultural factors*

There is so much polarisation and criminalisation of politics that women who are at the forefront have become more vulnerable to violence. This situation is made worse given the constant threat of Islamisation and political parties like the Jemaah Islamiah. Yet there are no mechanisms to protect them because of the lack of the right political culture.

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<sup>20</sup> This situation was made worse by another condition for contesting – being a graduate. Ironically, in a twist, women ended up benefiting from this anyway as many politicians who traditionally contested did not meet this criterion and so put up their daughters with the necessary qualifications for nomination instead.

### *Institutional obstacles*

There are few women within political party structures or in decision-making positions. Since political parties are responsible for nominating women members for elections, the scope of these women going against a party's wishes is limited. They become dependent on the party and its male-dominated structures. Women also face challenges raising women's issues and trying to mainstream these within their own parties. When they want to concentrate on issues that benefit women, the men – who control decision-making – will not have it. Other exclusionary tactics include holding late meetings in unsafe areas. This results in women losing out on obtaining the necessary information and participating in discussions that could affect their ability to influence change.

### *Working across party-lines*

So far in parliament, a strong women legislators' caucus has not emerged. Already many are still at the stage of feeling their way through the system. However, because women representatives come from different political parties, their backgrounds, priorities and positions are also often different. So, for example, even though they might agree on an issue like violence against women, their positions differ when it comes to passing a resolution in parliament. Agreeing on a common position in relation to religion is an even bigger problem given the range of political ideologies involved. Despite this, there have never been as many resolutions in parliament compared to the last year. In the context of difficulties in getting cross-party support and getting male members to understand the issues being raised, even a debate on what has been deemed controversial is a major achievement.<sup>21</sup>

## **Discussion**

### *Mainstreaming women in politics*

One of the demands by women's groups in Pakistan was that the system of bringing women into politics had to be as close to the mainstream system as possible so that they would not continue being marginalised. Despite the good intentions, the policy is inconsistent and incoherent at best.

### *Educating women voters*

Some parties have liberal positions and believe in equality (at least in their manifesto). Others believe in restricted rights. Women voters were educated to look at the manifestos of all the parties contesting and assessing which had the best to offer before casting their votes or joining a party.

### *Getting women activists elected*

Very few women are joining political parties. In fact, women activists have been accused of advocating for political rights but staying outside the political arena itself, on safer ground. That is probably true and will probably remain so unless special seats are opened to independent women. Only then some of the activists might consider contesting. As it is, one has to join a political party which activists are not willing to do.

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<sup>21</sup> For example, a resolution on honour killing was successfully introduced in parliament despite being previously thrown on grounds of culture. In fact, the bill, despite its problems, has been passed, showing that the level of acceptability of this issue has grown.

### *Strategising for effective change*

Having one woman at the top does not necessarily improve the status of women in the country. Instead, what is required is a strong number of women legislators talking about change. But there also has to be an amalgamation of those who are committed to women's issues. For those wanting to be independent candidates, the question remains, how can they be brought into parliament without joining a political party? There is a need too to devise some mechanism to bring in more women who are committed to women's empowerment, at the same time train women in political parties on women's issues.

### *Going beyond the 30 per cent reservation*

Even if one has a 30 per cent reservation rule in place, there are other challenges and obstacles that need to be dealt with. It is not enough for NGOs to simply demand affirmative action for political participation and once achieved to leave it at that.

## **BANGLADESH**

**Ayesha Khanam, Bangladesh Mahila Parishad<sup>22</sup>**

In 2001, constitutional provisions that previously allowed elected members of parliament to appoint women into 30 reserved seats lapsed. Before this, however, Bangladeshi women's groups had lobbied the government to take all necessary action to address this. The Cabinet responded by approving a draft bill that increased the number of seats for women in parliament but stipulated that these representatives would be selected by political parties in proportion to the number of seats they held in parliament.<sup>23</sup> Women's groups opposed this move on grounds that candidates may not feel inclined to take up women's concerns because they were not accountable to their own constituencies but the male members of political parties who had elected by them. The new arrangement is seen as worse than the previous indirect system as there is a fair chance that these women would not only be dependent on the men, but potentially stood to be used by them.

There are also quotas to promote the advancement of women in the public sector. Recent reports, however, reveal that many of these positions remain unfilled. For example, in 2002, women occupied only eight per cent of government service positions. Those in the civil service also tended to be overwhelmingly concentrated in certain ministries only.

### **Challenges faced by women**

#### *Socio-economic and cultural factors*

The problem of unequal power relationships between men and women is experienced in every country. For Bangladesh, however, this is one of the main problems. Men fear that if women politicians become acceptable to society, the power of men would be curtailed. In this dominantly patriarchal society too, women are extremely vulnerable to intimidation and thus may not be able to participate in public life in a fully meaningful and sustainable way. In some cases, husbands who helped their wives win in the elections are now exercising power on their behalf.

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<sup>22</sup> For a complete paper, see Annex 7.

<sup>23</sup> Despite protests by most women's groups, civil society organisations and opposition parties, the 14th Amendment to the Bangladesh Constitution incorporating this provision was passed in parliament on 16 May 2004.

Even where women representatives try to work independently, they face obstructions in the name of religion.<sup>24</sup>

#### *Institutional obstacles*

The whole electoral system in the country is highly influenced and controlled by 3Ms (money, musclemen and men). Thus, even when women are elected into positions of nominal power, such as through direct elections to the Union Parishads (the lowest level of elected representation), in a male dominated system, women are ignored and their ideas easily dismissed. Experience and studies show that women in local government bodies are not able to function effectively in their first year in power not only because of the obstructive attitudes of their male colleagues but the administration as well.

### **Recommendations for action**

- The state should promote an environment that is free from harassment. Towards this, it should embark on education and media campaigns to sensitise government officials and members of the public on gender discrimination issues.
- The state should also conduct relevant training for elected women representatives..
- Build alliances, form support groups and create networks. At the constituency level, the formation of alliances and the inclusion of ‘respectable’ persons within this would be one strategy to take on. Likewise, the creation of a network for elected women representatives.
- Despite the difficulties they face, women in elected or public office should take full advantage of their positions to make their voices and opinions heard.

### **Discussion**

#### *The political culture*

When talking about political empowerment of women, one must consider the kind of democracy that is working and the kind of political culture in existence. There have been ups and downs in the history and politics of Bangladesh. The whole democratic movement faced a lot of new and complicated basic issues around social development. Parliamentary democracy is not properly working in Bangladesh.

## **MONGOLIA<sup>25</sup>**

**Presentation by Zanaa Jurmed,<sup>26</sup>**

Mongolian women were granted the right to vote and to contest in elections in 1924. During the socialist period, the government supported women’s participation in politics and established a quota system. Then women made up 25 per cent in the People’s *Khural* (national parliament) and 30 per cent in the local people’s representatives institutions. Today, even though women have made great contributions to the country through their participation in democratic processes, their representation has never been over 11 per cent in parliament. In fact, the number of women candidates which increased in 1996 and 2000, saw a reduction in 2004.

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<sup>24</sup> At one point, fundamentalists issued *fatwas* (religious edicts) stating that women could not vote under Islamic law. Fortunately, when the media and women’s human rights organisations took this up with the Election Commission, the latter took positive steps to stop this.

<sup>25</sup> Mongolia is one of the few countries that have ratified the CEDAW Convention without reservations.

<sup>26</sup> For a complete paper, see Annex 8.

## **Challenges faced by women in politics**

Many women in Mongolia have been playing a leading role in business, social and cultural spheres of the country. However, few like to participate in politics, especially party politics. Some of the reasons for this include:

### *Socio-economic and cultural factors*

Decision- and policy-makers approach women in a paternalistic fashion and consider them more as “good helpers” and “nice servants”. Like the general public, women also see themselves primarily as mothers and housewives. Similarly, the perception of men as heads of households mean they are more readily accepted as high-ranking officials in government. Women’s lack of ambition and views of their social status are heavily influenced by cultural and traditional beliefs.

### *Lack of financial means*

Women lack financial means, a situation due to various factors including little control over land, poor access to information (e.g. on the privatisation of immovable property), and lack of opportunities to obtain loans and credit.

### *Institutional obstacles*

Legal, political, and public institutions, as well as business enterprises lack awareness about gender issues, and the majority of decision and policy makers often reject – and at times show hostility – demands and proposals of women’s groups. On the other hand, women’s groups also lack capacity and political courage to push political parties to promote institutionalised mechanisms for gender equality, contributing to a situation where few parties have clear and open policies to promote gender equality, nor are their by-laws gender sensitive. Further, not all NGOs have demonstrated political will to support women’s representation in politics.

To run for elections, a woman must be a member of the local or national party councils for at least four years. For this, she must first pay 1,000,000 *tugrugs* as an entrance fee, and subsequently 120,000 *tugrugs* as membership fees each year to the local council, or 1,200,000 *tugrugs* to the national party council. Although men are subjected to the same conditions, women’s overall lack of financial means puts them in a disadvantaged situation. There is also much anecdotal evidence of money politics with those contributing to election campaigns expecting to be repaid with important public position.

## **Assessment of state action**

Since 1990, Mongolia has held five national and five local “democratic” elections. However, the principle of equality has never been followed by state policy or policies of political parties. There are no systematic and strategic measures to promote women in political and public life. For instance, even though the government adopted the National Programme on Gender Equality in 2002, it has never allocated funds for this programme (which runs till 2020). To promote women’s equality, it established the National Council on Gender Equality in 2001 but again there have been no significant results in relation to women’s political and public life.

Like political parties, the government has never practiced the principle of gender equality or non-discrimination in the process of selecting officials. This is a closed and non-transparent process

and primarily based on the financial capacity of candidates and approaches of 'well known' political leaders. Education on gender equality is important to encourage better representation of women in political and public life. Yet, national universities and schools do not have trained personnel to teach gender-related subjects, and also lack books and relevant materials.

Last but not least, there remain many laws that are discriminatory towards women, including ones that preclude them from enjoying their right to work.

### **Recommendations for action**

- Amend the electoral laws to make them more supportive of women's political representation. For example, encourage political parties to institutionalise through their by-laws, the proportional system and zipper system.
- Create procedures to increase the number of women in decision-making positions in public institutions.
- Study and learn from best practices of Scandinavian countries where women's representation has reached around 50 per cent in political and public life.
- Conduct educational radio and television programmes on women's political participation and issues of gender equality.
- Encourage political parties to amend their bylaws to make them more gender-sensitive, and support them in educating their personnel on gender equality.
- Set-up a fund in cooperation with United Nations' agencies to assist women candidates and potential female politicians.

