



Strasbourg, 23 February 2009

CDL-EL(2009)004rev*
Or. Engl.

Study No. 482 / 2008

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

DRAFT REPORT
ON THE IMPACT OF ELECTORAL SYSTEMS
ON WOMEN'S REPRESENTATION IN POLITICS

on the basis of a contribution by

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I. Introduction

1. *By letter dated 19 May 2008, the Chairperson of the Parliamentary Assembly's Committee on Equal Opportunities for Women and Men asked, in the name of the above-mentioned Commission, the Venice Commission to draft a report on « The impact of electoral systems on women's representation in politics ».*

2. *The Venice Commission asked Mr Krennerich (expert, Germany) to prepare a draft report (CDL-EL(2009)004).*

3. *This opinion was adopted by the Council for Democratic Elections at its ... meeting (Venice, ... 2009) and by the Venice Commission at its... plenary session (Venice, ... 2009).*

4. According to international human rights standards (such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, or the Convention on the Elimination of all Forms of Discrimination against Women) there is a state obligation, also for European states, to ensure the equal participation of women and men in political and public decision-making (Rec(2003)3, Explanatory memorandum, I A, 9).

5. The under-representation of women in many European parliaments must be considered as problematic from a democratic and human rights perspective. In order to promote democracy and human rights in its member states thus "one of the Council of Europe's priorities in the field of equality between women and men is to ensure a more balanced participation of both sexes in political and public decision-making" (Rec(2003)3, Explanatory memorandum, I C, 13).

6. There are a wide variety of socio-economic, cultural and political factors that can hamper or facilitate women's access to parliament. Structural explanations reveal that women's participation in politics is dependent on factors such as the overall development of the country, an extended welfare state, the socio-economic status of women, the levels of female education or the proportion of women in employment. Cultural approaches refer to gender differences in political socialisation and adult gender roles and to the role of religion or cultural traditions. Among genuine political factors, e.g. the institutional features of democracies, the development of parties and party systems, the degree of party support or the strength of women's movements and networks are important as well.

7. As for the institutional aspects of politics, one factor empirically found to be strongly influential is the electoral system. According to the Council of Europe, there is a strong relationship between electoral systems and the number of women in national parliaments. Therefore, the Committee of Ministers recommends that the Council of Europe (CoE) member states should, where electoral systems are shown to have a negative impact on the political representation of women in elected bodies, adjust or reform those systems to promote gender-balanced representation (Rec(2003)3, Appendix A, 5).

8. Besides the electoral system, the effective implementation of gender quotas is an institutional factor of paramount importance. Actually, gender quotas provide one of the most notable powers for women's parliamentary representation today. Not surprisingly, the Committee of Ministers recommends that the COE member states should consider adopting legislative reforms to introduce parity thresholds for candidates in elections at all levels. Where proportional lists are applied, the introduction of "zipper systems", alternating both sexes, should be considered (Rec(2003)3, Appendix A, 3). The nomination processes within the parties are also important.

9. The aim of the present study is to offer information on the impact of the electoral system on women's representation in politics, i.e. in national parliaments. Those elements of the electoral system that mostly influence women's access to parliament will be identified. Since gender

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quotas have become part of the electoral processes in many parts of the world, the application of gender quotas is also considered here. On the basis of a deeper understanding of these institutional factors, strategies to increase women's parliamentary representation via legal reforms can be examined adequately.

II. The concept of representation

10. The present study deals mainly with "descriptive representation". It is concerned with the proportion of women in parliament and the fact that women are - in terms of numbers - underrepresented there. It should be clear from the outset that "descriptive representation" is not identical to "substantive representation". The latter asks whether women, if elected, are actually acting on behalf of women.

11. Women's presence in elected bodies can not be regarded as a sufficient, but as a necessary condition for the substantive representation of women. Without women being present in parliament they will not be represented adequately there. Although the substantive representation of women can not be considered to be an exclusive task of women, female parliamentarians are much more likely to promote women's interests and concerns than men, even if there is no guarantee that they do so. The analysis of plenary debates shows that female representatives have a qualitative impact on parliamentary life. However, women need to be supported by political parties and civil society in order to exert real power.

