

CEDAW Committee Pressures Nations on Quotas: Getting Women out of the Home and Into Government

Prepared by Thomas W. Jacobson – 21 September 2007

The CEDAW Committee, which monitors compliance with the CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW), reviewed a record 38 nations in 2007, and of these, pressured 22 nations to establish or strengthen quota systems to compel more women to serve in government, parliament, judiciary and other leadership positions. The 23-member Committee misinterprets the Convention as requiring 50 percent of all leadership positions in government and the private sector to be filled by women.

Misinterpretation of the Convention

You will notice on the following pages that in many of the Committee judgments regarding non-compliance of Party Nations, they refer to Article 4 of the Convention and instruct nations to formulate or strengthen quotas and similar “special measures”:

“1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.”

The Committee interprets this provision as requiring nations to impose quotas to ensure that women are actually elected or appointed to, ideally, 50 percent of the leadership positions in government, parliament and the judiciary. If the quotas are not being met, then the Committee assumes something must be wrong with their administration. However, the Convention does not mention “quotas,” and requires only an “equality of opportunity,” not of results. Women cannot be forced to pursue or serve in elected office. An increasing number of countries are reporting that not enough, or even less, women are seeking to serve in public office, despite the quotas.

Two Country Reviews: Nicaragua and Poland

Nicaragua was one of the 22 nations criticized by the Committee in 2007. Here is part of the discussion that took place behind closed doors at the United Nations headquarters in New York, January 18, 2007. The standard procedure is for several Committee members to make comments or ask questions, and then for the country delegation to respond after each volley.

Mr. Jacobson originally wrote this paper in 2007 when he was serving as Representative to the United Nations for Focus on the Family (U.S.A.), from 2001 to 2010.

CEDAW Committee Chairman and Member questions and comments to Nicaragua:

Françoise Gaspard, from France, CEDAW Committee Chairman for Chamber B:

“More than 70 countries today have special measures that can be strong and binding to impose on countries the (election of women) ... Women need to be not just on candidates lists, but in elected positions. ... We need to build equality ... Local politics is extremely important.”

Maria Regina Tavares da Silva, from Portugal, CEDAW Committee Member:

“Equality is an objective concept, while equity is a much more subjective term, but these terms are used interchangeably in [Nicaragua’s] report. ...

“The decrease in women from 22% to 18% in elections is of concern ... There should be special measures and a natural evolution” (of more women in office).

Meriem Belminhoub-Zerdani, from Algeria, CEDAW Committee Member:

“Elections were held in 1996 ... and new elections were held recently ... But the results are not very good. Progress was made but lost. ... What we are interested in is the lives of women. Parliament is the showcase of the country. You need to use all your influence to impose upon your country that quotas be drawn up ... I’m not talking about the number of candidates but you need to transmit to your country leaders that the CEDAW prevails over your national laws ... You need to have the political will to impose this Convention and ensure that women participate on an equal footing with men ... You need to respect the commitments you have made ... Your law needs to include total equality between men and women. You need to play a role against any Protestant or Muslim religion. ... We want total application of Article 7 and you should come next time with a law that would ensure at least 40% of women elected.”

Magalys Arocha Dominguez, from Cuba, CEDAW Committee Member:

“In the future, your government, to include greater justice for women, must have systems of quotas in both political parties. ... What are the factors (in lower level of women elected)? ... (We request) data on the number of appointments of women in various levels of government.”

Hazel Gumede Shelton, from South Africa, CEDAW Committee Member:

Article 8 question: “Is the State taking direct measures to ensure that women are represented at the international level. ... In your foreign service, the law is an indirect measure because it does not (specify gender). You need to have a direct measure to (ensure women are appointed to posts). What are the number of ambassador and other posts allocated to women? ... The obligation of the State is to ensure that there are positive measures taken to promote women ... that are not subject to the electoral system.”

Nicaragua Delegation responses:

Marie de Jesus Aguirre, Director of Planning, Public Policy and Research, Nicaraguan Institute for Women (INIM):

“There are women in decision-making level in embassies, including in France, El Salvador and Peru. ... There is a monitoring unit for international conventions to guarantee participation of women. ... Both parties have in statutes (FLM 40%;

PLC 30%) a quota for women, but this does not mean that that is the number of women (elected). ... We have seen a decrease of women in parliament and in municipal government. ... So we need to promote women's leadership so they can participate in decision making. ... In the new government, 50% of the seats are designated for women."