### **Discussion**

#### *Making women count*

Women make up 90 per cent of graduates in Mongolia. This is an outcome of socialist rule, during which time girls were perceived as weak and therefore to strengthen their status, they were given a good education. Sadly, after getting an education they do not apply this for the development of the country or its women. The issue of harnessing women's potential is tied to political will, also because there are other obstacles to women's participation that needs to be dealt with, for instance, the fee to contest.

## SESSION 3

### Participation in Political and Public Life: Personal experiences

This session featured speakers with hands-on experience as election candidates, public administrators and working in mixed civil society organisations. They shared their personal insights being on the job including enabling factors, obstacles and strategies for overcoming these.

#### Women as Political Candidates

Ruth Manorama, National Alliance of Women<sup>27</sup>

Politics is not only an act of entering into the corridors of power, status and political structures, but a process towards the construction of building “multiple freedoms”. A distinctive feature of the women’s movement in India is that it has not segregated itself from other struggles – the civic disobedience movement, the movement for collective bargaining, the campaign for total literacy, class struggles, as well as the struggles of dalit and tribal people, and their quest for a dignified existence. Precisely by participating in organisations that represent the urban poor, unorganised labour, poorer women, dalit women, etc., women activists have gained a broader understanding of the intersectionality of class, caste, and gender concerns.

In turn, such cross-issue and alliance building experiences has enabled their leadership at the community level to grow, enhancing opportunities for political participation at a higher level. For example, out of 13 municipal councillors, five are dynamic women who were raised from “nothing” to “something” i.e. they have the confidence and leadership abilities to move beyond their existing constituencies.

With the exception of a few situations, a class and caste nexus comprising industrialists and landowners control mainstream politics. By and large, the middle class is disillusioned about by the corruption and criminalisation of politics, and the fact that elections can be a very costly affair. At the last state elections in Karnataka, out of 224 seats that were contested, only a handful was offered to women. Political parties appeared more interested in getting movie stars to contest instead.

Although women’s groups work on different issues, there is a tendency to shift from one issue to another rather than working on an issue to its logical end. What’s more, there are already a million people in politics yet many in the women’s movement do not seem to recognise the importance of this arena and hence do not take up political questions seriously. They appear to shy away from being directly involved in politics. Instead, they need to bear in mind that even after equality laws are enacted, political seats for women will not be automatically handed over on a silver platter.

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<sup>27</sup> The speaker is a political activist and human rights defender. This presentation is based on her experience at the Karnataka legislative assembly elections in India in May 2004.

Patriarchy rules even in the most progressive of parties. There is thus a need to create a vibrant and dynamic support system for women. For one year, NAWO collected money for a special fund for women who wanted to contest in elections. Unfortunately, this was not maintained.

Among the ways forward are by creating a vibrant and dynamic support system for women to enter into politics. This should include mobilising important contacts at all levels – from the top to the bottom (grassroots), and raise resources well in advance. Women must also decide earlier whether to run or not and not make decisions at the last moment. They need to make themselves known to the constituency, preferably already having worked there to ensure familiarity. They should also have a strategic plan in place two years in advance and organise committees to work on different areas in order to build-up their constituency. Although one might not win, just running is a challenge to the political parties and proves that women too can stand for elections.

## **Women as Political Candidates**

**Risa Hontiveros-Baraquel, Akbayan Citizens' Action Party,  
House of Representatives (Philippines)<sup>28</sup>**

In the elections of 2001, Risa was asked to stand as a candidate but declined because her children were still very young. However, after another attempted *coup de tat* in 2003, the latest in a series since 1987, she consented to being a nominee in the party list elections. To her, the latest coup attempt revealed a greater urgency to set up a third pole to traditional politics and extremist options, around which increasingly cynical citizens could gravitate and generate alternatives.

The current electoral system provided feminist parties like Akbayan an entry point to the party-list system,<sup>29</sup> but at the same time, made it more difficult for them to campaign and win. It would have been more conducive for women if they had support to organise and mobilise resources, and if there was a levelling-off on the primacy of the gender question between political parties. Similarly, Akbayan proposed that:

- There should have been affirmative action policies to ensure women's representation on electoral slates, including support for women's parties;
- Voters' education programmes should be gender-sensitised;
- Women political activists undergo electoral and governmental leadership training;
- Amendments to the party list law be passed.

To a question as to whether the state should fund political parties, Risa responded that it should and that this has been part of Akbayan's electoral reform agenda and campaign. She cited Scandinavian countries and other models of best practices on this issue. At the same time there should also be a limit on what is spent – indeed, limiting party expenditure is a way to combating corruption – and to make the state accountable for its expenses.

Reflecting on her decision to contest, Risa added that it is unfair to always talk about women being sandwiched in an emotional conflict – to contest or not to contest – and finding themselves in this position of being forced to choose. Her own decision to run was received with support from husband, apprehension from the children and concern from her mother. For her, everything is interconnected and not in false contradictions, whether in our most intimate relations with

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<sup>28</sup> The following is a personal reflection based on the speaker's experience running for a seat in Congress in the Philippines in 2004. A full paper is found in Annex 9.

<sup>29</sup> The party was able to nominate two Akbayan women in the 2004 party-list.

partners, or among the peasants and fisherfolk. It is not enough to struggle for greater reform, we need to defeat the feudalism within ourselves.

As for the politics within the feminist movement, she reflected that there is a sisterhood that we can express and it should remind those within feminist parties of where we originally came from – the social movement. After all, our basis of unity is being women and hopefully we can make that work for us.

## **Women as Political Candidates**

**Zaitun Kasim, Women's Candidacy Initiative<sup>30</sup>**

Politics in Malaysia is very communal with the majority of the population being Malay Muslim. There are two main coalitions at play:

- Barisan Nasional (National Front). This coalition is made up of UMNO (United Malays National Organisation), MCA (Malaysian Chinese Association) and MIC (Malaysian Indian Congress) and another 11 smaller parties. It has been in power since independence but is a forced coalition, i.e. a legacy of British colonial rule.
- Barisan Alternatif (Alternative Front). The other coalition is very young although some of its component members have been around for a while. Unfortunately, even this new coalition plays the same game of communal politics. It comprises PAS (Islamic Party of Malaysia), PKN (National Justice Party), DAP (Democratic Action Party), and PRM (Malaysian People's Party).<sup>31</sup>

The Barisan Nasional has stayed in power primarily by applying several strategies. Apart from communal politics, for instance, it utilises religion and counts on its main component member, UMNO, to out-Islamise its rival opposition Islamic party, PAS.<sup>32</sup> Additionally, there are numerous repressive laws,<sup>33</sup> substantial control of the media, a weakened judiciary, and heavy use of the police force to maintain 'order'. Through these, the government has consistently maintained its two-thirds majority in parliament, which in turn has enabled the former Prime Minister, Mahathir Mohamad, under a system of 'guided democracy' to amend the Federal Constitution 23 times in 20 years.

There are a number of problems with the electoral system in place in Malaysia. First, the country practises a first-past-the-post system. This means that the winning party may have a two-thirds majority but it need not have the popular vote. Further, there has been extensive gerrymandering<sup>34</sup> such that instead one vote in one area can be worth three in another, depending on the size of a constituency. An election can be called with extremely short notice – a campaign

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<sup>30</sup> The speaker ran for parliamentary elections in Malaysia in 1999, contesting as an independent women's representative but running on a ticket of an opposition political party. Her presentation is appended in Annex 10.

<sup>31</sup> PKN was formed in 1999 following the arrest of the former Deputy Prime Minister, Anwar Ibrahim. Although it claims to be a multiethnic party, it is in fact very Malay in its make-up. Likewise, the DAP also claims to be multiethnic but is essentially Chinese, which PRM is a small party viewed with suspicion because of its socialist leanings. There is another opposition party, PSM (Malaysian Socialist Party) that has had its application for registration rejected till today.

<sup>32</sup> The Constitution defines Malays as being synonymous with Muslims, a dangerous tie to make. One seldom finds a Malay person who is not a Muslim because there is a price to pay for failing to conform to this e.g. arrested and sent to rehabilitation.

<sup>33</sup> For example the Internal Security Act, Sedition Act, Official Secrets Act, Societies Act, etc.

<sup>34</sup> This involves redrawing electoral boundaries to skew support in a particular constituency accordingly. In 1999 there were 198 parliamentary seats, in 2004 there were 204 seats.

period can be as short as eight days – thus putting opposition parties at a considerable disadvantage. While the Barisan Nasional is allowed to contest under one common logo, the same is not permitted for the opposition parties, meaning that each party has to popularise each individual party logo within the short campaign period. It is worth noting that private funding of campaigns is permitted too, and that there have been no local council elections since 1973.

To the question of whether she would contest in elections again, Zaitun said that having considered this, she felt that running would only legitimise the system when in fact it should be exposed for what it was. She cited the need for transformative politics but did not see the current social movement as leading the way since it did not oppose the existing system. Rather, its members are only angry that they are not in power. Yet transformation is needed because electoral politics is currently very male, Muslim, Malay and moneyed. There is a need to question and deconstruct the system and reform the electoral process instead of just encouraging women to run and negotiate for political space. Not surprisingly, women in existing political parties are not trying to change the system but are instead waiting in the wings.

If the current system persists, women's groups should lobby for a ceiling on the expenditure of men during election campaigns. There should also be careful monitoring of this ruling if it comes into place so that it does not share the same fate as those in Bangladesh where the Election Commission has no power to enforce the ruling that candidates be allowed to spend a fixed amount. As well, women candidates need some kind of umbrella support group to help them through their candidacy. However, there should be flexibility about this as 'support' can change overnight in the terrain of electoral politics.

## **Women in Public Administration**

**Lalitha Dissanayake, Sri Lanka<sup>35</sup>**

Initially, the entry of women into the Sri Lankan administrative service was allowed within a restrictive quota of 10 per cent via the competitive selection exam. Five women gained entry in 1965 and 16 women in 1967. In 1975, the quota was raised to 20 per cent. In 1978, the quota system was removed with the adoption of the new Constitution which provided for non discrimination on the basis of sex. The levels of intake of women into the service has, however, been fluctuating at levels below 25 per cent which cannot be reconciled with the number of women graduates passing out and number of unemployed women graduates aspiring for public sector employment.

The more common obstacles confronted by women public administrators relate to difficulties in establishing credibility; hesitance to voice opinions in public and getting heard at the highest levels; misunderstanding women's adherence to rules as inflexibility; unable to get 'close' to Ministers and top policy makers due to cultural constraints; fear to tread on unfamiliar ground and a tendency for avoiding risks; having to maintain family harmony and cope with multiple burdens; fear of transfers and career instability; lack of independence, mobility and flexibility of operational time; inadequate access to information; and lack of self confidence.