12. The relationship between women's descriptive and substantive representation is often analysed on the basis of the "critical mass" concept. According to this concept, once women constitute a particular proportion of a parliament, politics and policies will be transformed. Accordingly, the number of women in parliament really does matter.

13. It is generally acknowledged that women need to reach a critical mass of at least one third of the seats of a legislative body in order to be able to exert a real influence on the decisions taken by this body (Rec(2003)3, Explanatory memorandum, I B, 12). In 1995 the Beijing Process strived for 30% women's parliamentary representation, and also the UN Committee on the Elimination of Discrimination against Women (CEDAW) refers to the "critical mass" of 30 to 35 per cent women's participation (see General Comment No. 23 (1997) on political and public life).

14. In accordance with the European Parliament resolution of 18 January 2001, however, for a balanced gender representation a minimum of 40% of each sex in parliament needs to be reached (Rec(2003)3, Explanatory memorandum III, 32). For real gender parity, therefore, measures need to be taken to move beyond the "critical mass" level of women's representation.

III. The concept of electoral systems

15. The understanding of electoral systems can be interpreted either narrowly or widely. In a wide sense the term "electoral system" refers to the entire electoral process, including provisions concerning electoral rights and the election administration. In a narrow sense, as it is understood in this study, the electoral system regulates the means by which voters express their political preferences and how votes are translated into political mandates/seats.

16. Electoral systems are fixed components of every type of election, be it an election for a single person, as in the case of elections for president, governor or mayor, or the casting of votes for political bodies, such as national, regional or local parliaments. The following study deals only with electoral systems for elections to lower or single houses of parliaments.

17. Within the member states of the Council of Europe plurality/majority systems are rarely applied in elections to national parliaments. Much more common are proportional representation (PR) systems, which are used in multi-member districts or the national level, as well as electoral

systems which combine technical elements of the plurality/majority systems and PR systems (so-called “mixed systems” or combined systems) (see Appendix C).

18. Beyond such basic distinctions, however, the combination of specific technical elements, such as the district magnitude, the form of candidature and voting as well as the mode of seat allocation, determine the particular features and the classification of the respective electoral system. Even electoral systems which belong to the same family, or subtype, may differ in important aspects.

IV. The concept of gender quotas

19. Gender quotas aim to improve the gender balance in politics. They specify the minimum percentages of female candidates for elections, usually on party lists. Additionally, there might be provisions for the ranking order on the list.

20. Gender quotas might be legally imposed (“legal quotas”, “compulsory quotas” or “mandatory quotas”) or they might be adopted voluntarily by political parties (“voluntary quotas” or “party quotas”). Legal quotas are compulsory for all parties presenting candidates to parliament, while party quotas have only self-binding character for the respective party. Both types of quotas can play a prominent role in the electoral process.

21. By the end of 2008, ten member states of the Council of Europe had adopted legal quotas for national elections. Greece is using them only for local and regional elections. However, these quotas differ considerably both in the required minimum percentages of female candidates on the lists as well as in the possible ranking-order provisions for the lists. Provisions on legal sanctions for non-compliance differ, too. Still more common are voluntary quotas: In the majority of Council of Europe member states at least one parliamentary party has adopted voluntary party quotas.

22. Reserved seats for women in parliament are a special type of quota, strongly related to the electoral system. According to such results-based quotas, a certain number of parliamentary seats are reserved for women. This can be done, for example, by special lists or electoral districts for women only. Reserved seats for women are applied e.g. in Afghanistan, Burundi, Rwanda, Tanzania, and Uganda as well as, to a lesser extent, in Sudan and Pakistan. Some other countries, like Bangladesh, Jordan and Kenya, have reserved a few seats for women.

23. Previously, reserved seats for women were also used in former communist states in Central and Eastern Europe. However, there are no provisions for reserved seats for women in Europe at the moment. Since the introduction of reserved seats for women is not being especially demanded in the Council of Europe member states, such an option will not be discussed in the present study.

V. Statistics on women’s political representation

24. According to the data from the Inter-Parliamentary Union, women’s parliamentary representation in single or lower house legislatures worldwide has increased slowly, but steadily during the last few decades: 4.9% (1960), 5.4% (1970), 8.7% (1980), 9.1% (1990), 11.9% (2000), and 16.3% (2005). By 30 November 2008, the overall proportion of women in single or lower houses of parliament had reached 18.6 %.

