



Policy Directive

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Promoting women's electoral and political participation through UN electoral assistance

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POLICY DIRECTIVE ON Promoting Women's Electoral and Political Participation through UN Electoral Assistance

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A. PURPOSE

This policy directive outlines how the United Nations promotes women's electoral and political participation through electoral assistance. This policy directive outlines key considerations as well as important policy guidance to UN personnel when advocating or providing assistance on women's electoral and political participation. It is also aimed at ensuring consistency and coherence across the UN system.

B. SCOPE

This policy directive applies to all entities of the United Nations system and UN personnel with respect to activities that touch on electoral processes.

United Nations and UN are understood to refer to the entire UN system that is all UN departments, funds, programmes, entities, trust funds, commissions, peacekeeping missions, special political missions, peacebuilding missions, country offices and other bodies.

Activities that touch on electoral processes include all activities as detailed in the Policy Directive on "Principles and Types of UN Electoral Assistance" (Ref. No. FP/01/2012). Advocacy on promoting women's electoral and political participation should also adhere to this policy directive.

Four main areas are covered in this policy directive:

- existing normative framework in relation to women's electoral and political participation;
 - background and issues in relation to women's electoral and political participation;
 - promotion of women's electoral and political participation through UN advocacy and electoral assistance; and
 - temporary special measures within the framework of UN electoral assistance.
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This policy directive touches on a range of issues, which are described in more detail in other UN Electoral Policy documents. It should therefore be read in conjunction with these documents, particularly the Policy Directive on “Principles and Types of UN Electoral Assistance” (Ref. No. FP/01/2012), “Guideline on United Nations Electoral Needs Assessments” (Ref. No. FP/02/2012) and the Policy Directive on “UN Support to Electoral System Design and Reform” (Ref. No. FP/02/2013)

C. RATIONALE

The UN Focal Point for Electoral Assistance, the Under-Secretary-General for Political Affairs, (hereafter “the Focal Point”) is the system lead in the development, issuance and dissemination of UN electoral policy. UN electoral policy is defined as the normative framework and prescriptive guidance that apply to all UN entities providing electoral assistance. This policy directive has been developed as part of the efforts of the Focal Point to develop a set of UN system-wide electoral policy documents. This policy directive is also consistent with the UN system-wide policy on Gender Equality and the Empowerment of Women (2006).

This policy directive focuses on how to promote women’s electoral and political participation, within the framework of UN electoral assistance.

In the context of this paper, participation in elections is understood not only in reference to voting and securing seats but also to a wide range of other activities including working with election management or related government bodies or involvement with civil society or political parties in relation to elections at national and local levels.

D. POLICY

D1. Existing normative framework in relation to women’s participation in elections and representation in elected bodies

The existing normative framework in relation to women’s electoral and political participation is derived from a number of sources. These include human and political rights declarations, covenants and conventions, United Nations reports, resolutions and action plans, existing United Nations electoral assistance policy and gender equality policy.

This normative framework establishes responsibilities both for member states and also for UN entities and in particular UN personnel whose engagement with national stakeholders touches on electoral processes or electoral systems and gender equality and women’s empowerment.

For member states, obligations are derived from international human rights law and instruments which they have ratified. Such obligations to respect, protect and fulfil these human rights also include taking positive action to facilitate and promote the enjoyment of these rights.

UN entities and UN personnel are obliged to respect and aim at furthering the rights and obligations contained in the normative framework. This includes the fundamental multilateral framework and also the existing UN policy both in relation to electoral assistance and gender equality.

1. Multilateral framework and international commitments

International instruments on elections commit states to recognize and protect the right of every citizen to take part in the conduct of public affairs in particular the right to vote and to be elected. Women's full participation in political and electoral processes has its origins in the principles of non-discrimination and equal enjoyment of political rights enshrined in the Universal Declaration of Human Rights (UDHR) adopted in 1948¹.

Other international human rights instruments and treaties such as the International Covenant on Civil and Political Rights (ICCPR, 1966), the Convention on the Political Rights of Women (CPRW, 1952), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW, 1979) and regional conventions reiterate and expand on the UDHR and explicitly state that the enjoyment of such rights shall be without distinction of any kind, including sex.

The Convention on the Elimination of all Forms of Discrimination Against Women adopted by the UN General Assembly in 1979 and ratified by nearly every Member State, reiterates that states shall ensure to women the right "to hold public office and perform all public functions at all levels of government". It further commits state parties to "take all appropriate measures to eliminate discrimination against women in the political and public life of the country"²

There are also non-binding statements and instruments, such as UN Economic and Social Council resolution 1990/15, the UN World Conference on Women in Mexico City in 1975, and the Beijing Declaration and Platform of Action (1995). These have called on governments to implement measures to substantially increase the number of women in elective and appointive public offices and functions at all levels, with a view to achieving equal representation of women and men, if necessary through positive action, in all government and public administration positions.

2. UN policy framework in relation to gender equality

Supporting Member States' national efforts in ensuring inclusive political processes and promoting women's political participation is high on the agenda of the United Nations system. In 1997 the UN Economic and Social Council (ECOSOC) adopted the strategy of "mainstreaming a gender perspective into all policies and programmes in the United Nations system" by "assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels". A UN System-Wide Policy on Gender Equality and the Empowerment of Women was endorsed by the Chief Executives Board for Coordination (CEB) in October 2006, as a means of furthering the goal of gender equality and women's empowerment within the policies and programmes of the UN system, and implementing the ECOSOC agreed conclusions 1997/2.³

In the past several years a series of reports, resolutions and action plans have emphasised the need for more focused and urgent action to be taken on promoting gender equality and increasing women's political participation.