Head of Delegation – Ada Julia Brenes Peña, Executive Director, INIM:

"We will be looking at participation of women at both macro level and municipal level. ... Only 2% of women (in country) decided to participate as candidates."

Two days earlier, on January 16, 2007, the CEDAW Committee reviewed Poland's perceived compliance with the Convention.

CEDAW Committee Member questions and comments to Poland:

Tiziana Maiolo, from Italy, CEDAW Committee Member:

"In the election of 2001, a quota was applied of 30%. ... Could this not have led to a better increase in women in parliament? ... Could you not use a quota system to make progress?"

Poland Delegation response:

Head of Delegation – Joanna Kluzik-Rostkowska, Under-Secretary of State, Ministry of Labour and Social Policy:

"On the participation of women in public life, there is a slight decrease in the women from the previous parliament (session), but this decrease is minimal. ... The participation of women in public life is increasing ... All the parties have realized they do need women. ...

"Women in Poland decide more to do political career at the local level. ... My experience is that where women gained power at the local level, they stick to it for more than a dozen years. ... Women who have gained a top level post must fight to (establish firm position). ... A popular woman writer has started a women's political party. ... There is a great opportunity in that party to have women's rights represented in parliament. ... One woman at a high level is the Deputy Prime Minister of Poland; another the Minister of Finance, who has a very strong personality. ... We have a large group of female judges in Poland."

CEDAW Committee Member questions and comments to Poland:

Xiaoqiao Zou, from China, CEDAW Committee Member:

Asked again "if there are special temporary measures that have been taken to facilitate women's participation in political life?"

Maria Regina Tavares da Silva, from Portugal, CEDAW Committee Member:

Observed there was "a decrease in Parliament, but it was 10%. What we need is not just maintenance, but increases and increases."

Françoise Gaspard, from France, CEDAW Committee Chairman for Chamber B:

"What are you doing to help women get elected to office? Subsidies? ... Is there a system of punishments for those who don't meet quotas?"

“There should be no regression” (in number of women in public office).

Poland Delegation response:

Head of Delegation – Joanna Kluzik-Rostkowska, Under-Secretary of State, Ministry of Labour and Social Policy:

“I would wish that there was no decrease in women in parliament, but we have a democracy. I do not personally support quotas. ... If we assume that women must be in power to fill a slot, but if they are not prepared for the position, we may give ammunition for our opponents. ... Women need to be ready mentally to exercise power.”

Clearly, Nicaragua and Poland and other nations are facing the reality that most women do not want to leave their families and pour their lives into public service or leadership positions; they don't want to sacrifice their primary desire to be there for their own husbands and children.

22 Countries Criticized in 2007

BELIZE [2007]: “17. The Committee remains concerned about the low rate of representation of women in public life and in elected bodies. The Committee notes with concern that the Political Reform Commission recommended against the adoption of a quota system for the appointment of women to public bodies in 2000 and that the State party does not support the use of quotas or targets to accelerate the achievement of de facto equality between women and men in all areas of the Convention.

“18. The Committee urges the State party to effectively use temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, in order to accelerate the realization of women's de facto equality with men in all areas. The Committee draws the State party's attention to the fact that a purely formal or programmatic approach is not sufficient to achieve women's de facto equality with men, and that the application of temporary special measures is part of a necessary strategy towards the accelerated achievement of substantive equality for women in all areas covered by the Convention. The Committee encourages the State party to establish a legislative basis for the use of temporary special measures, either in the Constitution or in other appropriate legislation. It urges the State party to establish concrete goals, such as quotas and timetables, to accelerate achievement of substantive equality between women and men for each area of the Convention.”

[Review on 24 July 2007, 39th session, UN document CEDAW/C/BLZ/CO/4]

BRAZIL [2007]: “25. The Committee is concerned that Law No. 9504 of 30 September 1997, which establishes a quota system, has proved to be inefficient and has had little if any impact on women's participation in political life. The Committee also remains concerned that women are still significantly underrepresented at all levels and instances of political decision-making, including in elected bodies, at the highest levels of the judiciary, and in diplomacy.