25. At the regional level, even in the Americas and in Europe women hold only 21.7% and 21.2% of the parliamentary seats, respectively, as of 30 November 2008. Not including the Nordic states, the average women’s representation in Europe is at 19.3% almost as low as in Asia (18.3%) and Sub-Saharan Africa (18.0%). The Pacific states (13.1%) and the Arab states (9.7 per cent) show the lowest average representation of women in single or lower houses of parliament. However, the differences between the countries are enormous.

26. At the national level, only three member states of the Council of Europe had reached a balanced gender representation as a minimum of 40% of each sex in parliament by 30 November 2008: Sweden, Finland and the Netherlands (see Appendix B).

27. Only seven more Council of Europe member states had reached the critical mass level of 30% women's representation in parliament by 30 November 2008: Denmark, Spain, Norway, Belgium, Iceland, Germany and "the former Yugoslav Republic of Macedonia".

28. There are 15 Council of Europe member states with women's parliamentary representation between 20% and 30%: Switzerland, Portugal, Austria, Andorra, Monaco, Liechtenstein, Luxembourg, the Republic of Moldova, Bulgaria, Serbia, Italy, Croatia, Estonia, Poland and Latvia.

29. Council of Europe member states show a low level of women's representation between 10% and 20%: United Kingdom, Slovakia, France, Lithuania, Czech Republic, San Marino, Greece, Cyprus, Russian Federation, Ireland, Slovenia, Bosnia and Herzegovina, Azerbaijan, Romania, Hungary and Montenegro.

30. At the bottom, with women's representation lower than 10% of the seats in single or lower houses by November 2008 are still the following Council of Europe member states: Turkey, Malta, Armenia, Ukraine, Albania and Georgia.

31. In many established western, particularly the Nordic democracies, there have been incremental changes in women's representation over the last few decades. While even Nordic legislatures were overwhelmingly male-dominated up until the 1970s, women's representation has increased successively there. Norway provides an example for such an incremental process. After women's representation in the Norwegian parliament increased slowly from 4.7% in 1953 to 9.3% in 1969, there was a significant rise in the 1970s (1973: 15.5%, 1977: 23.9%) and 1980s (1981: 25.8%, 1985: 34.4%, 1989: 35.8%). Since then, there has been only little movement (1993: 39.4%, 1997: 36.4%, 2001: 36.4%, and 2005: 37.9%).

32. Like Norway, also Denmark, Finland, and Sweden exceeded the "critical mass" threshold of 30% already in the 1980s, while Iceland had to wait until the elections of 1999. As the first European state, Sweden passed the 40% threshold in 1994. At the sub-national level, the Welsh assembly became the first country in Europe (and the world) to achieve a majority of female deputies in the 2003 elections and a subsequent by-election.

33. Contrary to the early, rather incremental increase of women's representation in some democracies, particularly in Northern Europe, some countries like "the former Yugoslav Republic of Macedonia" (1994: 3.3%, 2008: 31.7%), Belgium (1995: 12.7%, 2007: 35.3%) and Spain (1996: 26.7%, 2008: 36.3%), have witnessed a sharp rise in female representation in recent years, partly due to electoral gender quotas. Spain has successfully overcome the legacy of dictatorship that suppressed women's rights until the 1970s, and has experienced a 10% rise in each decade since the 1980s. Germany's dynamic increase of women's representation occurred already in the 1980s and the 1990s (1970: 6.6%, 1980: 8.5%, 1983: 10% , 1987: 15%, 1990: 20.5%, 1994: 26%, 1998: 30.9%, 2002: 32.3%, 2005: 32.2%).

34. The experiences of Eastern Europe and Central Asia are quite unique. During the time when the Communist parties were in power, women symbolically held up to 20-30% of the seats in parliament. However, women hardly represented women's interests since parliament usually "rubber stamped" decisions taken by the male-dominated central committees of the communist parties. After 1989, the rate of women's representation fell dramatically, often to single digit figures, in many countries. Only in recent years has female representation increased there again.