In 2000, the UN Security Council adopted Resolution 1325 on Women, Peace and Security acknowledging that women remain marginalised in peacebuilding and post-conflict reconstruction processes and demanding their "equal participation and full

¹ *The Universal Declaration of Human Rights adopted by the UN General Assembly on 10 December 1948.*
Retrieved from: <http://www.un.org/en/documents/udhr/>

² *Convention on the Elimination of All Forms of Discrimination Against Women, Article 7,*
<http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

³ <http://www.unwomen.org/wp-content/uploads/2012/05/SWAP.pdf>

involvement in all efforts for the maintenance and promotion of peace and security". This resolution was followed by Security Council Resolution 1889 (2009) that urges Member States to increase women's participation and inclusion in peacebuilding. In 2010 the Secretary-General presented an action-plan on "Women's participation in peacebuilding" outlining seven concrete commitments for gender-responsive peacebuilding, among them "increasing the proportion of women decision makers in post-conflict governance institutions". In 2013 the UN Security Council adopted resolution 2122 on women, peace and security which among other things stresses the importance of ensuring women's full and equal participation in all phases of electoral processes, noting that specific attention must be paid to women's safety prior to, and during, elections.

In 2011, the UN General Assembly adopted resolution 66/130 on women and political participation, in which it stressed that the "active participation of women, on equal terms with men, at all levels of decision-making is essential to the achievement of equality, sustainable development, peace and democracy" and calling upon Member States to "eliminate laws, regulations and practices that, in a discriminatory manner, prevent or restrict women's participation in the political process" and urging States to take a wide range of actions to ensure women's equal participation.

3. UN electoral policy in relation to gender equality

Promoting and advising on ways to improve the participation and representation of women is a key principle that guides UN electoral assistance. [Policy Directive "Principles and Types of UN Electoral Assistance" (FP/01/2012)].

The guideline on "UN Electoral Needs Assessments" (FP/02/2012) states that, as far as possible each needs assessment mission should be gender balanced, comprising both male and female members, and that efforts need to be made to ensure that such missions will have sufficient expertise in matters of gender and elections. The said guidelines also require that each area examined by the NAM should be assessed from a gender and human rights perspective and "the mission report should contain information and analysis concerning women's participation in the political/electoral processes, as well as specific recommendations to ensure gender mainstreaming in all UN electoral assistance and that priority is given to the promotion of the participation and representation of women ...". Furthermore, Policy Directive on "UN Support to Electoral System Design and Reform" (FP/02/2013) emphasizes the importance of designing electoral systems that are inclusive and ensures the full participation of women, traditionally marginalized groups and minorities. The policy directive also stresses the need for all relevant political and social issues to be taken into account when providing advice on the design of electoral systems.

D2. Background and issues in relation to women's electoral and political participation

1. Background and overall context

Women remain globally under-represented in decision making bodies, both in elected and appointed positions. Over the last decades, progressive improvements have been made in women's election to decision making bodies. With few, but notable, exceptions, women today enjoy equal voting rights with men around the world. Progress has also been made in terms of increases in women turnout in elections, heightened access to information, increased involvement in the administration of elections and related activities by civil society, observation and political parties.

Whereas in 1995 only 11.3 per cent of parliamentarians were women, this number had risen to 20.8 per cent by April 2013.⁴

While trends point to progressive increase in this area, the global rate of representation remains low considering that women are more than half of the world's population. It is also noteworthy that women's participation in elections and their turnout is generally lower than that for men. Women are also, in general, less involved in political assembly and association, including as candidates, the administration of electoral processes and related activities.

2. Issues in relation to women's electoral and political participation

The comparatively low participation of women in elections and their representation in elected bodies is the result of many factors. Some of these are highlighted below, while others are explained in various progress reports, knowledge products and other materials issues by UN agencies and which should be consulted. For more information, a list of resources is provided at the end.

Historically, certain cultural and traditional contexts did not provide conducive conditions for the promotion of women's participation, in some cases even making it difficult or almost impossible for women to participate in the conduct of political affairs. Progressively the relevant international normative framework and most national legal frameworks recognised and codified equal access to political decision making processes. Notwithstanding the de-jure equal treatment of women and men in relation to political participation, the de-facto realisation of equality of participation and of outcomes has not always materialised due to many factors which vary depending on the context, but in many cases include practical and cultural impediments.

In the vast majority of cases national legal frameworks governing electoral process mirror international norms and codify equality of access and opportunity to participate in elections in all areas, including as candidates. However, there are instances of national legal frameworks that still do not guarantee this equality. Impediments can include not allowing women to run for certain offices or denying access to identification documentation that can make registration as a voter or a candidate difficult, biases in party primaries, and the lack of internal political party mechanisms to promote and support female candidates. Electoral systems are also not necessarily gender neutral. For example, in general terms, larger numbers of women tend to be elected under proportional systems than under "first-past-the-post" majority or plurality systems. In proportional systems, there is a greater incentive for parties to draw up a diversified list of candidates - including women - in order to appeal to a wider base of voters, whereas parties are less likely to nominate women in single-member contests.

More frequent than legal impediments are practical or cultural obstacles to women's participation. Practical issues in this regard can include lack of access to financial resources by women candidates, which can have a disproportionately negative impact on women's ability to campaign on equal footing with men or to meet candidacy requirements; barriers in political parties which can make it difficult for women to be chosen as candidate; unnecessarily high educational requirements or inflexible recruitment procedures by Electoral Management Bodies(EMBs); inappropriate or inflexible voter registration/polling procedures by EMBs, difficulties in accessing complaints and adjudication processes or the threat of intimidation or violence surrounding the electoral process. In addition to practical issues, cultural

⁴ All figures refer to Single House or Lower Houses. IPU - <http://www.ipu.org/wmn-e/classif.htm>

issues can also impede women's participation. These include cultural attitudes towards women travelling alone or working; political parties lack of attention to issues of particular concern to women and lingering prejudices that can manifest themselves in such practices as family voting.

D3. Promoting women's electoral and political participation through UN electoral assistance

1. UN electoral assistance framework

Before the UN provides any type of electoral assistance two preconditions must be met: first, all UN electoral assistance must be based on a Security Council or General Assembly mandate or an official request from a member state or territory and, second, a needs assessment must be carried out by the UN Focal Point for electoral assistance. The Focal Point will approve or deem inappropriate UN electoral assistance based on the assessment report. Where approval is given, the assessment will define the type, parameters and modalities for the assistance and will also include "specific recommendations to ensure gender mainstreaming in all UN electoral assistance and that priority is given to the participation and representation of women ...".