“26. The Committee encourages the State party to take sustained legal and other measures to increase the representation of women in elected and appointed bodies and at the highest levels of the judiciary, and in diplomacy. It recommends that the State party introduce appropriate legal and other measures, including amending or replacing ineffective laws and

adopting temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 to increase the number of women in political and public positions within a concrete time frame in line with the Committee's general recommendation 23. The Committee recommends that the State party carry out awareness-raising campaigns among both men and women on the importance of women's full and equal participation in political and public life and in decision-making, as a necessary component of a democratic society, and create enabling, encouraging and supportive conditions for such participation."

[Review on 25 July 2007, 39th session, UN document CEDAW/C/BRA/CO/6]

COLOMBIA [2007]: "7. The Committee notes with appreciation the adoption and implementation of: the Quota Act (Act 581 of 2000), which guarantees women at least 30 per cent of discretionary appointments at the highest decision-making levels and high-level management posts in all public entities; the Strategic Plan for the defence of women's rights in the justice system of Colombia, 2006-2010; and the national agreement for equity between women and men of October 2003. It also welcomes the inclusion of gender perspectives in the new National Development Plan 2006-2010, which also includes a chapter on women's equality....

"26. While recognizing the efforts made to increase the representation of women in public administration at the national and local levels, including through the Quota Act, the Committee is concerned about the under-representation of women, including indigenous and afro-descendent women, in elected bodies at all levels, and in particular about the recent decline in women's representation in Parliament and in the Judiciary.

"27. The Committee calls upon the State party to expand its efforts towards achieving women's full and equal participation in all areas, and in particular in elected bodies and in the Judiciary. In this regard, the Committee encourages further use of temporary special measures to accelerate the advancement of women, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendations 25 and 23. Particular efforts should be made to increase the number of indigenous and afro-descendent women in political and public life and in decision-making positions in all fields. It encourages the State party to enhance efforts to provide leadership training programmes for women, including indigenous and afro-descendent women, in order to strengthen their roles in leadership and decision-making positions in society. It encourages the State party to monitor progress made and results achieved."

[Review on 25 January 2007, 37th Session, UN document CEDAW/C/COL/CO/6]

GREECE [2007]: "23. While applauding the establishment of an obligatory one-third quota for each sex in the electoral lists of local elections and for the collective bodies of all Government agencies, the Committee is concerned about the under-representation of women at all levels of political and public life and in decision-making, particularly in Parliament, and in the foreign service. The Committee is further concerned about the limited participation of women in trade unions and employers' associations.

"24. The Committee calls upon the State party to effectively enforce the existing quota law in order to increase women's participation in local elected bodies and in the collective bodies of all Government agencies. It recommends that the State party implement temporary special measures in accordance with article 4, paragraph 1, of the Convention and its general

recommendation 25 as a means to accelerate compliance with the provisions of articles 7 and 8 of the Convention and to increase women's political participation in all areas, including in Parliament and the foreign service. It also recommends the implementation of awareness-raising activities about the importance of women's participation in decision-making for society as a whole. The Committee further suggests that, in compliance with articles 2 (e) and 7 (c) of the Convention, the State party take appropriate measures to ensure women's equal participation in trade unions and employers' associations. It encourages the State party to monitor the impact of measures taken and of trends over time."

[Review on 24 January 2007, 37th session, UN document CEDAW/C/GRC/CO/6]

GUINEA [2007]: "18. The Committee notes with concern the absence of any temporary special measures in accordance with article 4, paragraph 1, of the Convention, and the State party's apparent lack of understanding of the purpose of such measures.

"19. The Committee recommends that the State party use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, as part of a necessary strategy to accelerate the achievement of de facto equality between women and men. It calls upon the State party to consider using a range of possible measures, such as quotas, benchmarks, targets and incentives, in particular with regard to accelerated implementation of articles 7, 8, 10, 11 and 14 of the Convention."