VI. Women's access to parliament

35. For women to get elected to parliament they need to pass several barriers: first, they need to have the right to be elected; second, they need be willing to stand for elections; third, they need to be chosen as candidates by the parties; and, fourth, they need to be elected by voters.

36. At present, almost all countries in the world have granted women the right to vote and to stand for election. Finland was the first country to adopt both democratic rights in Europe in 1906, simultaneously for men and women. In other European states, women were granted the unrestricted right to vote and to stand for election somewhat later than men. Among the absolute Western European late-comers are Monaco (1962), Switzerland (1971), Andorra (1973), San Marino (1973), Portugal (1976) and Liechtenstein (1984). Nowadays, the universal suffrage, covering both active and passive electoral rights, belongs to the principles that constitute European electoral heritage, as defined in the Code of Good Practice in Electoral Matters (CDL-AD (2002)023rev).

37. However, there are still more men than women willing to stand for elections. Thus, it is an important aim to increase the number of potential female candidates. In general, women's willingness to run for elections is fostered by a friendly socio-economic, cultural and political environment and by the backing of political parties and the civil society, particularly women's movements. From a rational perspective, the personal ambition of women to stand for elections may also be dependent on the prospects to be nominated and to be elected. The electoral system and gender quotas may influence such prospects and, thus, the decision of women to stand for elections.

38. The stage at which parties nominate their candidates for elections is most critical for women's access to parliament. Who will be elected is mostly pre-decided by the nomination committees of the parties since they choose the candidates and may place them in prominent positions on the party lists or in "safe" constituencies. Depending on which nomination procedures are used, national or regional party leaders, a broader set of party officials, or party members play the gatekeeper role.

39. The candidates' selection is governed by different political considerations. From a competitive perspective, however, the party gatekeepers select candidates who are expected to strengthen the parties' chances of winning votes. As far as electoral systems allow for ticket balancing strategies, the design of the electoral system may favour women's representation. Furthermore, compulsory or voluntary quotas have a direct impact on the nomination process. However, data, if available, shows that in general women are under-represented already at the nomination level.

40. Finally, female candidates need to be elected to parliament by voters. Studies of national elections in various established democracies suggest that women, once nominated, tend to do as well as men in parliamentary elections. This is partly due to the fact that in countries which have developed party systems, the voters vote primarily for the party label rather than for individual candidates. Nevertheless, electoral systems differ on the voters' possibilities to choose not only between political parties, but between individual candidates as well. This may have an impact on the election of women. Furthermore, gender quotas may play an important role for women being elected to parliament if they contain provisions for the ranking order on the parties' lists.

41. Additionally, it should be noted that the practice of "family voting" not only violates the secret suffrage of women, it may also reduce the election of female candidates to parliament. Family voting means a male family member accompanying one or more women relatives into a polling booth, family groups voting together, or a male family member voting on behalf of one or more women relatives (Rec(2003)3, Explanatory memorandum II B, p. 22). Though prohibited by law, family-voting is still tolerated in a number of countries (CDL-AD(2006)018, 146).

However, it is by no means acceptable. Thus, the Council of Europe Committee of Minister recommends that the governments of member states ensure that women and men can exercise their individual rights and, to this end, take all necessary measures to eliminate the practice of family voting (Rec(2003)3).

VII. “Families” of electoral systems, and their impact on women’s representation

42. When discussing the impact of electoral systems on women’s parliamentary representation, academics tend to concentrate on broad “families” of electoral systems, namely on proportional representation systems, majority/plurality systems and combined (“mixed”) systems.

43. One of the most well-established findings is that countries applying proportional representation systems have a higher proportion of women in their parliaments than those with majority or plurality systems. Research and statistics have shown that where proportional representation systems are used, it has often been easier for women to get access to parliament. During the last three decades, there has been a significant increase in women’s parliamentary representation where proportional representation systems exist, whereas only modest advances have been made through plurality or majority systems (Rec(2003)3, Explanatory memorandum, III A, 48).

44. In Europe, the vast majority of states apply a PR system for national elections to parliament, a fact which can be regarded as rather favourable for women’s representation. In contrast, plurality or majority systems, as they are used in many parts of the world, are quite rare in Europe, being applied only in the United Kingdom and France.