Some UN entities have mandates which touch on electoral processes. Promoting women's political participation, for example, may also entail advocacy, technical assistance including advice on electoral processes, electoral systems, electoral laws or electoral provisions in constitutions. In the case of technical assistance or advice, as detailed in the policy directive *Principles and Types of UN Electoral Assistance* (ref.No. FP/01/2012) a national request and a needs assessment by the UN Focal Point for electoral assistance is required before any commitment is made or activities carried out.

Advocacy for women's equal rights and political participation requires no request or prior assessment. Nevertheless, advocacy messages that refer to electoral systems and processes must be in line with relevant electoral policy, including this policy directive.

Advocacy in relation to electoral processes, systems, laws or constitutional provisions primarily involves encouraging member states to examine their electoral framework, including the electoral system, to assess its impact on women's participation. Advocacy should be distinguished from advisory services; the latter includes advice on how to assess, design or reform electoral systems. UN actors will provide electoral advisory services to Member States and other stakeholders in line with their mandates, including on options, lessons and comparative experiences, in line with UN electoral policy.

In addition to the key principles of inclusiveness and gender perspective, UN electoral assistance and advocacy messages that refer to electoral systems and processes are guided by a number of other principles, which apply in all situations. These include national sovereignty, national ownership, sustainability, norm-based approach, a political perspective and ensuring UN coherence and consistency. In this regard, while UN personnel may provide technical assistance or advice to Member States or propose options on how to promote women's electoral and political participation, they must, in the end, respect national priorities and decisions.

There is no single model of democracy or electoral system that fits all nations and while the UN may encourage and advise on the implementation of international commitments including the need for inclusiveness, it is the sovereign right of all

countries to choose their electoral system. When considering new electoral systems in countries which are in, or emerging from, conflict, it must be noted that peace and prevention of return to war is the highest objective. Participation of women in peace processes and parliament can add to the chances for peace; but at the same time it is women and children who are disproportionately at risk from conflict. It is also important to note that electoral processes and systems are both highly technical and political and that UN advocacy and advice in such situations must be carefully calibrated to take into account all factors.

2. Promoting women's participation and representation at various levels

In addition to being familiar with and working according to UN policy, a number of measures should be taken by UN personnel when advocating, providing technical assistance or advice on women's electoral and political participation, to ensure consistency, coordination and coherence across the UN system. These measures include the following (note that measures and considerations specific to *temporary special measures*, including *quotas*, are discussed in the next section, D.4):

- Proactively seek a balance between men and women in UN advisory teams and ensure sufficient expertise in gender and election issues;
- Consult with gender advisers and other relevant parts of the UN system when designing assistance activities, projects and providing advice.
- Identify past, current and planned activities by other organizations promoting women's participation and representation in elections and explore how those actions can inform, complement or be complemented by UN assistance.

In order to advocate or provide relevant and appropriate assistance or advice it is important to understand the specific country context and issues. It is important therefore to:

- Check whether the respective Member State has ratified relevant international Human Rights instruments such as CEDAW and consult recommendations from the Committee on the Elimination of Discrimination against Women (CEDAW Committee), in particular its recommendation no. 25;
- Check other existing legal frameworks including regional instruments which may be applicable to the country concerned;
- Be familiar with relevant sex-disaggregated data (SDD) and the implications of such data on the participation of women in electoral processes;
- Consult with national stakeholders, including women's groups, to better understand the issues facing women, including the differences between *de facto* and *de jure* impediments, and also on how to provide advice in ways that are sensitive to the country's historical, social and cultural particularities.
- Be aware of the possibilities for double discrimination that women might face because of their membership of a marginalized or otherwise discriminated against group in society;

It is important to encourage national authorities to identify any legal as well as practical and cultural barriers to women's participation and representation and ways they might be overcome. Actions in this regard include:

- Share with national authorities relevant parts of the international normative framework concerning women and elections, as well as relevant parts of this policy directive;
- Sensitize national authorities that safeguarding women's Human Rights and fundamental freedoms including freedom of expression, assembly and association is a necessary prerequisite for women's political participation;

- Encourage national authorities to collect and analyse SDD on women's participation and representation. The SDD table attached to the Guideline on UN Electoral Needs Assessments (FP/02/2012) may be helpful in this respect;
- Encourage women's full involvement in conflict prevention, conflict resolution and post-conflict peacebuilding issues, including related to the constitution and the electoral system. Make national authorities in such contexts aware that transition periods offer an opportunity to address inequalities of the past.
- Sensitise national authorities to the practical problems women may face and provide advice and options on how they might be addressed.
- Support any sharing of best practices with regard to women's participation in elections and representation in elected bodies;
- Encourage national governments to appoint women to posts at all levels of government;
- Encourage national authorities to consult with women and women's groups on all areas and in particular as they relate to women;

In addition to the more general activities outlined above there are a number of more specific activities that can be carried out to assist national authorities in specific areas. These should always be within the parameters set by the needs assessment.

The legal framework

- Encourage the national authorities to examine their own legal framework from a gender perspective, and to develop a consistent gender-sensitive electoral legal, regulatory and procedural framework.
- In addition to finding ways to facilitate women's involvement in the process it may also involve explicit prohibition of practices such as family voting. National authorities should also be encouraged to take into account treaties/agreements to which a country is a signatory, when developing or reforming electoral legal frameworks, and legal provisions should be translated into practical action;
- Review the features of a country's electoral system and sensitize national authorities and civil society groups (including women's groups) to the specific implications for participation and representation of women in different types of electoral systems. Advice in this regard should be carefully calibrated to take into account other national context considerations such as stability and ethnic or tribal divisions. For more details on electoral systems, please refer to Policy Directive on "UN Support to Electoral System Design and Reform" (FP/02/2013)

Electoral management

- Advise EMBs, and any other government bodies involved in the electoral administration, of the importance of achieving gender balance at all levels of the EMB, including decision-making positions;
- Encourage the development of a transparent process for staff recruitment specifically targeting and encouraging women to apply and ensure the removal of unnecessary requirements or other impediments to women taking up employment and managerial posts;
- Encourage the development of a gender-sensitive legal, regulatory, procedural, operational and outreach framework for the electoral process;
- Encourage the collection of sex-disaggregated data, including on voter turnout and candidacy, as well as on successful candidates.