According to Lalitha, these obstacles can be overcome in various ways. For one, they can be turned into opportunities with the assistance of support mechanisms that one needs to identify for

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<sup>35</sup> This presentation is based on the speaker's 40 years of experience in the public service in Sri Lanka. A complete paper is found in Annex 11.

different circumstances. One strategy, for example, is to find allies both within and outside the system. This includes the NGO sector and one's family. Although networking with women's NGOs is disliked and avoided by most public officials, it is no doubt, an opportunity for women administrators. The tendency of women public officers to be inward looking, shutting themselves in shells may help if survival is the only strategy one has. However, if self development is the objective, this requires a wide range of interactions with outsiders, exposure to channels of information and also to professional training.

If honest and good work is not recognised, another strategy to preserve self-confidence is to quit one's post and put in a request for a transfer. This helps to add value and not demean one's reputation, and prove that she can stand on her own two feet without relying on sympathy. To overcome intimidation, a common practice to 'control' women, those who enter the public administration service need to realise at the outset that they should not take the backseat and allow their male colleagues to lead all the time. Women public administrators can impact on government policies and programmes if they are adequately equipped technically to advice on planning and implementation of activities that affect public life and public institutions.

The quality of participation of women in public administration is much more than their mere presence in numbers. What counts is the effectiveness of their performance and the impact this has on public life. Sadly, after the restrictive quota was lifted, the number of women in public service has remained below 25 per cent, and of this, not more than 2-3 per cent could earn respect within the service and accepted as persons with capacity. In some circumstances, women who have to compete with male colleagues and are eager to prove themselves could unwittingly become subjects of exploitation. The reverse of the coin, however, is the situation where women place too much weight on their families and are indifferent or ineffective in office.

When asked if there was mistrust within the government towards the approach of opening more doors to NGOs, Lalitha shared that the overall sentiment was one of mistrust between the sectors which is particularly unhelpful in an area of work where it is important to have the cooperation of the NGO sector. While the Minister she worked with did not object to obtaining technical help from outside, there were certain other quarters that were very concerned about having these experts coming in and saw them as diminishing their authority and hence, a threat. Lalitha saw NGOs as her mentors and found working with them a completely satisfying and mutually productive relationship which helped the Ministry in the long run. However, this was a personal feeling which might not be shared by others.

Lalitha was also asked to share her thoughts about changing the shape of government administration so that it resembled a feminist style of administration where it is not just about politics but about groups of people taking care of each other. She felt that any attempt to adopt a more feminist model would be dangerous at this time as women were being viewed critically. Since women are not strong enough in their own positions to embark on such a project, they had opted for the path of least resistance i.e. working within the male model.

Speaking from experience about the CEDAW Committee's review of the Sri Lankan government in 2002, Lalitha shared that rather than helping to further the power of the Ministry in its mainstreaming efforts, the Foreign Ministry – through which the Committee's Concluding Comments are sent – did not read nor did they bother to send a copy to the President's office, thus reflecting the level of priority women's issues are given. Contrary to this, there should be a proper method of sharing the information and not leave it to enlightened bureaucrats to intervene in an ad hoc manner.

## **Women in Public Administration**

**Ery Seda, Indonesia<sup>36</sup>**

It is important to deconstruct patriarchy as an ideology not only in the domestic but also in the public sphere. This was the experience of Ery who although had not personally experienced explicit harassment or discrimination in her workplace, had been exposed to something more psychological. “My gender made me become afraid and insecure, and that was partly the reason why I worked so hard – to be taken seriously by my male colleagues.” For women like her, it is hard to free one’s self from the male-dominated worldview of working standards and professionalism. It is as if one cannot be both a ‘good’ professional and a ‘normal’ woman at the same time.

She also recognised how as a younger woman in academia and public administration, she did not feel free to be herself. Instead she had to work and interact in certain ways and according to male standards in order to be perceived as successful. She rarely joked with her colleagues so that she would be taken seriously, and because she felt she had a reputation to maintain. If one wanted to behave differently, the approach had to be subtle otherwise the consequences would be grave. Even so, Ery felt that one needed the courage to go out and fight and not just stay in her own comfort zone. She also had not lost hope and believed that women could still be pioneers in this field.

To a question of whether having more women in the department would make things easier in terms of breaking some of the barriers women faced, Ery said that there were actually more women than men in the department but none of them were professors. Certainly, it was difficult for younger women to make their mark in an environment where being male and having seniority were the most important aspects.

It was shared that in Korea the overall percentage of female professors is 13-14 per cent. In the state university, it is less, around 5 per cent. It appeared that the more prestigious the university, the less likely women were to be appointed as professors. However, recently the Korean government adopted temporary special measures for women academics in the state university calling for the hiring of 200 female members. In response, Ery said that while she did not know the actual figures, out of 1000 lecturers, 200 were women and they were mostly concentrated in the “soft sciences” (e.g. literature, arts and social sciences). There is thus a need to start engendering not just political structures and institutions but academia as well.

## **Women in Mixed Civil Society Organisations**

**Young Sook Cho, Republic of Korea<sup>37</sup>**

Despite the number of women activists who participated in the Korean civil society movement from the beginning, dissent movements were strongly male-dominated and gender issues initially did not emerge as a social concern. Since the 1970s, however, women activists from different sectors including the labour, student and religious sectors, came together to confront

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<sup>36</sup> The presentation is based on the speaker’s experience as a state university lecturer at the University of Indonesia for the past 12 years. A complete paper is found in Annex 12.

<sup>37</sup> The speaker is Secretary General of the Korea Women’s Association United. Her full paper is found in Annex 13.

discrimination and violence against women. The first accomplishment of the women's solidarity movement came in 1983 when different women's groups joined forces to appeal in a case involving female telephone operators being forced to retire at 25 years of age. Following this, the group decided to set-up a permanent women's umbrella organisation and this led to the formation of the Korean Women's Association United in 1987.

The collaboration between women activists in trade unions and women's NGOs has been notable for improvements in gender mainstreaming mixed civil society groups. Indeed, many women activists traditionally come from the labour movement and were previously trade unionists.<sup>38</sup> Another reason that it is important to continue this collaboration with trade union groups is because without the interventions from feminists and marginalised groups, they will tend to become more a group for the privileged and not consider women's issues. Indeed, on the whole, much needs to be done to engender civil society organisations. Even though these support issues raised by women's groups, mostly the support is verbal or they only respond when mobilised. Otherwise they observe as a third party. Women's NGOs on the other hand are always working towards democracy and are more willing to take on different social issues.

Another challenge for Korean civil society groups is political divisions. While some see this as a guarantee of diversity, others feel that too much diversity also weakens the movement. Further, the impact of globalisation in promoting the growth of the informal sector means added difficulties for civil society organisations to come together to push for greater democratic spaces.

The women's movement should not limit itself to pushing for social equality policies for women only but to include also, minorities and oppressed peoples. The situation now is such that women's issues are very complex and cannot be resolved only by improving women's status. Notwithstanding the importance of the above efforts, there are some constraints in how much can be achieved in the current economic and social structure. This is why the women's movement also needs a longer-term vision and to develop an action plan for an alternative society, an alternative globalisation. In other words, women should experiment with diverse projects to develop economic ethics based on human-centred, rather than a market and growth-centred, values. They should also strive for working relationships formed through equal opportunities (as opposed to hierarchical relationships formed along gender, class and race lines). As well, there should be a new discourse on sustainable development.

Coming up with an alternative globalisation is not something that can be achieved within a single nation state. Hence, international solidarity building is imperative – the movement for alternative globalisation must include the participation of multiple countries. In this regard, even though the Korean women's movement has come a long way in the past ten years, it is still weak where international solidarity is concerned.

Also, for the qualitative improvement of women's policies, men must be included as active players in realising gender equality in the family, at work, in communities. Men should contribute to desirable role modelling, while women must draw a certain level of consensus from them regarding women's participation in the labour market. To this end, the women's movement must expand the social discourse of gender equality to include both women and men. It must also focus its attention on the role of boys in creating a gender equal society.

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<sup>38</sup> Many also came from the student movement.

## Women in Mixed Civil Society Organisations

Carina B Resplandor, Philippines<sup>39</sup>

Women are not active participants in trade unions for the same reasons raised in the earlier presentations. For example, they lack leadership skills; they prioritise household activities and let the men continue working in the union; they lack self-confidence to participate in political issues also because they experience the multiple burden; financial problems mean that they need to take on another job outside the union to have additional income; and they experience harassment and discrimination.

To ensure that women would be represented at all levels of decision-making, the Trade Union Congress of the Philippines (TUCP) adopted a resolution in 1980 to create a Women's Department with a mandate "to work towards integrating women within the unions' structure. A complimentary resolution was adopted in 1985, calling for the creation of women's committees at all levels that would monitor progress in the implementation of the Centre's policies and programmes of action for women workers. And in 1990, the TUCP convention confirmed the constitutional amendment that made the Women's Committee chairperson a regular member of the Executive Board.

A question was asked as to whether there are women trade unions (but made up of male and female workers) functioning independently of the TUCP. Carina replied that there were separate women's organisations which have their own projects and implement their own programmes. But these are the women's organisations of other groups. In the Philippines also, the trade union movement is fragmented. Each of the federations and centres implement their own programmes. So while there is solidarity in terms of advocacy and implementation of programmes, there is no formal networking.

When asked about the practice of democracy within civil society or women's organisations in the country, Carina said that one does not see these groups practice democracy within. In Bangladesh, one approach to democratise from within can be seen in the example of Naripokkho. This organisation which facilitates more than 400 local level organisations adopted the idea of a rotating leadership. The first two stages of changing leadership were however a real struggle. The discussion highlighted that it is important to continue asking questions about the democratic practices within civil society organisations as one cannot automatically presume that these are so democratic.

Ending on a positive note, Carina shared five to ten years ago in the Philippines, NGOs were in competition with the trade union movement. Now they have started to learn to be more united in their stand on certain issues especially women's issues, and have worked together to lobby Congress on problems pertaining to women.

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<sup>39</sup> This presentation is based on the experiences of the Development for Action for Women (DAWN-TUCP), the women's committee of the Trade Union Congress of the Philippines. A complete paper is found in Annex 14.

## SESSION 4

This session comprised two presentations, the first that looked at factors – including ideological and environmental ones – which pose either a supportive or restrictive environment for women to participate in political and public life. The second was a commentary by a discussant who responded to this presentation, and combined this with a synthesis of the presentations made in Sessions 2 to 4.

### **Factors that Assist or Impede Women's Right to Participate in Political and Public Life**

Jung Sook Kim, CAPWIP<sup>40</sup>

In general, the problems or obstacles associated with women's lack of participation in political and public life can be categorised under two headings: 'supply' and 'demand'.