[Review on 25 July 2007, 39th session, UN document CEDAW/C/GIN/CO/6]

HUNGARY [2007]: "24. While noting that the Equal Treatment Act allows for the application of temporary special measures and also noting the statement by the delegation that the Parliament will discuss at its autumn session a draft bill relating to list-based voting which is aimed at the introduction of a 50 per cent male/female quota for local and national list-based elections, the Committee is concerned about the continuing under-representation of women in public and political life and in decision-making positions, including in Parliament, government ministries and local government, as well as in diplomacy. The Committee is also concerned about the low number of women professors among academic staff.

"25. The Committee encourages the State party to speedily adopt and implement the proposal aimed at having a 50 per cent male/female quota for local and national list-based elections. It further encourages the State party to take other sustained measures, including temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendations 25 and 23, and as provided for in the Equal Treatment Act, to accelerate women's full and equal participation in elected and appointed bodies in all sectors and at all levels. Such measures should include the establishment of benchmarks, numerical goals and timetables, as well as training programmes on leadership and negotiation skills for current and future women leaders. The Committee urges the State party to adopt policies to increase the number of women professors among academic staff. It further urges the State party to undertake awareness-raising campaigns about the importance of women's participation in public and political life and at decision-making levels."

[Review on 31 July 2007, 39th session, UN document CEDAW/C/HUN/CO/6]

INDONESIA [2007]: "26. While the Committee welcomes the enactment of Law No. 12 of 2003 on General Elections, which established a 30 per cent quota for women candidates for

political parties in the legislature, the Committee is concerned that the law fails to include sanctions or enforcement mechanisms to ensure compliance with the quota. The Committee is deeply concerned about the lack of progress in increasing women's participation in political parties since the enactment of the Law. The Committee expresses concern about the low level of representation of women in public and political life and in decision-making positions in Indonesia, including in the foreign service, the judiciary, regional and local government and the educational and private sectors.

“27. The Committee urges the State party to strengthen the 30 per cent quota system for women candidates in the Law on General Elections by making this quota a mandatory requirement and imposing sanctions and enforcement mechanisms to ensure that it is followed. It also encourages the State party to implement and strengthen the application of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and with the Committee's general recommendations 23 and 25, in order to accelerate women's full and equal participation with men in all sectors and at all levels of decision-making in public, political and economic life, including in the foreign service, the judiciary, regional and local government and the educational and private sectors.”

[Review on 27 July 2007, 39th session, UN document CEDAW/C/IDN/CO/5]

JORDAN [2007]: “6. The Committee congratulates the State party on the establishment of a 20 per cent quota for women in the municipal councils, which has led to the election of 240 women to municipal councils, and on the appointment of the first female head of a court. ...

“27. While appreciating the recent election of 240 women to municipal councils following the adoption of a 20 per cent quota for women in municipal councils and noting the quota of 6 seats for women out of 110 seats in the lower house of Parliament and the appointment of 7 women to the upper house of Parliament, the Committee is concerned about the low level of representation of women in public and political life and in decision-making positions.

“28. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendations 23 and 25, and to establish concrete goals and time frames in order to accelerate the increase in the representation of women in elected and appointed bodies in all areas and at all levels of public life. In this regard, the Committee urges the State party to consider amending the Elections Act before the parliamentary elections scheduled for November 2007 in order to institute a significantly higher quota for women, as recommended by the Jordanian National Commission for Women. The Committee invites the State party to also encourage political parties to use quotas or numerical goals in order to accelerate women's equal representation. It recommends that the State party conduct training programmes on leadership and negotiation skills for current and future women leaders. It calls upon the State party to undertake awareness-raising, including for all members of Parliament, about the importance of women's participation in decision-making for society as a whole.”

[Review on 2 August 2007, 39th session, UN document CEDAW/C/JOR/CO/4]

KAZAKHSTAN [2007]: “21. While noting the proposal for quotas aimed at having no less than 30 per cent of women in political institutions, which the delegation stated was included in the draft law on equal rights and equal opportunities, the Committee is concerned about the

continuing under-representation of women in public and political life and in decision-making positions, including in Parliament, local representative bodies, the executive bodies of the Government and local government, as well as in diplomacy.