45. Both the British First-Past-the-Post system and the French Two-Round system tend to work against women. Consequently, the electoral system has been considered to be partly responsible for low levels of women’s representation there. In both countries, the figures for national parliaments contrast with higher levels of female representatives for European Parliament elections which are held under a PR system.

46. Combined electoral systems, such as, for example, Mixed Member Proportional Systems, appear to be more conducive to women’s parliamentary representation than plurality or majority systems, but less favourable to women’s election than traditional proportional representation systems. Not surprisingly, women’s parliamentary representation in New Zealand increased significantly, from 21.2% in 1993 to 29.2% in 1996, after the country changed its electoral system from the plurality system in single-member districts to a Mixed Member Proportional System. In the 2008 elections, the highest proportion of female representatives to date (34%) was reached there. Recent data on women’s representation in Germany (32%) is similar to that for New Zealand.¹ The “bonus systems” in Italy and San Marino represent very special combined systems.

47. Comparing both parts of combined systems, it can be seen that on average, women have been more successful in both nomination and election on the party list than in single-member constituencies. This finding corresponds with what previous research on female representation in PR systems and plurality systems found out. With the Mixed Member Proportional System in Germany, for instance, the proportion of women elected to the *Bundestag* is significantly lower in single-member districts than on the party lists. The same can be said of at least some New Zealand elections, most evidently in 1996 when only 15.4% of female representatives were elected in single-member districts, compared to 45.5% of female representatives elected on the lists. Also with Hungary’s compensatory system, women seem to have higher success rates from lists than from single-member constituencies.

¹ Though PR list systems in MMD are applied in both countries, a “majority prize” is given to the largest party/alliance, if it has gained only the plurality, but not the majority of seats. Thus the electoral system aims to build a parliamentary majority for one party or alliance.

48. A similar effect can be seen in countries applying a parallel system, which is another subtype of combined systems. A case in point is Lithuania where the percentage of women elected in single-member districts (1992: 7%, 1996: 16.2%, 2000: 8.4%, 2004: 18.3) is lower than the women's share of representatives elected on the party lists (1992: 7.1%, 1996: 20%, 2000: 12.8%, 2004: 22.9%). Among the extreme examples there are the 2006 elections in the Palestinian territories, resulting in the election of 17 women out of 132 representatives. Under the parallel system, all 17 women were elected via the PR list, and none of them in the single-member constituencies.

49. However, we must be aware of the fact that even in those cases where electoral systems belong to same electoral system "family" they may not automatically bring about the same effect in every country. This is largely due to two reasons: First, electoral systems even of the same "family" differ considerably on their particular features and types. Actually, there are different plurality/majority systems, different PR systems and different combined systems in operation throughout Europe and the world. Given such variations, it is rather misleading to discuss the impact of electoral systems on women's parliamentary representation only on the basis of the basic distinction of electoral system "families".

50. Secondly, the electoral system is only one of several factors that have an impact on women's representation, and its effects depend largely on the respective political and social conditions of each country. Thus, the electoral system can only facilitate or hamper women's access to parliament, but it does not determine it. The question whether the institutional incentives of the electoral systems are effective, depends largely on women's role in society and politics as well as on the behaviour of potential female candidates, political parties and the voters.

VIII. Technical elements of electoral systems and their impact on women's representation

Single member districts vs. multi-member districts

51. As for women's parliamentary representation, a crucial factor is whether the electoral system has single-member districts (SMDs) where only one parliamentarian is elected per constituency, or multi-member districts (MMDs) where several members of parliaments are elected per constituency.

52. Among the Council of Europe member states, only the plurality system in the United Kingdom and in Azerbaijan and the Two-Round system in France use SMDs throughout the country for elections to the lower or single houses of national parliament.

53. With combined systems, some of the representatives are elected in SMDs. This is the case with the parallel systems in Armenia, Georgia, Lithuania and "the former Yugoslav Republic of Macedonia", as well as with the different Mixed Member Proportional systems in Albania (until the recent electoral reform), Hungary and Germany.

54. With the exception of some countries (e.g. Slovenia and Switzerland), where very few SMDs still co-exist with PR in MMDs, in most Council of Europe member states representatives are elected exclusively by proportional representation in multi-member constituencies at the local, regional and/or national level.