#### *Supply*

- a. Few women offer themselves as candidates. Reasons for this include:
  - The socialisation process which “teaches” women that politics is a man's realm.
  - Cultural factors seen in the form of patriarchy, religion and the development of the modern military state have resulted in women's exclusion from public life and her confinement to matters of the home.
  - The negative impact of seeing so few women participating in politics contributes to the vicious cycle of disempowering women. This, however, can be countered by introducing a quota system that would contribute to increasing the number of women politicians and in turn, these could be role models for other prospective women candidates.
- b. Women have not had “occupational experience” in the relevant fields due to the stereotyping of gender roles.
- c. Women's family responsibilities draw them away from political activities. As a result, many of the women who are in politics are in their 50s i.e. free of childcare and domestic responsibilities.

#### *Demand*

- a. Party nomination processes make women's nomination difficult as this is done through a “closed” decision cycle and too often, through inherently unfair methods. The majority of the party functionaries are men and it is only those with the highest probability of winning who get nominated.
- b. The proportional representation system is more favourable for women's political participation than the majority representation system.<sup>41</sup>

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<sup>40</sup> A copy of this presentation can be found in Annex 15.

<sup>41</sup> Indeed, as raised earlier in the presentation by Young Sook, women's groups are united on the need for a quota system to increase women's representation in parliament.

c. There are problems with the generation of funds and establishment of effective organisations during the election campaigns.

## **Strategies to expand women's political participation**

### *Quota system*

There are arguments for and against the quota system. Some of the issues raised in this debate include:

- Are quotas a violation of the principle of equality as it favours one group of people over the others?
- Does the system do justice to women themselves as they are elected not because they are the best qualified for the job but because they are women?
- Is it fair to the public whose choice of candidates is restricted and to political parties whose choice of nominations is limited by the need to fill a quota?

Formal equality alone cannot be a means to achieve equality for women. Indirect discrimination and “invisible obstacles”, if these exist, need to be eliminated. Therefore equality should be seen as a “consequence or a goal rather than as a means”. The quota system is a form of affirmative action which can contribute towards achieving this “consequential equality”.

There are many quota systems based on the concept of equality. For instance, the legal quota system is a method of clarifying a quota in a political party.<sup>42</sup> On the other hand, the legislature seat quota is an election quota system that allocates a certain percentage of seats for women. The primary goal of a quota system is to allow more women to enter into politics in a short time. The secondary goal is to encourage young women to take interest in politics and to become prospective politicians over the longer term.

### *Electoral system*

The majority representation system has both positive and negative aspects. For instance, while voters get to choose their candidates directly, their interests may not be accurately reflected in the legislature. A further drawback is how this system does not adequately allow for minority opinions to be represented. The proportional representation system on the other hand represents voters' interests but voters do not get to directly choose their representatives since their choices are limited to the list determined by political parties.

A nation's electoral system depends on the kind of political party system that exists, and the social reality. For example, the majority representation system is appropriate in a country like Britain where the social division is relatively simple. Where “social schism” is the result of divisions of class, religion, race, etc. a proportional representative system is more appropriate. There is also a more complex election system, as practised in Germany, which attempts to combine the merits of both the majority and proportional representation systems.

The proportional representation system is more favourable to women. In Nordic countries where candidates are chosen through this system, there is a higher ratio of women legislators. Data from

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<sup>42</sup> This involves political parties voluntarily allocating a certain percentage of their nominations for women.

1997 reveal that sixty per cent of countries with over 30 per cent of women legislators practised the proportional representation system. Nevertheless, it is important to remember that this system does not automatically favour women but rather, its success depends also on the social status of women, their political interests, and public awareness of gender issues.

#### *Electoral district system (magnitude of the electoral constituency)*

There are three categories of electoral district systems:

- The small district system (single member district) elects one person from one electoral district.
- The medium district system which elects 2-5 persons.
- The large district system (multi-member district) elects more persons.

Each has its merits and weaknesses. For example, the small district system seems to be the most unfavourable to women in terms of opportunities to win elections as with only one candidate allowed, political parties will tend to nominate their most powerful male member, leaving little room for women, what more women who are new to the scene, to make their mark. Conversely, the medium or large electoral districts are more favourable to women as the larger the electoral district, the greater the opportunity and possibility for women to get nominated.

#### *Nomination method within political parties*

The upward nomination method (primary election system) involves nominations being decided by individual party members or representatives of the district constituencies of the party. On the other hand, the downward nomination method (central party-centred) consists of recommendation, decision methods and bureaucratic nomination methods driven by party bosses or leaders.

### **Conclusion**

Factors that limit women's participation in politics and public life can be divided into cultural and institutional factors. While the modification of cultural practices is the more daunting tasks and requiring a long-term commitment, work around the institutional factors are more possible in the short term. Nevertheless, both must be done concurrently for it to be sustainable and effective.

A key ingredient for success lies in the efforts of women themselves, not as individuals but acting collectively through women's organisations, NGOs and citizen's organisations. The United Nations too has an invaluable role to play in supporting the movement develop networks, research and the application of the research findings around the world.

### **Discussant**

**Shahla Zia, Aurat Foundation**

To synthesise the main highlights of Sessions 2 to 4, the discussant explained that her presentation was based on the common themes that had been raised. Acknowledging that the consultation would not provide answers to the many questions that were being raised, it nevertheless helped by identifying areas that required further discussion. Shahla began by noting that it has to be recognised that many of the strategies and actions taken which seemed appropriate at the given time and place, might not seem so appropriate now. Times change and

with it one should not only acknowledge the successes but also recognise the gaps in work done. Most importantly, however, is not to despair. While progress might be slow, any attempt to expedite it must not be at the cost of our principles.

### *Women's empowerment*

Although the manifestations of the concerns around women's participation in political and public life might be different depending on the context and environment, there is the core issue of women's empowerment and political representation as a whole that is an intrinsic concern of the patriarchal system. Women have to prove themselves all the time, whether in public administration or within political parties. Overt and subtle forms of discrimination, in practice or in the law, need to be overcome, whether one is conscious of it or not.

A key concern in this area is how the patriarchal system that we are trying to challenge might be gaining strength through processes of globalisation, militarisation, and the politicisation of religion, communalism and sectarianism. This is going to be a gigantic challenge ideologically and strategically.

### *Alliance building*

The second key concern brought up by those working at the practical level is that of alliance building. While alliance building with other oppressed and disadvantaged groups might be an important approach, there is a need for strategic alliance building as well to bring on board groups that can create the kind of pressure needed to bring about the changes being called for. However, there is a need to be cautious that in the process of building alliances, women's rights issues don't end up getting lost within what is perceived as the "larger concerns" of democracy and human rights. It is crucial not to lose focus.

### *Democratisation*

The third issue is that of democratisation. This includes democracy within civil society organisations i.e. issues of power within these groups and the handing over of positions of power. This is about responsible participatory democracy within organisations as a reflection of the larger change that we are calling for. Certainly within political parties there is a lot of work to be done.

It is crucial to make inroads into the key institutions like election commissions, political parties and other committees. There have been successes. In Pakistan, for instance, women's groups managed to get observer status within Standing Committees to try and make these bodies take on women to represent women's concerns. Of course there is the tendency to take on the "token woman" which one has to be careful about.

Even with the introduction of reservations, it is important to make the process of selecting candidates participatory. Because of the climate within which women have to run, it is often times only women with money and particular support that make it.

It was raised that even though there is a 20 per cent participation of women in Pakistan politics, this process should not be looked at in isolation of the larger goal of democratisation of society. Further, the women's movement is fragmented and depoliticised, and the whole political process is being manipulated. Within this context, women in parliament must raise women's issues, and

at the same time the women's movement must position itself strategically to mobilise on other issues as well.

### *Working with both men and women*

While it is important to continue working with women and political parties because they do need more support and have less exposure, resources and skills, there is also now a realisation that in the current circumstances it will be difficult for women to move ahead without male support. For example, there is a need to convince the male leadership of political parties to open the doors for women to move out and ahead. It is therefore critical that work with men be taken up and continued.

Previous work in this regard has revealed very positive experiences. In Pakistan, the impact of years of work of civil society organisations at the grassroots level showed a change in the kind of support men gave to women's participation in politics. The usual attitude of men was that it is all right for other women to participate but not for their own wives or women family members. It was thus a massive achievement when men started to bring out their own women to contest in the elections. Although sometimes there might have been a vested interest in this, at this stage we have to take advantage of the opportunities as they present themselves believing that once women take these "radical" steps forward, they cannot be pushed back.

### *The women's movement*

The women's movement needs to be more reflective and introspective about itself and bring activism back into its fold. There is a concern among many activists in the movement that activists per say are a dying breed. So many are burnt out and leaving the movement without having developed or passed on the torch to others. This is something that needs to be reinvigorated. While there are some young people and isolated individuals who are the sparks of the next generation, there doesn't appear to be the kind of collective strength needed to address these concerns.

The need to keep attracting younger women and girls to the movement was expressed by one participant. She felt that the young do care for these issues but have a different language and culture. Perhaps then, we need to find a way to reconnect with these younger women and appreciate each other's position. Another spoke on the challenges that the women's movement faced as a movement that went against mainstream ideology and culture. Now, however, having gained some level of acceptance – by breaking the silence around violations of women's rights – it is entering a different transitional phase, not in relation to the politics of a country, but in terms of the risk of backlash and opposition of specific groups and movements. It is thus crucial to identify what these are – globalisation, religious fundamentalisms, etc. – so that we can start talking about it.

### *Temporary Special Measures*

It is clear that we are empowering women through affirmative actions like quotas. However, these measures, while termed temporary special measures, are not going to be so temporary but instead, will be needed for a long time to correct a deeply entrenched imbalance in society. Although women will start automatically coming into the arena, constant vigilance is required to ensure consistency and positive implementation. For example, in Bangladesh and Pakistan the quota system has since lapsed and groups have had to start work all over again to put back in place the special measures needed to ensure women's participation. Affirmative action measures have to be monitored and eventually mainstreamed into the system. For this, long-term campaigns are needed to make these acceptable by society and less threatening to men.

As well, there are questions about other forms of temporary special measures like state funding for campaigns or perhaps even the removal of deposits for women candidates. It is clear that the lack of financial resources is an issue that needs to be further discussed and strategies developed. Another suggestion was made for a strategy to ensure the implementation of Articles 7 and 8 of the CEDAW Convention. This should have two components – one immediate, and the other a forward-looking strategy. There could also be different approaches to cater to the specifics of the South Asian and South East Asian contexts.

### *The electoral system*

There needs to be more discussion on the different types of electoral systems (e.g. proportional representation and first-past-the-post, etc.) and their impact on women's political participation. There is also a need to be more aware of the different contexts and climates within which these systems have to operate, and how that can and will impact on their outcome. For example, many societies are still largely illiterate and barely understand the existing system. There is also the concern around the increased representation of extremist religious parties and the impact of that. While it is good to discuss the different systems, realistically there is also the need to understand what is already pre-existing, and to work within this to enhance women's representation.