“22. The Committee encourages the State party to speedily adopt and implement the proposal aimed at having at least 30 per cent of women in political institutions, and to take other sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendations 25 and 23, to accelerate women’s full and equal participation in elected and appointed bodies, including at the international level. Such measures should include establishing of benchmarks, numerical goals and timetables, conducting training programmes on leadership and negotiation skills for current and future women leaders, as well as regular monitoring of progress made and results achieved. It further urges the State party to undertake campaigns to raise awareness about the importance of women’s participation in public and political life and at decision-making levels.”

[Review on 16 January 2007, 37th session, UN document CEDAW/C/KAZ/CO/2]

LIECHTENSTEIN [2007]: “19. The Committee expresses concern at the State party’s limited application of article 4, paragraph 1, of the Convention on temporary special measures, which is not in line with the Committee’s general recommendation 25.

“20. The Committee recommends that the State party further assess the results achieved with currently applied temporary special measures and, accordingly, consider expanding these to a variety of strategies, including legislative and administrative measures, outreach and support programmes, the allocation of resources and the creation of incentives, targeted recruitment and the setting of time-bound goals and quotas, in different areas of the Convention. In such efforts, the State party should take account of the Committee’s general recommendation 25 on article 4, paragraph 1, of the Convention.”

[Review on 26 July 2007, 39th session, UN document CEDAW/C/LIE/CO/3]

MALDIVES [2007]: “15. The Committee expresses concern that temporary special measures are neither provided in the law nor used by the State party as a policy to accelerate the achievement of the de facto equality between women and men in any area of the Convention. It regrets that recent attempts to introduce temporary special measures have failed, for example when an effort to secure a quota for women in the legislature was defeated in the Special Majilis.

“16. The Committee requests the State party to pursue its efforts to introduce temporary special measures in accordance with article 4, paragraph 1, of the Convention and with the Committee’s general recommendation 25 in order to accelerate the realization of women’s de facto equality with men in all areas. It also recommends that the State party include in the draft legislation on women’s rights a provision on temporary special measures. It encourages the State party to develop awareness-raising programmes and training for parliamentarians on the provisions of the Convention. Such training should also clarify, in particular, the purpose of temporary special measures as elaborated by the Committee in its general recommendation 25.”

[Review on 19 January 2007, 37th session, UN document CEDAW/C/MDV/CO/3]

MAURITANIA [2007]: “6. The Committee welcomes the introduction of a 20 per cent quota for women on lists of candidates for municipal and parliamentary elections which, together with financial incentives for political parties, resulted in the election of 33 per cent women at the

municipal level and 17.9 and 17.0 per cent women, respectively, to the Senate and the National Assembly. ...

“19. The Committee notes the State party’s insufficient understanding of the purpose of, and need for temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee is concerned about the absence of women in the judiciary and the limited participation of women in public administration, especially at decision-making levels.”

“20. The Committee recommends that the State party use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25, as part of a necessary strategy towards the accelerated achievement of substantive equality for women, especially in the judiciary and the civil service, including the foreign service. It requests that the Government include information on the use of such temporary special measures, in relation to the various provisions of the Convention, and the impact of such measures, in its next periodic report. The Committee recommends that the commitment made by the candidates to the Presidency, in the charter for the promotion of women, to establish a minimum quota of 20 per cent of women in decision-making posts in the public administration be fully implemented by the State party.”

[Review on 25 May 2007, 38th session, UN document CEDAW/C/MRT/CO/1]

NETHERLANDS [2007]: “17. The Committee reiterates its concern regarding the low presence of women in high-ranking posts in all public sectors, including at the international level, in academia, and in the private and business sectors. It is concerned by the low presence of women in elected bodies at the provincial and local levels. The Committee expresses its concern that there are no statistics on the number of immigrant, refugee and minority women in decision-making positions. The Committee is concerned that the State party did not provide any information on and does not support the adoption of quotas to accelerate the achievement of women’s full and equal participation in public life and in decision-making bodies, including of immigrant, refugee and minority women.”