Civic and voter education

- Assist with making civic and voter education programmes carried out by national authorities and civil society organizations gender sensitive. This should include formats, imagery, messaging, the use of different kinds of media, and the production of materials specifically targeted at women;
- Assist in civic/voter education campaigns targeted at men making them aware of the crucial role they play, e.g. as husbands and fathers, in promoting women's right to vote and in protecting the voting choices made by all members of their family.

Voter registration

- Sensitize national authorities on the effects different voter registration systems and procedures may have on women and advise on how to address issues that disadvantage women;
- Support national authorities, CSOs and political parties in campaigns to ensure that information on voter registration and voter's lists is available to both women and men and encourages women to register.
- Support national authorities in ensuring that voter registration sites are easily accessible to women and that the timing for registration does not unnecessarily disadvantage women.
- Sensitize national authorities on the need to ensure women have access to ID documentation and any other documents needed to register to vote.

Political parties and campaigning

- Encourage parties to put in place transparent selection processes for candidates ensuring that women have a fair and equal chance to compete;
- Encourage political parties to remove all barriers that directly or indirectly discriminate against women's participation at all levels of the party structure;
- Encourage political parties to develop women's wings and pursue cross-party networks of women;
- Promote capacity building efforts, including through organizing trainings, seminars, workshops, study tours and lessons learned exercises for women candidates;
- Encourage parties to consider establishing appropriate mechanisms and strategies to raise funds to assist women with their election campaigns;
- Encourage the media to avoid disparaging and stereotypical reporting on women candidates but to report on them as active political participants and capable leaders;
- Design and provide any support to political parties in a transparent, impartial and equitable manner and in a way which is and is perceived to be politically neutral.⁵

Polling, counting and observation

- Advise national authorities on measures that can promote or facilitate women's participation such as the placement of polling stations, flexible polling hours, illiterate friendly ballots, procedural measures and female polling and security staff. Encourage authorities to consult with women's groups and gender experts on such issues;
- Highlight the need for measures to effectively prevent issues such as family voting at polling stations;

⁵ For further guidance on working with political parties in UN electoral assistance, consult the relevant section in the Policy Directive on "Principles and Types of UN Electoral Assistance" (FP/01/2012).

- Encourage domestic observer groups to include women in their composition and to make sure that as many polling stations as possible are covered and to develop contacts with women's groups to understand women's electoral concerns and needs;
- Encourage women to take part in domestic observation and encourage women's organizations to consider seeking accreditation as domestic observers.
- Encourage observer groups to ensure their observation methodology and reporting are gender sensitive.

Challenges and complaints process

- Encourage electoral complaints bodies to assess and if necessary improve the level of access for women to legal assistance, information and effective remedies; this may include indigenous-language capabilities or gender balanced recruitment.

Electoral violence

- Analyze the specific risks for electoral violence against women voters and candidates in the national context including an assessment of previous electoral processes. Findings and recommendations from such analysis should be shared with national authorities and, where appropriate, with civil society organizations.
- Propose and promote specific measures to ensure the security of women in the electoral process and to prevent, mitigate and respond to violence against women in elections
- Encourage the relevant authorities including EMBs, as well as political parties and civil society organizations, to embark on measures to mitigate the risk of electoral violence against women candidates and voters.

D4. Temporary special measures within the framework of UN electoral assistance

1. Background and definition

While the range of measures described above may progressively improve the situation with regard to women's electoral and political participation, evidence has shown that progress may still be slow, and may not yield consistent results across the board.⁶ Given the legal commitments of states and the practical necessity to produce de facto or substantive equality of women with men in more speedy and consistent manner, additional measures may be required. It is against this background that temporary special measures (TSMs), among other appropriate measures, can be effective in enhancing women's electoral and political participation.

Building on the various multilateral frameworks, the CEDAW Committee further elaborated on the concept of TSMs in its general recommendation No. 25 (2004) indicating that "States parties are obliged to adopt and implement temporary special measures... if such measures can be shown to be necessary and appropriate in order to accelerate the achievement of the overall, or a specific goal of, women's de facto or substantive equality" (para 24). General recommendation No. 25 provides some basic clarifications on the nature of TSMs including:

- i) **Broad scope:** TSMs "should aim to accelerate the equal participation of women in the political, economic, social, cultural, civil or any other field" (para 18),

⁶ IPU; *Women in National Parliaments; World Classification*, at <http://www.ipu.org/vmn-e/classif.htm>;

indicating that TSMs apply to many areas beyond the electoral or even political sphere.

- ii) **Temporary character:** TSMs “must be discontinued when their desired results have been achieved and sustained for a period of time” (para 20). State parties therefore should “clearly distinguish” between TSMs and other social policies implemented to improve the situation of women (para 26).
- iii) **Diversity of measures:** “The term “measures” encompasses a wide variety of legislative, executive, administrative and other regulatory instruments, policies and practices, such as outreach or support programmes; allocation and/or reallocation of resources; preferential treatment; targeted recruitment, hiring and promotion; numerical goals connected with time frames; and quota systems.” (para 22).
- iv) **Context-specificity:** “The choice of a particular “measure” will depend on the context (...) and on the specific goal it aims to achieve” (para 22). TSMs should be designed, explained, evaluated and reported upon according to the special context setting concrete targets (e.g. paras 28, 33, 36). There is no “one-size fits all” approach to TSMs.

The terms “temporary special measures” and “quotas” have sometimes been used interchangeably. Quota mechanisms are one type of TSM related to a country’s electoral system or candidate selection processes that are intended to guarantee or promote the representation of women or other underrepresented groups in an elected body. There are TSMs other than quotas that aim at increasing women’s political participation as outlined below.