### *Quantity versus quality*

There have been several suggestions for increasing women's participation in politics and public life. These include suggestions to form a women's political party, a women's political academy, training, etc. However, the basic premise should be to push for women who can make positive changes to the political culture and in the area of women's rights. With that we need to not merely talk about the development of skills and knowledge but also ensure that there is ideological information on rights and gender. Otherwise women will not be representing the alternative and marginalised sectors of society but rather replicating the patriarchal and discriminatory system that exists.

Some things are however already changing. There has been a break in the pattern from not having enough women candidates, to an overwhelming number of women coming forward. This was seen in Pakistan in the recent local level elections where women were contesting general seats as independent candidates. The interest among women to put themselves in the running is a result of the years of work of sensitisation. It is a positive pattern which needs to be strengthened and supported. However, there is a lot of long-term work still required and support needed. That work needs to start now instead of when elections are near.

Working with legislators and finding ways of developing cross-party support is another key concern. These have taken place informally at several levels. The quiet strengthening of these ties so that the women have more clout within parties and feel that they have a constituency behind them is a crucial part of the support work that needs to be done. We have to acknowledge the kinds of problems women in their position are facing working with male political party leaderships.

There are several other problems which women experience during this transitional phase that we are going through. As women move more into the public domain these challenges also affect their personal lives. While there are no quick answers to these problems that we are facing, it is believed that over a period of time, the necessary adjustments can be made towards the positive enjoyment of this right.

## SESSION 5

### Temporary Special Measures: Women's right to participate in political and public life

This session looked into the nature of state obligation to enact temporary special measures. In so doing, the presentations discussed the different kinds of temporary special measures, their application and effectiveness as a way to move towards *de facto* equality, and the various ways they have been used to address discrimination in political and public life. Included are examples of what has worked as well as lessons learnt. The session also sought to provide suggestions on future strategies on the use of temporary special measures in relation to Articles 7 and 8 of the CEDAW Convention.

### Temporary Special Measures

Rea Chiongson, IWRAW Asia Pacific<sup>43</sup>

At its 30th session in 2004, the CEDAW Committee adopted General Recommendation No. 25 on temporary special measures, providing state parties and NGOs interested in advocating for such measures, a deeper understanding of Article 4.1 of the CEDAW Convention.

Temporary special measures (TSMs) can be defined as:

- positive steps
- directly undertaken or sponsored by the state
- in favour of women or sub-groups of women
- aimed at accelerating substantive equality, and
- are of a temporary nature

TSMs are aimed at levelling a playing field which has been tilted in favour of groups that have historically benefited from preference and privilege. They are part of measures that can be undertaken by the state to accelerate the achievement of its obligation under the CEDAW Convention. The obligation to achieve equality is recognised as an immediate obligation under international law precisely because we want to enjoy our rights sooner rather than later.

Where the existing paradigm of equality advances a comprehensive conception of substantive equality, TSMs are easier to incorporate because substantive equality focuses on equality of results and not just equality of opportunity. However, where the formal equality model is the favoured approach, then it is more difficult to argue for TSMs as the achievement of *de facto* equality is not necessarily a priority. The CEDAW Convention through its substantive equality approach obligates the development of enabling conditions, that is, creating an environment supportive of the exercise, enjoyment and claiming of women's human rights. These need not necessarily be limited to temporary measures but can extend to permanent measures too, and part of a state's undertaking.

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<sup>43</sup> See Annex 16 for a copy of this presentation.

The discussions from the floor raised the point that quotas are only one type of TSM. But because there have been people who have limited their understanding of TSMs to the quota system, this has drawn some resistance to such measures. Other forms of TSMs were highlighted in the following examples:

- In a fish pond project in Bangladesh, only men were able to access this opportunity because women did not own ponds due to a neutral law that laid down the criteria of owning a fish pond to participate in the project. Because of prevailing cultural norms, women did not own property. Affirmative action in favour of women was thus necessary to level the playing field. In this instance this preferential treatment in terms of credit, loans, rental of ponds etc. had to be implemented to ensure equality of results.
- Another state put in place special scholarships for girls to counter the high dropout rate of girls.
- In Korea, legislation was passed in 1999 to give assistance to women in business, and women entrepreneurs in the form of funding and the purchasing of their products over that of their male counterparts.

When formulating General Recommendation No. 25, the CEDAW Committee considered whether to annex examples of TSMs but decided not to as it might give the impression that TSMs were limited to these where in fact, the kind of TSMs applied depend on the situation and context of each country. Later, the Committee is hoping to compile data on good examples of TSMs which can be used by other states.

#### *Key points of General Recommendation No. 25*

Article 4.1 must be understood in the context of the overall object and purpose of the CEDAW Convention which is to eliminate all forms of discrimination with a view to achieving *de jure* and *de facto* equality in the enjoyment of human rights and fundamental freedoms. Thus TSMs are not only part of a necessary strategy to achieve *de facto* equality, but are in fact obligatory. The recognition of the immediacy of the obligation of equality requires at least an attempt on the part of the state to comply with the treaty in good faith (*pact and servanda*).

#### *In relation to participation in political and public life (General Recommendation 23)*

TSMs are essential prerequisites to true equality in political life. Although generally states are given a margin of discretion on which measures they adopt – provided they can justify its appropriateness – the Convention, by stating that TSMs are necessary and essential to the fulfilment of articles 7 and 8, is actually giving states limited options in relation to what measures they can undertake. In a way, they are obliged to put in place TSMs and towards this end, states are required to justify why they have not considered such measures as appropriate in relation to political and public life. The CEDAW Committee has mainly recommended quota systems for political participation and public appointments. In recent times, however, it has also recommended quotas for employment and the private sector.

#### *Forms of TSMs*

- Measures of affirmative mobilisation: These involve seeking to achieve substantive equality by actively supporting, involving and building the capacity of members in a particular disadvantaged community to claim their rights and opportunities.
- Measures of affirmative fairness: These involve meticulous examination to make sure that members of the target groups have been treated fairly.

- Affirmative preference or preferential treatment: These mean a person's gender, race or ethnicity will be taken into account in the granting of priority over others who are not members of the target benefit group. Measures include quotas and reserved seats, and preference over an equally qualified person or even a better-qualified person.

#### *Multiple forms of discrimination*

Multiple forms of discrimination are experiences by women on additional grounds such as race, ethnic or religious identity, disability, age, class, caste and other factors. Such multiple forms of discrimination affect groups of women primarily or to a different degree or in different ways in relation to men and even in different groups of women. State parties need to look into such forms of discrimination and its compounded negative impact on women. Gender-based TSMs take other forms of discrimination and other barriers into account to address women who face multiple barriers. An intersectional approach to look into the multiple forms of discrimination is critical. This approach looks at not just adding one form of discrimination on top of another but rather, looks into the uniqueness brought about by the experience of multiple forms of discrimination.

#### *Principles for the implementation of TSMs*

- Consultation. This involves collaboration with various stakeholders, especially women, in the design and implementation of the TSMs. An intersectional approach should be applied in ensuring that women from various sectors, identities, etc. are included in this process.
- Mechanisms for continuous feedback.
- Monitoring
- Enabling conditions.
- Promotion of standards through public education.

#### *Additional challenges to the implementation of TSMs*

- The disappearance of rights in a number of arenas (e.g. development, globalisation, health, education, etc.). This is due to several factors including:
  - A lack of conceptual clarity of the rights based approach
  - No commitment to rights in the first place
  - Rights demand more commitment and obligations that frighten the government
  - The above-mentioned national contexts have rendered the state as the primary duty-holder of rights in a way that is meaningless in certain fields.
- Continuously countering resistance. There are also backlashes or backslidings. These include arguments that TSMs constitute reverse discrimination and hence are unfair, and that TSMs lead to mediocrity.

During discussions, the Indian Constitution was pointed out as providing for temporary special measures to be introduced for certain marginalised groups (the scheduled caste and schedule tribes). It also states that this provision should be reviewed every 10 years. This way the Indian Constitution is very forward looking both in incorporating special measures but also in how it ensures that a review of a TSM takes place periodically. This enables a discussion of the status of marginalised groups to take place in parliament at least once every 10 years, revealing how they are still not mainstreamed into society. As a result, not many question the continuance of these special measures, and perhaps this breeds less resentment for a reservation. It was also agreed that monitoring and following-up on the results of TSMs is critical. Although it is the obligation of the state to assess whether they have achieved their purpose or need to be re-evaluated, it is

also important for NGOs to monitor the situation as it informs us of the progress and provides an advocacy tool as to whether a particular TSM is working or not.

## The Experience with Temporary Special Measures in Indonesia

Nursyahbani Katjasungkana, LBH Apik Jakarta<sup>44</sup>

Although women have been politically active through Indonesia's history, both prior to and since independence, their political activity has not translated into decision-making positions. The idea of female representatives in Parliament and national leadership positions was discussed as early as 1938 in the Women Congress.<sup>45</sup> After independence, the right of women to vote and stand for elections was enshrined in the Constitution. The Constitution, however, does not contain provisions on gender equality, or non-discrimination in political representation.

Further, through laws and policies on women's organisations, family planning and motherhood, Soeharto's New Order institutionalised a gender ideology which promoted women's primary role as mother and wife, and men as breadwinners and heads of families, thus discouraging women's participation in the public and political arenas. Custom, religion, lack of financial support, and male-dominated and centralised decision-making processes in political parties are all additional barriers to women's representation.

### Strategies to increase women representation

During the New Order, strategies to increase the representation of women in decision-making bodies were extremely limited. Most women in parliament were appointed from state controlled women's organisations. Even in the *Reformasi* era, a period of major political reform, the representation of women remained low. Since then, many women's groups have given the issue of women's representation greater attention, and have pushed for the following:

- Gender quotas, women's caucuses outside and inside parliament, and electoral reform.
- Constitutional and legal reform (especially on marriage laws and violence against women).
- Raising women's political awareness including awareness on their sexuality. This is important because of the concept of the "bad woman" and "good woman" is very strongly entrenched through culture.

Women's groups have also been working with religious women's organisations but the response from the *ulama* (religious leaders) has not been very supportive. However, during former President Wahid's time, the First Lady succeeded in reforming the main books used for women to reinterpret the *fatwa*, Hadith and Qu'ran, especially on issues of women's sexuality and marriage. Trainings on sexuality have also been conducted to help women overcome the perception of themselves as second-class citizens due to their sexuality.

For the recent elections, the women's movement specifically initiated the following actions:

- Publishing a booklet with a short curriculum vitae and photos of the women candidates to promote them to political parties.
- Creating a women's fund.
- Organising a political track record campaign.

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<sup>44</sup> For the presentation by Nursyahbani, see Annex 17. This was based on a paper written by Mulyandari from APIK.