“18. The Committee urges the State party to take sustained measures to accelerate women’s full and equal participation in public life and decision-making, especially in high-ranking posts, at the provincial and municipal levels and in the private and business sectors. It calls upon the State party to use temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendations 25 on temporary special measures, and 23 on women in political and public life. It encourages the State party to ensure that the representation of women in political and public bodies reflects the full diversity of the population and to include immigrant, refugee and minority women. The Committee requests the State party to provide detailed sex-disaggregated data and information on the representation of women, including immigrant, refugee and minority women, in elected and appointed bodies, including at the decision-making level, and trends over time in its next periodic report.”

[Review on 24 January 2007, 37th session, UN document CEDAW/C/NLD/CO/4]

NEW ZEALAND [2007]: “20. While the Committee appreciates the State party’s acknowledgement that temporary special measures are permitted under the Human Rights Act where they are considered to be the most effective means of meeting goals or proven needs, the Committee is concerned that the purpose and scope of temporary special measures, as called for

under article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, may not be properly understood in the State party, leading to a lack of use of such measures to promote de facto equality for women. The Committee notes that insufficient statistical data disaggregated by sex in all areas covered by the Convention makes it more difficult to assess accurately the situation and progress of different groups of women with regard to all areas covered by the Convention.

“21. The Committee recommends that the State party adopt and implement temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, as part of a strategy necessary to accelerate the achievement of de facto equality between women and men. It calls upon the State party to consider using measures such as benchmarks, targets, recruitment and support programmes, incentives and quotas with regard to various articles of the Convention and to strengthen its system of data collection in all areas covered by the Convention, in order to enhance its knowledge base about the actual situation of different groups of women and to track trends over time. It also calls upon the State party to monitor, through measurable indicators, the impact of measures taken and progress achieved towards the realization of de facto equality for women. It encourages the State party to use these data and indicators in the formulation of laws, policies and programmes for the effective implementation of the Convention.”

[Review on 2 August 2007, 39th Session, UN document CEDAW/C/NZL/CO/6]

NICARAGUA [2007]: “27. The Committee is concerned about the recent decrease in the representation of women in political and public decision-making positions at all levels. It is concerned about the impact of negative stereotypes on women's participation in public life.

“28. The Committee calls upon the State party to accelerate the process of increasing women's full and equal participation in public life and decision-making at all levels, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25. It suggests that the State party establish concrete goals and timetables and implement leadership training programmes to support women in leadership and decision-making positions. It urges the State party to carry out awareness-raising campaigns, for women and men, aimed at the elimination of stereotypes associated with men's and women's traditional roles in the family and in society at large and at enhancing women's full and equal participation in public life and decision-making.”

[Review on 17 January 2007, 37th session, UN document CEDAW/C/NIC/CO/6]

NIGER [2007]: “5. The Committee commends the State party for its expressed commitment and political will to eliminate discrimination against women. It welcomes the various legal reforms and policies aimed at eliminating discrimination against women and promoting gender equality. In particular, it welcomes Act No. 2000-008, which introduced a quota system for positions reserved for women in decision-making bodies; reforms to the Penal Code in 2004, including provisions prohibiting female genital mutilation and slavery; the adoption of the national policy for the advancement of women, which addresses social, economic, political, legal and cultural issues; the adoption of the Reproductive Health Act in 2006; and the announcement by the delegation that a national gender policy is being finalized.

“21. While welcoming Act No. 2000-008, which introduced a quota system for positions reserved for women in decision-making bodies, the Committee is concerned that the purpose of

temporary special measures, as called for under article 4, paragraph 1, of the Convention, may not be properly understood by the State party.

“22. The Committee recommends that the State party, in its policies and programmes, clearly distinguish between general social and economic policies and programmes that are adopted to implement the Convention, and temporary special measures under article 4, paragraph 1, of the Convention, which are aimed at accelerating the achievement of the de facto equality of women, as clarified by the Committee in general recommendation No. 25. It encourages the State party to strengthen the application of temporary special measures to accelerate the achievement of de facto equality between women and men in all sectors.” ...

“27. While appreciating Act No. 2000-008, which introduced a quota system for positions reserved for women in decision-making bodies, and noting the increase in the representation of women in the National Assembly and in high-level government positions, the Committee is concerned about the continuing under-representation of women in public and political life and in decision-making positions, including in the National Assembly, Government, diplomatic service and local bodies.