55. Usually, SMDs are considered to be less conducive to female nomination and representation than MMDs. Even with mixed member proportional systems, SMDs tend to disfavour women. In single-member districts each party can only nominate one person per district, and only the candidate with the plurality or majority of the votes will be elected there. The challenge for potential female candidates is, first, to be nominated by her party and,

second, to be elected by the voters. Thus, women must compete against men in their own party (for nomination) and against men of other parties (to be elected).

56. It is not seldom the case that the nomination of women is hindered by the aspirations of powerful male politicians of the same party. Moreover, party gatekeepers may perceive women as being less capable of winning a face-to-face competition against a male candidate of another party, especially if the nomination of a woman requires the de-selection of a male incumbent. Since parties are reluctant to deselect incumbents in the interest of parity, male incumbency is an additional barrier for women to be nominated. However, where women have already gained parliamentary seats, they can also benefit from the incumbents' bonus.

57. Moreover, party leaders' concern about presenting a female candidate, who might not appeal to voters in the same way as men in SMDs, are based predominantly on perception rather than facts. There is no theoretical reason why or empirical evidence that women can not do as well as men in single-member districts. Unfortunately comparative data on women's success rates is lacking, namely the difference between the numbers of nominated and elected female candidates. However, experiences from various countries show that women, contrary to party official claims, have good records, if they compete under similar conditions as men.

58. This is particularly true in well-established democracies with highly institutionalized party systems where voters vote primarily for the party rather than for the individual candidates, even in SMDs (which are more candidate-oriented than PR system with closed lists in MMDs). This means that with developed party systems usually the party label is more important than the gender of the candidate, not only with PR lists, but also in SMDs. In such cases, the success of female candidates in SMDs depends largely on whether they are nominated and supported by strong parties which are capable of winning the seat in the respective districts.

59. Only in countries with rather fluid party systems and/or those which still attach considerable importance to independent candidates, the individual features of candidates may have a stronger impact on voting behaviour, especially in SMDs. If traditional gender roles are prevalent in such countries, this may be disfavoured to women.

60. Contrary to SMDs, multi-member districts allow for balancing the party ticket since several candidates will be elected there and, consequently, nominated on the parties' lists. Party gatekeepers, thus, may have good reasons for introducing women on their lists: It may not only be seen as a strategy for attracting female voters, but also as a mechanism to represent various internal party interests and, thus, to strengthen the party's coherence. Moreover, integrating women on the party list may be considered as a matter of equity, particularly if there is an active women's branch inside the party and a strong women's movement in the civil society.

District magnitude in multi-member constituencies

61. While multi-member districts are expected to be more advantageous for women than SMDs, they may differ considerably in their magnitude, that is, the number of seats to be elected per district. In the Council of Europe member states there are, for example, PR systems in predominantly small or medium-sized districts, PR systems in rather large districts, as well as PR systems in a nation-wide district. Moreover, there are also multi-tier PR systems with districts of different sizes at various levels. Finally, with combined systems at least some of the parliamentarians are elected on PR lists.

62. It is often expected that the larger the district magnitude, the more women will be nominated and elected. As it has shown, this assumption is based on the dynamics of party-nominating processes and parties' strategies for balancing their ticket. Several studies seem to prove such an assessment, but there is also some debate as to whether this argument is empirically valid.

63. Recent empirical research suggests that it is not so much district magnitude as “party magnitude” that matters. While district magnitude is defined by the number of seats to be elected in a district, party magnitude describes the number of seats a party wins (or expects to win) in a district. Only if a party anticipates that it wins several seats in a constituency will ticket-balancing come into effect.

64. If parties are expected to win only one or two seats, however, the effect will be rather limited or non-existent. Taking into account that in many PR systems men are the first on the list, the probability for women to be elected is low, when party magnitude is one. This is even true in countries with electoral gender quotas, as the Latin American experiences show.

65. Evidently district magnitude and party magnitude are interrelated. For example, in small constituencies of about three to five seats even strong parties are expected to win only a few mandates. Small parties without regional strongholds run the risk of getting not even one seat in the respective district, given the effective (mathematical) threshold of representation.