<sup>45</sup> However, the main focus of the women's movement then was education, marital relations (especially polygyny and child marriage) and trafficking in women.

- Drawing up a political contract.
- Organising a Vote for Women Candidates campaign.

### **Temporary special measures and the 2004 elections**

Article 28H(2) of the Indonesian Constitution provides a baseline standard of temporary special measures for marginalised groups. Further, article 7(e) of the Bill No. 31/2002 on political parties, states that one of the role of political parties is to recruit women for public positions, while article 65(1) of Bill No.12/2003 states that in proposing a list of candidates to fill legislative positions at the national, provincial and district levels, political parties should ensure that women comprise at least 30 per cent names proposed. During the 2004 elections, the Elections Commission reinforced the latter provision by issuing a regulation that obligated political parties to have a 30 per cent female representation in the legislative candidates list that they proposed.<sup>46</sup>

Despite these measures, the results of the elections were disappointing. There was only a two per cent increase in women's representation in parliament – up from 8.9 per cent during the 1999 elections (i.e. 44 women out of 500 representatives) to 11.1 per cent (i.e. 63 women out of 550 representatives). There are 24 women out of 128 senators, and one became the vice chairperson of the People's Consultative Assembly.<sup>47</sup>

From this experience it is clear that there is a need to revise the electoral system. For example, the requirement that every candidate must have passed senior high school is discriminatory and gender-insensitive because many potentially good women candidates do not necessarily have such qualifications. Lowering the educational requirement is thus one of the proposals for the future. Other proposals include:

- Changing the listing of candidates to the zipper system (i.e. alternate names of women and men candidates).
- Eradicating the blatant practices of nepotism and corruption. In the Democratic Social Party, there are two women parliamentarians who are mother and daughter. In the PPP (United Development Party), for example, there is a husband and wife team.
- Addressing the role of the media especially the character assassinations that take place.
- Increasing the number of women in the Electoral Commission. Women currently form 16 per cent of members in the Commission, which is an improvement of the situation prior to 1999 when there were no women on board. Even so, more needs to be done to raise their representation in this body.
- Strengthening networks for women's political representation.

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<sup>46</sup> In cases where women candidates form less than 30 per cent of a party list, the Commission returned the list to the party concerned. If the party returned with a list which did not meet this requirement, the Commission put their name in the mass media and left it to the people to decide if they would support them or not.

<sup>47</sup> The People's Consultative Assembly comprises of the Parliament and Senate members. Women's groups are not sure how the proportion of women in the Senate was as high as it was, i.e. 20 per cent.

## Discussion

### *Megawati's opposition to TSMs*

Megawati's refusal to implement TSMs for women's participation in politics is due to her – and others advising her – lack of understanding of substantive equality. This is despite the application of affirmative action within her own party where there is a policy that women must form 20 per cent at all levels of the political party structure. In her 2001 speech rejecting TSMs, she argued that TSMs would be seen as a kind of discrimination against men, when in reality, she does not understand the concept of TSMs.<sup>48</sup>

### *Critique of women's groups*

In response to the question as to why, despite an increase in the number of parliamentary seats, there was only a slight increase in the number of women representatives, Nur said that one explanation was that women's groups were very late in organising and preparing candidates. Only in 2003, when the elections were announced and the 30 per cent reservation for women in the party candidates list put in place, did women's groups start showing interest in going into politics. There was no time to prepare candidates, and when the time for running the campaign came, women's groups did not even know whom to support.

### *Critique of hereditary politics*

A question was raised as to whether one should actually discourage hereditary politics (e.g. mothers, daughters, wives, etc) as there might be some merit in this. Most of the time there is more than one woman in a family and if she was picked, presumably she had some merits of her own and it might not be right to condemn her. Perhaps too, there is nothing wrong with this since the current environment is not conducive to women entering politics on their own. In some countries like France, the law prohibits linear descendants of less than two generations from being included in the party list (i.e. no grandparent-child-grandchildren to serve at the same time). The discussion highlighted the fact that this practice can be seen as an entry point for women, and it is possible for women's groups to use it to their advantage. However, it is also important not to lose track of the larger goal of gaining greater democratisation.

### *Personal reflections*

Nursyahbani shared that she did not plan to enter politics. Five years in the People's Consultative Assembly as a Senator was enough for her; and her preference was to stay in the civil society movement and continue practice as a human rights lawyer. She had already refused requests by the larger parties to run many times but suddenly her name appeared in the papers as the former president decided to launch her as a candidate together with some others who were celebrities. Having a shared vision, she felt she could not withdraw and thus found herself stuck in the political party. Nur ran in east Java, a more conservative constituency, and spent 75 million *rupiah* on her campaign (including for promotional materials like t-shirts, calendars, veils, etc.). At one point she almost gave up when the people demanded even more t-shirts, flyers, etc. But this was resolved when she asked a friend to send over more campaign materials.

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<sup>48</sup> This speech reduced her credibility among some women's groups who it as a reason not to support her. Yet Megawati does not see the need to obtain the support of the women's movement. She already has a great deal of support from cultural groups, the military and the upper class.

## SESSION 6

### Ways to Monitor State Obligation<sup>49</sup>

The purpose of this session was to introduce a methodology for monitoring obligations of the state under Articles 7 and 8 of the CEDAW Convention. Following this, participants were divided into groups and asked to identify best practices and lessons learned from monitoring women's participation in political and public life. Each group then returned to a plenary to share their discussions with each other. The highlights of this were subsequently captured and synthesised in a separate presentation.

### The Monitoring Framework

Rea Chiongson, IWRAP Asia Pacific

There is a critical need to monitor and follow-up on state action in implementing the CEDAW Convention, especially in the area of women's participation in political and public life (articles 7 and 8 of the CEDAW Convention). However, when talking about women's rights, it is difficult to measure progress or decline without baseline information from which to make an assessment. IWRAP Asia Pacific's monitoring framework is an important tool that applies the principles of the CEDAW Convention. Discussions around the creation of this monitoring framework started in 1997 as part of a project called "Facilitating the Fulfilment of State Obligation Towards Women's Equality", the Facilitating Project in short. This called for the establishment of focal points in selected countries to conduct research and write baseline reports on particular themes applying the monitoring framework. The women's groups who participated in this project contributed to the development of the monitoring framework.

The research and writing of a baseline report was really a starting point for advocacy at the national level. It provided information on areas where advocacy needed looking into and gave it direction. Data obtained from the research was invaluable as a basis for advocacy and counter arguments that the work of women's groups is unscientific. The application of the monitoring framework required skill as it involved working with and having a rigorous understanding of the CEDAW Convention, including the notion of state obligation.

The monitoring framework involved looking into the following:

- The identification of areas of discrimination against women, be it *disparity* (i.e. in comparison with men) or *disadvantage*. The basis for this is Article 1 of the CEDAW Convention which defines discrimination.
- The second step was identifying the *contributory factors* that led to the disparity or disadvantage. This could be economic, cultural, social or institutional factors but need to be unearthed so that the relevant recommendations can be made to get to the root of the problem.

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<sup>49</sup> This session comprised two components, a presentation by Rea Chiongson of IWRAP Asia Pacific, and group exercises.

- The third step was to show the effects of discrimination on women. Most of the time, when one talks about discrimination against women, there is the impression that it does not really have an effect on women's rights. It was therefore important for us to argue that there really is an impact on women and that this is not merely a case of abstract deprivation.
- The next step was to study the state's obligation and identify what *state action* has been put in place to redress the situation. There is a need to understand Articles 2-16 of the CEDAW Convention given the tendency to look at these as separate from each other.
- There then needs to be an *assessment of state action* – its gaps and limitations.
- *Recommendations* to the state – these cover recommendations to counter the gaps in state action and to counter the contributory factors identified earlier which in the long run will redress the disparity or disadvantage.
- *NGO initiatives* and recommendations for action.

This is the monitoring framework that IWRAP Asia Pacific has been developing for the past seven years. Some of the core groups that IWRAP Asia Pacific has worked with have used the framework and developed a lot of advocacy around it. Thus the framework was basically used as a starting point for advocacy at the national and international levels. The baseline reports that emerged out of this project have also been used as a basis for shadow reports and other lobby documents.

## Group Work

Participants were divided into three groups to discuss the following questions.

- a) Identify best practices on monitoring women's participation in political and public life which you have experienced.
- b) Identify lessons learned in terms of what should not be done in terms of monitoring.
- c) In which areas/occasions has there been lack of sufficient or efficient monitoring. Why? Give suggestions to address this.

### Group 1

- a) Best practices
  - Translate all relevant documents into the local language.
  - Networking between university/research centres and NGOs is important as good monitoring of CEDAW implementation entails working between research and activism.
  - Networking between people's organisations and government agencies (e.g. the Ministry of Women Empowerment).
  - Publish stories of best practices in the government newspaper.
- b) Lessons learned
  - It is the government's obligation to implement the CEDAW Convention, not NGOs.
  - To collect the data by using wide range of networks so as to get the complete picture of a situation/ issue. This includes people's organisations, government agencies, political parties etc.
- c) Areas where there is lack of efficient monitoring
  - Government obligation
  - Health

- Education system
- Informal sector
- Business sector

## Group 2

### a) Best practices

- Dialogue – to hold meetings with political leaders, etc.
- Using the timing of an election to insert women’s demands to influence the manifestos of political parties.
- Organising campaigns and capacity building training to raise awareness of voters.
- Campaigns on candidates run by coalitions of women’s organisations.
- Inviting women candidates to forums or conferences organised by women’s NGOs.

### b) Lessons learned

- Ensure there is no personal bias in supporting candidates.
- Hold consultations within organisations.
- To be careful that political candidates don’t use the women’s movement in their campaign but instead focus on the needs of their constituencies.
- Maintain close links with those in the political arena so as to be able to influence them.

### c) Areas where there is lack of efficient monitoring

- Public positions held by women, and their performance in these.
- Monitoring process should not be *ad hoc* and event-driven but process-driven i.e. institutionalised.
- Government machineries for women (e.g. National Commission for Women).
- Women’s organisations – to ensure that democracy is practised within our own organisations.

## Group 3<sup>50</sup>

### Strategies and experiences

#### *Data collection*

- Compile historical accounts of women’s experiences in elections.
- Disaggregated data at every point (e.g. numbers of women who registered and those who go to the polls).
- Monitoring responses of parliamentarians.

#### *Evaluation of party or government policies*

- Quota for women – in Korea, just by virtue of monitoring they were able to successfully push for a quota system.

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<sup>50</sup> This group did not respond to each question individually but rather, identified activities that are already being implemented and assessed the success or gaps within those areas of work/monitoring.