“28. The Committee encourages the State party to take sustained measures to accelerate women’s full and equal participation in elected and appointed bodies. The Committee encourages the State party to consider increasing the 10 per cent quota, which is currently provided for in Act No. 2000-008. It recommends that the State party establish concrete goals and timetables and implement awareness-raising programmes, including with traditional chiefs, to encourage women to participate in public life. It calls on the State party to highlight the importance to society as a whole of women’s full and equal participation in leadership positions at all levels of decision-making for the development of the country.”

[Review on 29 May 2007, 38th Session, UN document CEDAW/C/NER/CO/2]

SERBIA [2007]: “11. The Committee commends the State party on the increase in the percentage of women deputies in the National Assembly from 12.8 per cent to 20.4 per cent after the elections in January 2007, which was facilitated by the introduction of temporary special measures in the law on the election of deputies, whereby each entity submitting an election list shall have at least 30 per cent of its candidates from the less-represented sex.”

[Review on 16 May 2007, 38th Session, UN document CEDAW/C/SCG/CO/1]

SIERRA LEONE [2007]: “7. The Committee notes with appreciation that the Local Government Act of 2004 established a 50 per cent quota for women on Ward Development Committees in districts and towns.” ...

“18. The Committee expresses concern that temporary special measures are neither provided for in law nor used by the State party to accelerate the achievement of de facto equality between women and men in all areas of the Convention, including participation of women in political and public life (articles 7 and 8 of the Convention), education (article 10 of the Convention) and employment in the formal economy (article 11 of the Convention), where the number of women and girls remains unacceptably low.

“19. The Committee encourages the State party to establish a legislative basis for the use of temporary special measures, either in the Constitution or other appropriate legislation, in accordance with article 4, paragraph 1 of the Convention and the Committee’s general recommendation 25. It draws the State party’s attention to the fact that such measures are part of

a necessary strategy towards the accelerated achievement of substantive equality for women in all areas covered by the Convention. It urges the State party to establish concrete goals, such as quotas and timetables to accelerate achievement of substantive equality between women and men for each area.”

[Review on 17 May 2007, 38th Session, UN document CEDAW/C/SLE/CO/5]

SYRIAN ARAB REPUBLIC [2007]: “25. While appreciating the State party’s goal of 30 per cent women in decision-making levels in both the Ninth and Tenth Five-Year Plans, the Committee is concerned about the lack of measures adopted towards the realization of this goal and the continuing low levels of representation of women in public and political life and in decision-making positions, particularly in municipal, town and village councils.

“26. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25, and to establish concrete goals and timetables so as to accelerate the increase in the representation of women, in elected and appointed bodies in all areas of public life, including in municipal, town and village councils. The Committee invites the State party to also encourage political parties to use quotas. It recommends that the State party conduct training programmes on leadership and negotiation skills for current and future women leaders. It further urges the State party to undertake awareness-raising about the importance of women’s participation in decision-making for society as a whole.”

[Review on 24 May 2007, 38th Session, UN document CEDAW/C/SYR/CO/1]

TAJIKISTAN [2007]: “25. Despite article 8 of the Law on State Guarantees that aims to ensure that male and female candidates should be represented equally on election lists, the Committee is concerned at women’s low representation in political bodies, especially in the national Parliament. The Committee is also concerned about the practice of “family voting” during elections, whereby one family member, usually male, votes for the entire family, especially in rural areas. The Committee is further concerned at women’s low representation in the higher echelons of public service and the Foreign Service.

“26. The Committee requests the State party to undertake national awareness-raising campaigns about the importance of women’s participation in public and political life, specifically about the obstacles that women encounter in rural areas. It urges the State party to increase women’s representation in political and public life, including at the international level. The Committee encourages the State party to review the use of temporary measures according to article 4, paragraph 1, of the Convention and in the Committee’s general recommendations 25 and 23. The application of such measures to increase women’s political representation should include the establishment of benchmarks with timetables or quotas. The Committee encourages the State party to continue to conduct training programmes to increase women’s active participation in political life, such as those run by the Central Elections and Referendums Commission of the Republic of Tajikistan, with the involvement of representatives of political parties, non-governmental organizations and women who want to move into political life. It also urges the State party to review the entire election process for discriminatory elements from a gender perspective and to consider waiving the registration fee for women candidates. It further urges the State party to establish legal safeguards that would prevent the practice of family voting and to continue to conduct educational campaigns seeking to explain that voting for others is not acceptable and could invalidate the results of elections.”