66. With medium-sized or large constituencies, strong parties can expect to gain several seats, making strategies for ticket-balancing effective. Smaller parties, however, may even battle to gain a few seats there.

67. In a nation-wide district, the number of parties which are expected to win several seats is likely to increase. Even then, however, there are small parties entering parliament with only a few seats, if not excluded by legal thresholds (see below).

68. In summary, the larger the districts and party magnitudes, the greater the likelihood of women being nominated and elected. Thus, medium-sized, large or nation-wide districts within PR systems appear to be more advantageous for women than small constituencies or even single-member districts. If many seats are distributed per constituency, the number of parties which expect to win several seats there is likely to increase.

69. Of course, high district and party magnitudes alone do not guarantee high female representation levels, but at least they allow for effectively applying ticket balancing strategies, if politically wanted. Interestingly, the Polish electoral reform of 2001, creating larger MMDs within the PR system, led to an increased number of women being placed on candidate lists.

70. In contrast, because of the few elected candidates, large parties in small constituencies and small parties in larger constituencies experience difficulties in applying ticket balancing strategies. If a PR system is used only in small districts, as it is the case of Ireland, it can be just as disadvantageous to women as SMDs (see also Rec(2003)3, Explanatory memorandum, III A, 49). Also Chile’s binominal constituencies are blamed for contributing to low levels of women’s representation.

71. However, in countries where well-designed gender quotas with strict placement mandates exist (see below), the differences between the various district and party magnitudes are not necessarily significant, as long as the party magnitude is larger than one seat. Recent research on Latin America seems to confirm this assessment.

Legal thresholds

72. Legal thresholds define a minimum vote share a party needs to be awarded seats. Parties which get less than this percentage of the vote are excluded from parliamentary representation by legal provisions.

73. Intuitively, legal thresholds do not appear to favour female representation. They aim to exclude small parties from access to parliament. This may prevent the fragmentation of the parliamentary party system, but does not favour the overall representativeness of the electoral

system. Indeed small parties which may represent minorities' or women's interests are excluded from parliamentary representation.

74. However, the exclusion of small parties is not automatically associated with a lower representation of women in parliament. If we consider party magnitude as an important factor for stimulating (gender) ticket-balancing, legal thresholds are more likely to have the opposite effect: They exclude small parties, which would gain only a few seats, from parliamentary representation. At the same time, those parties which pass the threshold gain enough seats in order to make ticket-balancing meaningful. Thanks to the legal threshold, therefore, only parties with a relatively high party magnitude enter parliament. They even profit from the exclusion of small parties. Since they have more room on the ticket to nominate women, it is more likely that women will be among the mandate-holders.

75. Due to the effect of party magnitude women will theoretically be helped by both the combination of high electoral district magnitudes *and* high legal thresholds. According to the dynamics of ticket-balancing, the combination of PR in large or even nation-wide districts with legal thresholds appears to be advantageous for women's nomination and representation. However, even this combination alone does not guarantee a high women's representation, as the different national experiences in Europe show.

76. Nevertheless, simulations from Costa Rica and Sweden, which both use electoral thresholds, indicate that without thresholds very small parties would have won representation. With thresholds, however, the smaller parties are excluded from parliamentary representation. At the same time, more women are elected from the larger parties. This means that there is a "trade-off" between representing the voters of small parties and increasing women's parliamentary representation by having more female representatives from the larger parties.

Closed versus open or free lists

77. While in plurality/majority systems in SMDs, only individual (party) candidatures are possible, in PR systems different list forms are applied. Such lists may be closed, open or free. With closed lists the political parties determine the ranking order of candidates on the electoral ballot, and the voter endorses the entire list without any possibility of changing the order in which the seats are allocated to the candidates. In contrast, with open lists the voter may express a preference for particular candidates by casting a certain number of preference votes, thus changing the ranking order of the list. With free lists, the voter may even choose between candidates from different lists.