When advocating, providing technical assistance or advice on TSMs aimed at promoting women’s electoral and political participation, UN personnel should keep in mind the following:

- In line with the principle of national ownership and with General recommendation No. 25, the UN may recommend implementing TSMs to national authorities, leaving it up to their decision to adopt them.
- TSMs, including quotas, “should be instituted only where the appropriate circumstances prevail” (SG report on Women’s participation in peacebuilding, para 42)⁷. Such recommendations can be made, after a “rigorous assessment of the potential value of different kinds of TSMs”, an in-depth analysis of the particular local context and an assessment of any possible side effects including unintended potential adverse side-effects as well as possible action to protect women against them.
- Any existing TSMs should be assessed and the degree to which they succeed or fail in advancing the participation or representation of women determined. If TSMs intended to increase women’s participation and representation did not fulfil their objective, it is important to try and identify what factors led to their lack of success and identify reforms that may be needed.
- Any advice on TSMs should always clarify which kind of TSM, the timeframe it is recommended for and the reasoning behind it.
- General advocacy on TSMs does not need to be limited only to those Member States that are receiving formal electoral assistance. UN entities with a global

⁷ General Assembly/ Security Council resolution on “Women’s participation in peacebuilding- Report of the Secretary-General” (2010) A/65/354-S/2010/466, <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20S%202010%20466.pdf>

mandate should also increase advocacy in regions of lowest performance and in developed countries which need to show more progress.

2. TSMs aiming at creating a conducive environment for women's participation (other than gender quotas)

There is a large variety of TSMs that can be implemented to enhance women's participation. Many of the measures described in section 1 above could qualify as TSMs as long as they are implemented on a temporary basis and comply with the other criteria laid out in CEDAW and in General recommendation 25. Additional measures include:

- I. **Outreach and awareness raising programs:** Until perceptions and attitude towards women in society change, progress will continue to be slow. National authorities can contribute to making more progress by conducting voter/civic education programmes for an extended period beyond the regular timing/period for such activities. These programmes can be targeted at women in general or at a special group of women, such as members of an ethnic, linguistic or religious group. Civil Society can also play a vital role in raising awareness and increase women's participation in electoral processes. This can be done through a variety of ways including re-shaping public perceptions and attitudes, particularly on gender stereotypes; awareness raising programs on the extent of women's exclusion in politics; the need for gender balance in elected offices; success stories on women's participation; media-based campaign on women and politics; and other innovative ideas.
- II. **Allocation and/or reallocation of resources:** Lack of resources particularly to undertake campaign activities can be one of the major deterrents to women's involvement in politics. Therefore, activities aiming at enhancing women's political participation could be considered for additional/extra-budgetary state funding for a certain time frame. State funding may also be channelled in a non-partisan manner to women candidates supporting their electoral campaign, e.g. by printing posters and other campaign materials. The state may also decide to set up a Fund to provide aspiring female politicians with financial support, regardless of their political affiliation.
- III. **Political Party Funding:** In countries where public funding is provided to political parties, regulating how these funds are used can be one effective way of enhancing women's participation in politics. Specific rules can be instituted to ensure that these funds create greater incentives for women's participation. For example, regulations for state funding can be designed in such a way that the amount of public funding received is contingent upon the number of female candidates on the party's list. Alternatively, political parties can also designate internal funds to support women in their campaign activities.
- IV. **Fund raising initiatives:** As noted above, lack of financial and other resources can militate against women candidates in electoral process. Therefore in addition to state allocation of funds, support can also be giving to women candidates on a variety of fund raising initiatives to ensure that women have the financial resources to undertake successful campaign activities. This initiative becomes particularly important where state funding is not available and civil society organisations (CSOs) can play a role in this regard. Fund raising networks can also be created among women candidates through which innovative ideas can be shared.

- V. **Preferential Treatment:** Women may be treated preferentially. For example they might be given preference during voter registration or they may be provided separate voting areas. Pregnant and old women might be given the possibility to vote without queuing up and be assigned to polling stations on ground floors. Women candidates may receive additional airtime on radio and television during the campaign period or may be required to pay lower nomination/registration fees than their male colleagues. Candidate registration criteria (e.g. education requirements) may also be lowered with a view to facilitate women's participation. Political parties can also be encouraged to exempt women from paying fees for party primaries (which can sometimes serve as a barrier to women's participation).
- VI. **Targeted recruitment and promotion:** National authorities may decide to specifically recruit women for certain positions at different levels of the electoral administration, including the EMB itself, voter registration centres and polling stations. These authorities may formulate staffing targets or numerical goals concerning the percentage of women in all these processes. For instance, requirements/qualifications for membership in EMBs could be more flexible for women applicants. Similarly, political parties can also embark on a drive to recruit women, in preparation for elective offices. This action will represent a crucial first step by political parties towards the empowerment of women. Women's section within political parties and possibly women's CSOs can assist in realising this objective by compiling and making available a comprehensive database of qualified women.

In addition to targeted recruitment, if equally qualified, women can be given an advantage over their male colleagues in being promoted to higher-level posts in the EMBs or in other election-related positions until women have reached a certain share of positions, including in the senior management.

- VII. **Extra security for women:** Election-related violence can have serious impacts on women, both as voters and candidates. Preliminary research shows that women's participation remains low in contexts where electoral processes are marred by violence and intimidation.⁸ In certain environments, it is therefore necessary to provide additional security for women candidates to enable them undertake their campaign activities. Where applicable, specific regulations should be designed to ensure women's safety while running for elective positions. In certain contexts, it may be appropriate to deploy women police officers at polling stations.

3. TSMs related to the electoral system and candidate nomination (quotas)

Quota mechanisms can be an effective way to increase women's representation as they ensure that women constitute a minimum share of an elected body.