### *Advocacy or monitoring tools*

- Manifestos – there is much coalition building to produce manifestos for parties or women’s groups. However, even though there is lobbying to get these manifestos adopted, questions still remain over can turn them into a useful tool for monitoring.
- Public tribunal –public tribunals in India are conducted face to face.
- Women’s Charter – the Women’s Charter in Sri Lanka is both a useful advocacy and monitoring tool.
- Parallel Women Assembly.
- Electoral reforms.

### *Media*

- The media can be a tool to monitor women’s participation in political and public life.
- The media can also be viewed as allies whose capacities we build so that they can be agents to monitor the state.
- The media can be a medium to access information. At times the media has access to information before we do. With the right kind of networking they could have an interest in sharing this information to get a response from women’s groups.

### *Institution watch*

- By conducting consistent monitoring of the government, the latter will feel the need to consult these monitoring institutions or risk being embarrassed down the line.

### *Legislative watch*

- Monitoring all parliamentarians.
- Monitoring women parliamentarians:
  - For the changes they bring.
  - To hold them accountable to promises and commitments they have made. However, this should be done without adding an additional burden to their lives, the way society makes them prove themselves without providing any support.

### *CEDAW Convention*

- Using the CEDAW Concluding Comments as a tool for monitoring as well.

### *The “bibinka” approach*

- This refers to a traditionally made cake where pressure/heat is applied from both the top and bottom. In other words, it is important to monitor from the top and ground.

## **Difficulties**

- *Different groups monitoring different things.* Even though each group has its own strengths, this could result in resources being dissipated.
- *Inconsistent monitoring.* Sometimes the monitoring that takes place is more reactive.
- *Prioritising and systematising.* Need to prioritise and make monitoring efforts more systematic.
- *Data collection.* Both quantitative and qualitative data needs to be collected as the latter is the one that highlights women’s needs.
- *Danger of cooptation.* Politicians will do anything to win the elections, even to the extent of speaking the same language as women activists.
- *Being impartial.* Holding consistent standards for all.

- *Limited clout.* Women's groups have limited credibility. As such, there is a need to strengthen alliances.

## **Synthesis of Group Work**

Shantha Mohan, NIAS, India

Important aspects around monitoring include areas to be monitored, how to monitor and the spaces within which we can work on monitoring.

- *Access to data.* There is a whole range of data that can be used to monitor implementation. For example, if we are monitoring implementation of the CEDAW Convention, the data has to be interpreted in the context of CEDAW itself. This is a big task but collecting data from different agencies and groups is important.
- *Initial reports, baseline reports, concluding comments.* These documents are an important starting point to monitor state action and review CEDAW implementation. During the constructive dialogue between a state party and the CEDAW Committee, there are certain commitments that a state makes which need to be monitored. Further, the Concluding Comments issued by the CEDAW Committee subsequently also need to be monitored as they focus attention on areas that the state needs to take action on.
- *There are different levels of monitoring that can take place (government, civil society, parliament, media).* It is thus important to capture information and experiences of women at the different levels and from different perspectives. For instance, in India, there is much effort to document the experiences of women who have been 'hurt' as a result of becoming public leaders. However, there is no attempt to write about the women who have succeeded. The media can play a positive or negative role depending on how we develop our relationship with them.
- *Different spaces that we use for monitoring.* From within, through dialogue, protest and interventions. All civil society organisations are not able to do everything all together. It is thus important to network and strengthen alliances between them. There should also be realisation of what one can do – research, mobilisation, activism, advocacy – to pull in our strengths towards one common goal. In turn, there should be a prioritisation of short- and long-term goals. This is what keeps coalitions strong and connected.
- *Details of strategies actually used to monitor state obligation.* Breaking up into meetings, conferences, public hearings.

### **Discussion**

- While there have been many strategies and best practices identified, it is important to question whether there was consistency in the monitoring and follow-up work.
- Activism is a very important tool to pressurise the state but this is slowly disappearing. Many times things happen which are not accommodated by structured activities. Here women's groups must respond in a more coherent manner.

- It is important to bear in mind that the obligation of the state under the CEDAW Convention is not limited to women's participation in parliament but in other decision making roles in other areas as well.
- Monitoring is only one aspect of the work. It is vital that an enabling environment be put in place for women to participate in political and public life.
- It is also crucial that the monitoring take place at all levels.
- Another concern is the problem with the political structures of a country, where there are many states that do not consider themselves accountable to the federal government. However, the federal government is still obligated and remains accountable for the implementation of the CEDAW Convention.

## SESSION 7

### Advocacy Strategies for Women's Participation in Political and Public Life<sup>51</sup>

#### Key principles on women's participation in political and public life

Participants were divided into three groups and asked, using the discussion guidelines,<sup>52</sup> to consolidate key principles around women's participation in political and public life. The objective was to identify the non-negotiable principles that should be at the core of any advocacy, and areas that required further clarification and discussion (e.g. effects of globalisation on women's participation, engaging with autocratic/authoritarian governments, etc).

#### Group 1

##### *a. Key principles (demands)*

- There must be opportunities for democratisation.
- Articulate issues of marginalised or disadvantaged groups.
- Facilitate women's participation in political parties.
- Make women candidates accountable.
- Urge the government or political parties to adopt more democratic, fair, just, and gender-sensitive principles in the appointment of candidates.
- Introduce a criterion to appoint candidates.
- Political parties have to reveal if their candidates have had previous criminal convictions.

##### *b. Areas to be criticised and analysed*

- Cultural influence and social stereotyping.
- Girls not getting positions if they do not speak English.
- Discriminatory policies – e.g. in India, anyone with more than two children are not allowed to run for election.
- Age of women in politics – currently older women, around 40, appear more likely to be political candidates.
- Women's educational background should not be criterion for holding public office positions.
- Effects of globalisation.
- Across cultural and political electoral systems – which ones impede and facilitate women's participation (e.g. Nordic countries).

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<sup>51</sup> This session comprised two components, a presentation by Rea Chiongson of IRAW Asia Pacific, and group exercises.

<sup>52</sup> The participants were required to first, reflect on the discussions that took place in sessions 1 to 4 and second, identify which areas needed more analysis and critiquing in order to formulate and/or further develop the key principles?

## Group 2

### *a. Key principles*

- Women's organisations should not be co-opted by the autocratic government but need to explore the opportunity to improve and advance the women's agenda
- Women should not get into power structures themselves but instead, into transforming politics.
- Organisational ideals and values should not be compromised. Women candidates who become members of any organisation should not compromise its agenda and ideology.
- The women's movement should never use wrong or unethical methodologies, for example, money, muscle and mafia.
- Women candidates should never use the organisation for their individual benefit.
- Women's organisations should not be used by political parties.
- Women's organisations should support women's public representatives who uphold the agenda of the women's movement, and conversely, should not support women who are against this.

### *b. Areas to be criticised and analysed*

- Analysing the present government system.
- Analysing/studying different electoral systems and identifying which systems are better for changing women's position, and make it more applicable in our contexts.
- Women's movement should analyse its vision for an alternative society.

## Group 3

### *a. Key principles*

- Democracy
- Economic independence
- Uphold plurality
- Substantive equality
- Impact of globalisation, privatisation etc.
- Uphold sustainability of the environment
- Peace, security, anti-militarisation
- Women's human rights
- Independence of key institutions
- Quality of life
- Corruption free and clean politics

### *b. Areas to be criticised and further analysed*

- Democracy
- Globalisation
- Peace, security and anti-militarisation

## Recommendations and strategies for the regional and international levels

Participants were divided into three groups and asked to draft recommendations and strategies for advocacy at the regional and international levels using the following guidelines<sup>53</sup> and taking into account the country presentations and personal experiences shared as well as inputs from resource persons. (See Tables 1, 2 and 3 on p57)

### Recommendations and strategies for the national level

Participants were divided into nine groups according to their countries and asked to discuss the following questions:

1. What are the possible strategies across countries at the national level?
2. What strategies are feasible in your country (but may need to be customised or detailed accordingly)?

#### a. Bangladesh

- Dialogue with elected representatives; the executive and policymakers; and the media.
- Integrate women's issues at different levels and into the agendas of political parties. Towards this end, get the media to mobilise the public on such issues.
- Strengthen the capacity of:
  - Women's organisations to mobilise women's issues
  - Independent candidates for local-level elections
  - Elected representatives to implement and integrate women's human rights issues
- Mass awareness-raising for the public to choose the right candidate, and for women to cast their votes.
- Reformation of the electoral system by undertaking action-based research on the different electoral systems and contextualising this for the Bangladesh experience.

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<sup>53</sup> Discussion guidelines

- 1) What interventions do we want to make at the (i) international and (ii) regional levels relating to:
  - a. Women's right to vote and be elected
  - b. Women's right to participate in implementation and formulation of public policies, holding of public office, and performance of public functions
  - c. Women's participation in NGOs and associations at the international and national levels
  - d. Women's right to represent the government at international levels
  - e. Other areas of participation in political and public life
- 2) What are our needs and what resources and linkages do we require?

**Table 1: Group 1**

<b>Strategies</b>	<b>Regional-level interventions</b>	<b>International-level interventions</b>	<b>Needs, resources and linkages</b>
<ul style="list-style-type: none"> <li>○ Raising the importance of including women in political and public life in selected fora</li> <li>○ Demands, declarations, petitions</li> <li>○ Review consultative status of international NGOs to the UN</li> <li>○ Media</li> <li>○ Visits/consultation of key experts</li> <li>○ Shadow reports</li> <li>○ Exchanges</li> <li>○ High-level meetings/trainings/dialogues</li> </ul>	<ul style="list-style-type: none"> <li>○ SAARC, ASEAN, ESCAP</li> <li>○ Regional consultations</li> <li>○ Regional campaigns</li> <li>○ Lobby for inclusion of more women in delegations to the above institutions</li> </ul>	<ul style="list-style-type: none"> <li>○ Donors</li> <li>○ UN agencies</li> <li>○ Global campaigns/global march</li> <li>○ Demonstrate at CSW (Beijing+10)</li> <li>○ Lobby for inclusion of more women in delegations to the above institutions</li> </ul>	<ul style="list-style-type: none"> <li>○ Funding</li> <li>○ Training for advocacy (e.g. specialised training on economic issues)</li> <li>○ Database of documentation on:               <ul style="list-style-type: none"> <li>○ Political systems</li> <li>○ Critiques on the education system, human rights, women's rights</li> </ul> </li> <li>○ Technical support</li> <li>○ Coordination by IWRAW Asia Pacific</li> <li>○ E-newsletter and e-list for sharing of information (including success stories) and communications</li> </ul>