[Review on 26 January 2007, 37th session, UN document CEDAW/C/TJK/CO/3]

[Analyst comment: “Family voting” is still practiced in many nations, including 15 nations in Europe. Family voting is actually a Biblical and historical practice that affirms the oneness of a man and woman in marriage and the importance of every family member. What a marvelous site it is to see a husband and wife, or them and their children, at home or in a voting booth together, reviewing the candidates and ballot issues, and deciding who and what to support. This practice recognizes the family as the foundational unit of society, while respecting the husband and father’s – or the single-mother’s – God-given responsibility as “head of the household” (track this phrase in the Bible; e.g., Numbers 1:2-4, 18, 20, 22) to represent his family before his community. It is a husband and father’s duty to protect his own family. As an *extension* of that duty, our Creator gave him the responsibility of electing those who would form the government and laws to protect the community and nation wherein his family lives (Deuteronomy 16:16-20). Some who live in cultures today that practice “family voting” have testified to me of the great influence of wives upon their husbands in the voting decisions. Such voting practices do *not* “invalidate the results of elections.” Each nation is free to decide the age and gender of those who may vote or run for elective office, and the manner of voting.]

VANUATU [2007]: “20. While noting with satisfaction the provision for temporary special measures in article 5 (1) (k) of the Constitution, the Committee is concerned about the State party’s lack of clarity of the purpose of such measures and their limited use.

“21. The Committee recommends that the State party draw up a concrete plan for the application of temporary special measures in various areas, particularly in education and women’s participation in political and public decision-making, in accordance with article 4, paragraph 1, of the Convention, and with the Committee’s general recommendation 25. Such a plan should contain concrete goals, such as quotas and timetables, in order to accelerate the realization of women’s substantive equality with men.” ...

“26. The Committee is concerned about the under-representation of women at all levels of political and public life, in particular in Parliament, the judiciary, the diplomatic service and appointed decision-making bodies in education and administration, such as the Teachers’ Services Commission.

“27. The Committee requests the State party to strengthen and implement measures to increase the number of women in elected and appointed office, including the judiciary, so as to comply with articles 7 and 8 of the Convention. The Committee recommends that the State party fully utilize general recommendation 23, concerning women in public life. It calls on the State party to use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, in order to accelerate women’s full and equal participation in public and political life, particularly at high levels of decision-making. It also recommends that steps be taken to make the 30 per cent quota for women in parliamentary elections, recommended by the Electoral Commission of Vanuatu, a requirement for all political parties. It further recommends that the State party conduct training programmes on leadership and negotiation skills for current and future women leaders. It further suggests the implementation of awareness-raising activities on the importance of women’s participation in decision-making for society as a whole.”

[Review on 18 May 2007, 38th Session, UN document CEDAW/C/VUT/CO/3]

VIET NAM [2007]: “14. The Committee acknowledges the improvement of the representation of women in Parliament, which is among the highest in Asia, and takes note of the 2001 Law on

the Election of National Assembly Deputies and the 2003 Law on the Election of Members of the People's Council, which established a quota system for female deputies, as well as the targets set by the State party for women's representation in public bodies at different levels. The Committee remains concerned about the under-representation of women in appointed public decision-making bodies, particularly at the district and commune/ward levels.

“15. The Committee calls upon the State party to regularly review its targets for women's participation in public life and decision-making. It encourages the State party to develop concrete measures, with specific timelines, including the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to accelerate women's full and equal participation in political life at all levels, in specially appointed and elected positions, including leadership positions in mass organizations and at commune/ward level. The Committee recommends that the State party implement training programmes and awareness-raising campaigns, with a special focus on mass organizations, on the right of women to full and equal participation at all levels of decision-making. It also calls on the State party to monitor the impact of measures taken, track trends over time, take necessary corrective measures and provide detailed information about results achieved in its next report.”

[Review on 17 January 2007, 37th session, UN document CEDAW/C/VNM/CO/6]