In advocating, providing technical assistance or advice on quota mechanisms, UN electoral assistance providers should keep in mind the following:

- Gender quotas do not aim to deprive men from power but to foster a truly inclusive, genuine democratic process based on power-sharing between men and women.
- Not all quotas that are designed to support the representation of women make specific reference to them. Gender-neutral language is used in some countries, stipulating that neither sex may be represented by more than a certain share of

⁸ . *The World's Women 2010; trends and statistics*, UNDESA.

the candidates or elected body (e.g. "no more than 2/3 of parliamentarians can be of any one sex"). This type of language can be useful in certain settings.

- Transition periods offer an opportunity to address inequalities of the past through the adoption and implementation of strategies (including quotas, where appropriate) conducive to a greater role for women in politics.
- Any kind of electoral quota is not likely to be successful if other conditions are not met. Among the important conditions are a civil society that is supportive of women engaging in politics and the existence of capacity-building programs to increase the preparedness of women to take on political responsibility and leadership.

In light of the above, the following directives apply to UN personnel advocating or providing assistance or advice on quotas:

- a) While quotas can certainly be seen as useful for promoting women's representation in certain circumstances and may be presented as such, they may not be advocated by the UN as necessary in all circumstances.
- b) Given the essential political nature of elections and the central importance of the electoral system in the distribution of political power and decision making any advice provided by the UN must fully consider all political and social issues, in particular peace and security. While transition periods offer opportunities for electoral reform they are also, by their very nature, potentially unstable. It is the UN's responsibility before giving advice on the electoral/political architecture in such circumstances to ensure consideration of all issues before any advice is provided and that the advice provided represents that of the organisation as a whole. In light of the political ramifications, UN electoral assistance providers should involve the most senior UN representative in the country as early as possible: Resident Coordinators, Special Representatives of the Secretary-General, or their respective deputies or senior political advisers if any. Their political guidance and support will be important throughout any design or reform effort. The Electoral Assistance Division of DPA should also be kept informed in order to provide guidance and support.
- c) All possible effects of the use of quota mechanisms need to be considered before they are adopted/recommended. By their definition, quota mechanisms lead to deviations from what might have been the outcome of an election had the mechanisms not been applied.
- d) Quota mechanisms always have to be designed within the context of the legal framework and electoral system of the country. They should take into consideration the definition and size of the existing constituencies, the number of seats per electoral district, and the formula by which votes are converted into seats (broadly speaking: proportionality or plurality/majority). These elements have a direct and significant impact on the effectiveness of quota mechanisms.
- e) Quota mechanisms are often complex and require technical protocols to make them effective. Below the surface of a seemingly straightforward rule – for example that a certain percentage of elected candidates must be women – are numerous mathematical and operational intricacies. These intricacies must be addressed considering the other features of the electoral system.
- f) A stipulation in the law requiring parties to observe quotas and related rules does not guarantee that political parties will actually do so. An effective enforcement mechanism is also needed. The strictest and -as experience suggests- most effective form of enforcement would entail barring from the election those party

lists that do not meet the rules after having been given at least one opportunity to correct unbalanced lists. A less stringent alternative is to impose financial penalties, for example in the form of withholding state funding where this is provided to parties. However, financial sanctions are not very helpful if political parties view them as merely a price to pay for continuing entrenched practices that exclude women.

- g) Care should be taken so that quotas and reserved seats are not interpreted in a way that would lead to tokenism or create a ceiling rather than a minimum for women's representation.
- h) Quota mechanisms are not a panacea for overcoming prejudice, and do not lead to the empowerment of women on their own. While the adoption of a quota mechanism might bring about a greater number of women in parliament in certain contexts, it does not always guarantee that elected women will be included in decision-making process. The increase of women in elected bodies will most likely be sustainable if accompanied by or, most importantly, preceded by some other factors/measures that are of equal importance, including ensuring gender sensitive working environments
- i) Women's representation goes beyond merely winning seats in an election. Capacity building and institutional support for women is of great importance, as this will empower them to have more impact on decision-making processes. Specific regulations can also be designed towards greater gender equality in elected office. These laws may require that parties earmark a certain percentage of their public funds for activities that contribute to the political development of women. Women's parliamentary caucuses across party lines, gender equality committees, mentoring programs particularly for new legislators, leadership training/workshops and gender-specific research can all provide institutional support and contribute to the development of women as effective legislators.
- j) As part of the capacity building efforts for women, it is also important to provide training for identified women in preparing them to run for office. Training can be offered to both women currently running for office and potential future candidates, and may include subjects on public speaking, platform development, how to run an effective electoral campaign and other media strategies.

4. Quota mechanisms: technical details

Below is an overview of the various types of quotas, how they can be applied in different electoral systems and their likely impacts. More information on quotas is provided in the next section, and additional resources have been provided at the end of this paper.

Quotas can be mandatory and aimed at reaching a certain numerical target. Setting a numerical target for women to be nominated or elected is a feature that distinguishes quotas from other TSMs described previously. Within the larger set of quota mechanisms, one can distinguish between *reserved seats*, and *quotas* as such. A reserved seat for women is one that can be contested by women only. Quotas can be divided into quotas on nominations (also known as candidate quotas) and quotas on results.

In addition to legislated or mandatory quotas, political parties can also voluntarily implement quotas in preparing their candidates lists and in their internal structures.

(i) Quotas on nominations/candidate quotas

When a quota is applied on nominations, it means that each party must include a minimum number of women among its candidates.

- **Quotas on nominations in proportional systems**

Quotas on nominations under a proportional representation (PR) system can be applied in either a closed or open list system⁹. Quotas on nominations are typically found in closed list systems, in which seats are awarded to the candidates in the order in which they are listed by their political party before the election. Quotas on nominations are more effective in such a system than in others. Quotas in closed list PR systems are often combined with the requirement that the women nominees be placed at prominent positions on the candidate list (a placement mandate). Without such a ranking rule or placement mandate, a party would be able to meet the numerical requirements in any way it wishes, including by placing women at the bottom of the list. In such a scenario, women would not win many seats, and the quota would not have much effect.