**Table 2: Group 2**

<b>Areas of political and public life</b>	<b>Regional-level interventions</b>	<b>International-level interventions</b>	<b>Needs, resources and linkages</b>
<ul style="list-style-type: none"> <li>○ Women's right to vote and be elected               <ul style="list-style-type: none"> <li>○ Criteria for candidacy</li> <li>○ Security issues</li> </ul> </li> <li>○ Right to participate in the implementation and formulation of public</li> </ul>	<ul style="list-style-type: none"> <li>○ Get independent observers for local/national elections</li> <li>○ Collect information on factors which prevent/impede enjoyment of women's rights (e.g. cultural and religious practices)</li> <li>○ Strategise to counter impediments by learning from the experiences of other countries</li> </ul>	<ul style="list-style-type: none"> <li>○ Independent observers of elections at the regional-level</li> <li>○ Data collection on women's participation in politics</li> <li>○ Lobby the UN to have</li> </ul>	<ul style="list-style-type: none"> <li>○ Resource team</li> <li>○ Technical inputs</li> <li>○ A regional fund to promote women's leadership</li> <li>○ Regional</li> </ul>

<p>policies</p> <ul style="list-style-type: none"> <li>○ Increase women's participation in NGOs and associations</li> <li>○ Women's right to represent government at international levels</li> </ul>	<ul style="list-style-type: none"> <li>○ Raising awareness of public in other countries on the situation of women in politics in a particular country</li> <li>○ Press the state to reform</li> <li>○ Set up a forum for dialogue among the different national governments to discuss similar regional problems relating to women's participation in political and public life</li> <li>○ Regional platform for "Public Officers Criteria" and how politics can be organised to work for the people</li> <li>○ Regional fund to promote women for public positions</li> </ul>	<p>governments ensure that women are included in their delegations, and to provide training for these women to understand international issues</p> <ul style="list-style-type: none"> <li>○ Human rights training for government officers</li> <li>○ Call for a minimum one-third representation of women at all levels</li> </ul>	<p>coordinating team</p> <ul style="list-style-type: none"> <li>○ Media</li> </ul>
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**Table 3: Group 3**

<b>Regional-level interventions</b>	<b>International-level interventions</b>	<b>Needs or resources</b>
<ul style="list-style-type: none"> <li>○ Public education activities or campaigns like a global march</li> <li>○ More regional consultations, exchange visits, and training for various organisations, women, NGOs, government officials, etc.</li> <li>○ Lobby ESCAP, SAARC, ASEAN to push women's issues/agendas especially women's political participation</li> </ul>	<ul style="list-style-type: none"> <li>○ Women's organisations can present the situation of women in public life from their own countries</li> <li>○ Demonstration at CSW (Beijing+10) e.g. rally, human chain etc.</li> <li>○ Lobby for the inclusion of more women in government delegations at all international and regional fora</li> <li>○ Lobby National Human Rights Commissions to integrate women's human rights and gender issues</li> </ul>	<ul style="list-style-type: none"> <li>○ Funding for workshops, exchange visits, consultations</li> <li>○ International-level training for different organisations to improve their advocacy skills</li> <li>○ Training to lobby on economic matters and in avenues like APEC</li> <li>○ Technical support to local NGOs working on women's issues by regional NGOs like IRAW Asia Pacific</li> <li>○ Provide funds for women to participate in politics</li> </ul>

- Develop alternative political culture by lobbying parliamentarians and mobilising people and political parties.
- Expand the network of women's organisations, NGOs, civil society groups and individuals.
- Participation in different meetings to learn and lobby states and regional and international bodies (e.g. ESCAP / SAARC / CSW / national level meetings).
- Monitor different institutions (public administration, parliaments, local governments, etc.).
- Continue to push for seat reservations for women.

## **b. India**

- Systematic information collection, collation, assessment and dissemination.
- Exchange of information and strategies intra-region, inter- and intra-state and among countries.
- Interface with parliamentarians and bureaucrats representatives in regional and international fora.
- Lobby parliamentarians and bureaucrats.
- Coordinate, share, learn and strengthen different best practices of states.
- Sensitise the media on how to be proactive and supportive of women's participation in political and public life by having a gender perspective.
- Focus on local authorities (*nagar pallika*) and what is being done to promote women's representation at this level.
- Share success stories.
- Promote positive images of women politicians and public officers.
- State to encourage women (politicians and officers) to participate in regional and international fora for exposure and to build their capacity.
- Include gender/human rights/women's rights/CEDAW as part of the administrative curriculum and in-service training.

## **c. Indonesia**

- Regional strategy
  - Regional observers during elections
  - Encourage government agencies to actively participate in regional and international forums and to include women in their delegations
  - Reform the Election Bill
    - Lower the formal education criteria for all candidates.
    - Encourage the open list and zipper system or direct voting.
    - To give political parties financial incentives for putting women on top of the party candidate list, and to be further rewarded when women are elected to Parliament.
    - Coordination among women's organizations to promote women's candidates for public position and support women in decision-making bodies.
- Strategy to be tailored to suit local context
  - Wider information sharing. Many were unaware of the Beijing review process. There is limited information from the region about implementation of women's rights
  - Participation of local women's groups in the writing and reporting on the implementation of the CEDAW Convention.

- Quota system to be implemented in all sectors. While there is a 30 per cent quota for women in legislature, there isn't any mechanism providing for the same at the executive and judiciary levels.
- Start strategising early. There is some concern as in the next five years local government election will be held in 446 districts and 33 provinces. In 2005, there will be elections in 33 provinces and 134 districts. To date no women's organisation has begun to discuss strategies to fulfil the 30 per cent quota at this level.

#### **d. Malaysia**

- Recognise where Malaysia's political and electoral system is at
  - What is the political landscape?
  - The low level of awareness among Malaysians.
  - The low level of awareness among NGOs about political participation and the CEDAW Convention.
  - The lack of critical numbers (both within and outside the NGOs) making it difficult to organise.
  - Existence of restrictive laws.
  - The need for political and electoral reforms.
- Use the CEDAW Convention as a launching pad/entry point to:
  - Conduct interviews in parliament on the government's obligation under CEDAW and to sensitise journalists as well.
  - Interview government agencies on the CEDAW Convention and temporary special measures to get them thinking about these.
  - Survey political parties on whether they know about the CEDAW Convention and their efforts towards increasing the number of women.
  - Get the Women's Ministry to talk about the government's report to CEDAW, and following from that concentrate on Articles 7 and 8 to generate interest in this issue.
- Reform the electoral system
  - In the long term the electoral system has to change.
  - One small step towards that could be to have a consultation on the different electoral systems and its impact on women as voters, candidates, etc.
  - Also start thinking of other ways to involve civil society and the public on this issue.

The government announced sometime in August 2004 that they will provide a 30 per cent allocation for women in decision making positions in the public sector. However, no time limit or policy on how this will happen has been revealed.

#### **e. Mongolia**

<b>Possible strategies</b>	<b>Details (plans for next 4 years)</b>
<ul style="list-style-type: none"> <li>○ Awareness raising for               <ul style="list-style-type: none"> <li>○ Public</li> <li>○ Community or voters</li> <li>○ Media</li> <li>○ Civil society organisations</li> </ul> </li> <li>○ Enhance cooperation between</li> </ul>	<ul style="list-style-type: none"> <li>○ Consultation among women's NGOs.</li> <li>○ Training for NGOs.</li> <li>○ Advocate with decision makers and other groups.</li> <li>○ Establish an expert body under the Mongolian Women's NGOs Coalition.</li> </ul>

<p>NGOs and the state, media, business and other NGOs.</p> <ul style="list-style-type: none"> <li>○ Campaign through petitions, demands letters, postcards, demonstrations and meetings/consultations.</li> <li>○ Reports to international UN agencies, shadow reports and alternative reports etc.</li> </ul>	<ul style="list-style-type: none"> <li>○ Draft a law against gender discrimination.</li> <li>○ Critique Mongolian laws through the CEDAW framework.</li> <li>○ Monitor the 2001 Concluding Comments of the CEDAW Committee.</li> <li>○ Develop more lectures and concept papers that analyse the platforms of political parties.</li> <li>○ Critique the national policy on gender equality.</li> </ul>
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## f. Pakistan

- Monitoring groups – updated information.
- Lobby for not less than 33 per cent of women’s representation at all levels (including government seats, delegations, etc.).
- Lobby for direct elections for the reserved seats.
- Provide training on issues and skills-building for young members of political parties.
- Facilitate the development of women’s caucuses within political parties or across parties to give clarity to issues and demands.
- Collect disaggregated data.
- Ensure proper data collection on voter turnout.
- Lobby for proactive action from the government and the Election Commission when women’s electoral rights are violated.
- Devise strategies for funding or supporting women’s candidates in elections.

## g. Philippines

Strategies at the national level	Strategies at the local level (community)
○ Build linkages/networks among NGOs, trade unions, people’s organisations and the government on common agendas.	Same as national level but also form a coalition.
○ Popularise the CEDAW Convention e.g.: training, forums etc.	Same as national level.
○ Lobby for the formulation of local counterpart laws on women’s rights.	Same as national level but needs further study.
○ Profile prospective women candidates and leaders.	Same as national level.
○ Encourage more women in leadership positions (e.g. co-ed schools, unions, communities).	Same as national level but needs further study (e.g. changing education curriculum, trade union policies, etc.).
○ Monitor and evaluate actions done in other countries, and learn from best practices. Possibly duplicate these by lobbying with information in the CEDAW shadow reports.	Same as national level.
○ Support or link up with other associations with women (e.g. parliamentarians, teachers, lawyers).	Same as national level.

## h. Republic of Korea

- Change the election law/system
  - Increase the quota for women in the proportional representative system to 50 per cent.
  - Strong enforcement measures against violations of the quota (e.g. not accepting the registration by parties when the number of women is under the quota).
  - Constitutional revision to provide government and political parties can actively attempt to expand women's political participation.
  - Change the electoral district system into either the medium or large system, which is more favourable to women.
- Change the political culture
  - Provide leadership training for prospective women candidates.
  - Conduct education and consciousness-raising sessions for women voters.
  - Establish a CEDAW forum/watch.
  - Formation of a coalition or caucus of women's organisations to support women's political participation.
- Gender mainstreaming in public life
  - Expand women's participation at all levels of decision-making in the public sector.
  - Organise consultations with leaders of civil society organisations to enhance their gender-sensitivity.

#### **i. Sri Lanka**

- Joint lobbying by civil society organisations or women's groups with the government for a minimum one-third representation of women in local government.
- Similarly, lobby for a 50 per cent quota of female youth representation at the local government level, as only males get nominated into that category.
- Groom potential women for local government candidature (training/capacity building). This strategy has to be customised to respond to the specific context of the candidate.
- Enlist media support to promote mass awareness about women's participation in political and public life.
- Dialogue with the Election Department for sex-disaggregated data on the number of nominations, elected women and percentage of women voters.
- Use CEDAW, the Concluding Comments and women's rights awareness building programmes for men and women in political parties, parliament, and among senior public officers (with local donor support).