Ranking requirements in closed list PR systems can be expressed in different ways, depending on the numerical value of the quota. For a 50 per cent nomination quota, the corresponding ranking rule would require that men and women candidates should always alternate positions on the list. This can happen through the so-called “zipper” or “zebra” system, in which each candidate must be followed on the list by a candidate of the other sex. If the quota on nominations is 25 per cent, the corresponding ranking rule would require that, of the top four candidates, at least one must be a woman, of the top eight candidates at least two women, and so on.

Even in closed list PR systems, where nomination quotas are most effective, the actual effect will depend on a number of variables. In addition to the ranking rule, the number of seats per constituency and the number of parties that end up winning only one seat will have a notable effect. If most or all parties place a man at the top of their list, and many of these parties win only one seat each, the seats will be taken up by men, and the effect of the quota on the nominations will be very limited. The chance that this might happen is greater in smaller constituencies with a high number of more or less equally competitive parties. The share of women elected will practically always be lower than the numerical value of the nomination quota itself because of these variables. The existence of independent candidates can also skew results if quotas are only applied to the party nomination process. In this instance, a ‘horizontal’ placement mandate may be considered, where half of the lists of a political party are headed by men, and the other half by women.

Quotas on nominations can also be applied on open list PR systems, in which voters can vote for a party list as well as for a candidate within that list. However, quotas on nominations are less effective under this system. This is because in an open list system a nomination quota cannot be effectively combined with a ranking rule, as any ranking determined before the election is irrelevant. After all, the winners are determined by the number of their personal votes, not by the order of the names on the list.

- **Quotas on nominations in plurality/ majority systems**

⁹ For more details on the different types of electoral systems, please refer to the UN Policy Directive on Support to Electoral System Design (FP/xx/2013)

Quotas on nominations will be less effective in systems based on single-member constituencies, including first-past-the-post (FPTP), the two-round system (TRS) and alternative vote (AV). This is because each party will run one candidate only in each constituency, and the quota would therefore have to be applied to each party's entire set of candidates across the country. But there is no practical way to prevent a party from nominating the required number of women candidates in constituencies where it has no chance of winning, thereby making the quota ineffective.

In theory, quotas on nominations could also be used in multi-seat constituencies, in which a plurality formula is used (that is, a system where the candidates with the most votes win, up to the number of available seats, such as the Single Non-Transferable Vote (SNTV) and the Block Vote (BV). However, using nomination quotas in these systems presupposes the existence of cohesive political parties and internal structures that control the nomination of candidates, and this is not always the case in SNTV systems. There are actually no known examples of quotas on nominations in such systems.

(ii) Quotas on results

When a quota is applied on results, it means that the outcome of an election is adjusted if the number of women who would stand to be elected based on their or their parties' votes is lower than the quota requirement.

A quota on results can in general terms be expressed as a requirement on **(a) the overall composition** of the elected body, **(b) the results for each constituency** if there is more than one, or **(c) the winning candidates** returned by each party in each constituency.

• Quotas on results in proportional systems

In a proportional system, any of the three options (a), (b), or (c) are possible. A quota on the overall composition of the elected body is effective in the sense that it would ensure that the quota will be met (that is, the elected body will have the required number of women), assuming there are enough women candidates. But it will require protocols of some complexity to determine which party would have to "give up" which male candidate in which constituency for a woman.

When a quota is applied on the results for each constituency if there is more than one - option (b) - the percentage of women elected may not be exactly the same as the quota. The actual effect will depend on the number of seats in each constituency, the percentage of the quota and the number of lists winning seats. For example, in a very small constituency of two seats, a minimum quota of 25 per cent will not necessarily get a woman elected for that constituency (because 25 per cent of two amounts to less than one seat). Detailed protocols would also be needed in this approach.

When a quota is applied on the winning candidates returned by each party in each constituency – option (c) - the percentage of women in the elected body overall will again depend on the size of the constituencies, the percentage of the quota and the number of parties winning seats. The calculations are more straightforward than under (a) and (b) above, as each party in each constituency has to meet the same quota requirements.

The process of determining, in any of the three approaches mentioned above, which woman is elected involves "skipping" male candidates and going down the list of candidates to identify the best placed women until the quota is filled.

The effect of such a quota would be undermined if there were not enough women candidates to choose from. It is therefore important to have a mechanism that ensures that parties will field a sufficient number of women. This could be done either through a quota on nominations (as explained above), or by imposing a rule that if a party cannot fill a seat because it does not have enough women, the seat will be awarded to another party with a woman candidate.

- **Quotas on results in plurality/majority systems:**

A “best runner-up” system can be applied in plurality systems in *multi-member constituencies* (SNTV, BV). This entails skipping men candidates, regardless of their personal votes, to the most-voted woman/women until the quota has been filled. The mechanism could lead to women candidates “replacing” men of another political affiliation. In other words, a quota on results in this system may interfere with the political preferences of voters.

Quotas on results are theoretically possible but not suitable for a majority/plurality system using *single-member constituencies* (FPTP, AV, TRS). In such a system, the woman who replaces a man will always be from another party, since it does not make sense for a party to field more than one candidate in the same constituency. This level of interference with voters’ political preferences would normally be considered unacceptable. Moreover, it would be impossible to find a reasonable standard to determine in which constituency the male winning candidate has to be replaced by a woman.

(iii) Reserved seats

A reserved seat is one that can be contested by women candidates only. In such a system, a number of seats are set aside from those contested through the general election. This will either entail (a) the use of a separate ballot, or a separate part on the general ballot, for women candidates, and a separate tallying of the votes for those seats, or (b) filling the reserved seats from lists of women candidates drawn up by each party before the election; each party is entitled to the number of reserved seats that correspond to its share of the votes or of the seats in the general race. In other words, there is no separate, direct voting for women candidates in this alternative.

Reserved seats can be used in combination with a wide range of electoral systems.

The use of reserved seats does not mean that women are not allowed to compete for the other general seats. Whereas women will be guaranteed to hold all seats reserved for them, their number in an elected body like this may end up being higher than the number of reserved seats, as they are allowed to compete for other general race seats. Moreover, having a separate race for women candidates usually does not mean that only women voters can vote for them, or that only men can vote for the general seats. Voters will usually end up being able to cast two (or more) votes, one for the general race and one for the reserved seats.

Reserved seats do not interfere with the political preferences of voters, as voters can choose the woman that best meets their views or values. Nevertheless, it does create a segregation of men and women candidates, which in some contexts may not be considered desirable.

The main feature that needs to be addressed – if voters can vote directly for the reserved seats – is whether the reserved seats are to be:

- a) elected through one country-wide vote,
- b) allotted to the same constituencies used for the general seats, or
- c) allotted to regions or other larger geographic units that do not correspond to the constituencies for the general seats.

Each approach has certain practical implications, particularly with respect to the ease of voting and counting. For example, if the number of reserved seats is greater than the number of the constituencies for the general seats, it may be better to distribute the women seats to the constituencies rather than create one nation-wide race, so as to limit the size of ballots and at the same time ensure a geographic spread of the elected women (if that is a desirable feature in that country).

It is difficult to create or add reserved seats in an electoral system with only single-member constituencies if there is no option to increase the size of the elected body and to create new constituencies for the separate race.

(iv) Voluntary quotas

Apart from mandatory quota systems, political parties may also voluntarily include a minimum number of women on their candidate lists. This may be for strategic reasons, with the hope of attracting more votes or to receive additional state funding where the law provides for such financial incentives. Political parties may also voluntarily adopt quotas to demonstrate a degree of commitment to gender equality women or as a response to other parties adopting quotas for women.

Such an approach tends to work well if voters attach importance to gender-balanced candidate lists, thus creating an incentive for parties to include women. In other contexts, such a voluntary quota system is unlikely to have any impact. The same is probably true for incentive-based approaches, unless the financial benefit of including more women is so significant that it outweighs other strategic considerations.

Political parties may also decide to increase women's representation in their internal decision-making structures, such as party governing boards or national executive committees, but may also extend this gesture to party committees. This is often referred to as internal leadership quotas. Another positive voluntary action that can be taken by political parties is to create women's section/branch within their party if appropriate to the context. This can serve as an impetus to women's participation in politics.

E. TERMS AND DEFINITIONS

F. REFERENCES

Normative or superior references

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http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

International Covenant on Civil and Political Rights (adopted 1966, entered into force 1976)

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[http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20\(English\).pdf](http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20(English).pdf).

Related guidance

Policy Directive: Principles and Types of UN Electoral Assistance, FP/01/2012

Guideline: United Nations Electoral Needs Assessments, FP/02/2012

Policy Directive: UN Support to International Election Observers, FP/03/2012

Guideline: Promoting the Electoral Rights of Persons with Disabilities through UN Electoral Assistance, FP/04/2012

Policy Directive: UN Electoral Assistance. Supervision, Observation, Panels and Certification, FP/01/2013

Policy Directive: UN Support to Electoral System Design and Reform, FP/02/2013

United Nations system-wide policy on gender equality and the empowerment of women: focusing on results and impact

http://www.un.org/womenwatch/ianwge/gm/UN_system_wide_P_S_CEB_Statement_2006.pdf

DPKO/DFS-DPA Joint Guidelines on enhancing the role of women in post-conflict societies, 2007,

http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/women_electoral_guidelines.pdf

“Women and Elections – Guide to promoting the participation of women in elections”, OSAGI and Electoral Assistance Division 2005,

<http://www.un.org/womenwatch/osagi/wps/publication/WomenAndElections.pdf>

Additional resources

“UN Millennium Development Goals Report 2012”, pages 24/25, <http://www.un.org/millenniumgoals/pdf/MDG%20Report%202012.pdf>

European Convention for the Protection of Human Rights and Fundamental Freedoms (adopted 1950, entered into force 1953), today named “European Convention on Human Rights, http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/CONVENTION_ENG_WEB.pdf

African Charter on Human and People’s Rights (approved 1981, entered into force 1986), http://www.africa-union.org/official_documents/treaties_%20conventions_%20protocols/banjul%20charter.pdf.

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Inter-Parliamentary Union: Women in National Parliaments database, <http://www.ipu.org/wmn-e/world.htm>

International Knowledge Network of Women in Politics, <http://iknowpolitics.org/>

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International IDEA - Designing for Equality: Best-fit, medium-fit and non-favourable combinations of electoral systems and gender quotas (2007), http://www.idea.int/publications/designing_for_equality/index.cfm.

Niklas A. Butenschon and Kare Vollan: Electoral Quotas and the Challenges of Democratic Transition in Conflict-Ridden Societies, University of Oslo 2011, <http://www.jus.uio.no/smr/english/about/programmes/nordem/publications/nordem-report/2011/special-report-20011.pdf>

World Plan of Action, Par. 62, <http://www.un.org/womenwatch/daw/beijing/mexico.html>

G. MONITORING AND COMPLIANCE

The Focal Point is also tasked with ensuring coordination within the United Nations system with regard to electoral assistance and will therefore help to ensure that the principles outlined in this document are adhered to.

Managers of UN electoral assistance programs and projects will also be responsible to ensure compliance with this policy directive by all UN electoral staff under their supervision.

H. DATES

This policy directive became effective on 20 December 2013. It shall be reviewed every two years or as necessary.

I. CONTACT

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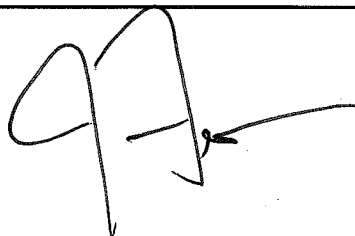
J. HISTORY

Drafted by the Policy and Institutional Memory Team, Electoral Assistance Division, Department of Political Affairs.

Consulted with member of the Inter-Agency Coordination Mechanism for UN Electoral Assistance (ICMEA) prior to adoption.

SIGNED:

DATE: 24 December 2013

A handwritten signature in black ink, consisting of a large, stylized 'A' or 'M' shape with a horizontal line extending to the right.