78. Against the general perception that PR systems are mostly associated with closed party list, many PR systems in Europe apply open lists. This is the case of several PR systems in multi-member districts, like, for example, in Belgium, Cyprus, Finland, Latvia, and Slovenia. Open lists and preference voting are also applied in the PR system at the national level in Slovakia as well with the multiple-tier PR systems in Austria, Denmark, Estonia, Greece and Sweden. Even with combined systems, open lists may be applied, as is the case in Monaco. Free lists and cross-voting are somewhat rare in elections to national parliaments. They are in operation, for instance, in Liechtenstein, Luxembourg and Switzerland and in the STV-system of Ireland and Malta where voters can indicate their first and alternative choices even across party lines, without usually doing so.

79. With closed party lists, it is of crucial importance that women, when nominated, are placed on winnable list positions. Thus, it depends largely on the party gatekeepers if they put women on prominent positions on the parties' lists. If they do so, women's representation can be effectively favoured. If they refuse to do so, women are likely to be under-represented in parliament.

80. With open or free lists, voters may alter the ranking order of the list. If preference voting or cross-voting is possible, however, voters will not necessarily choose candidates from both sexes, and this may result in an unbalanced composition of the parliament, chosen by voters (CDL-AD (2002)023rev, Explanatory report, par. 25). Instead, open lists may work to the advantage of well-known male candidates. Thus, there is an inherent danger that the introduction of open lists may result in the election of fewer women.

81. However, open lists need not hamper women's representation. To the degree that women organise themselves and actively campaign for voting female candidates, preference voting may not work against women. Instead it may also result in stronger women's representation. In Denmark both the opportunity of voters to cast preference votes and parties' nomination practices are favouring high levels of women's representation. Another case in point is Peru, where voters actively use preference voting to elect women, most recently in the 2006 elections.

82. As for the list form, therefore, general recommendations can hardly be given. Being a woman can be an advantage or a disadvantage with each form of party list. As a leading expert put it: "The crucial question is whether it is easier to convince voters to actively vote for women candidates, or to convince party gate-keepers that including more women on the party list in prominent positions is both fair and, more importantly, strategically wise" (Matland 2005: 104). The answer varies from country to country. In some cases, it is possible to convince both party gatekeepers and voters, like in the above-mentioned examples of Denmark and Peru.

83. However, if gender quotas are effectively implemented and ensure the inclusion of women on prominent positions on the list (see below), closed lists may in certain cases guarantee women's representation. Interestingly, the elections in Bosnia and Herzegovina since 2002, using gender quotas and open lists, have seen a dramatic reduction in the number of elected women, compared to the elections of 1998, when quotas were applied together with closed lists. Also experiences from Latin America show that quotas work better with closed lists than with open list, but the differences are not as significant there as one would expect by conventional wisdom.

IX. The impact of gender quotas on women's representation

84. Introducing electoral gender quotas can be considered an appropriate and legitimate measure to increase women's parliamentary representation (CDL-AD(2002)023rev, I.25; CDL-AD(2006)020). In recent years, an impressive number of countries have introduced quota regulations worldwide. There are almost 50 states with legal gender quotas or reserved women seats for national parliament. In many more countries political parties apply, additionally or alternatively, voluntary gender quotas. "The Global Database of Quotas for Women" website provides helpful information on the application of gender quotas in countries all over the world (www.quotaproject.org).

Legal gender quota

85. Legal gender quotas are embedded in constitutions and/or national electoral laws. They are mandatory for all parties presenting candidates or candidates' lists for the elections.

86. At the regional level, Latin America plays a leading role in the use of legal gender quotas for national elections. Argentina became the first country in the world to introduce such a quota in 1991, and many states have followed this example in the 1990s (e.g. Bolivia, Brazil, Colombia, Costa Rica, the Dominican Republic, Ecuador, Mexico, Panama, Peru, and Venezuela). As a result, more than half of Latin American states have implemented gender quota legislation that require significant proportions from 20% to 40% of female candidates for the election to national parliaments.

87. *In the European context, Recommendation Rec (2003) 3 of the Committee of Ministers to member states on balanced participation of women and men in political and public decision making defines “balanced participation of women and men” in political and public decision-making as a minimum of 40% representation of each sex in any decision-making body in political and public life (see the Explanatory memorandum). This principle of balanced participation of women and men understands the presence of women and men in the context in question in such a manner that neither sex accounts for more than sixty nor less than forty per cent of the total. This formula goes beyond the mere legal gender quota and it is reinforced in Recommendation Rec(2007)17 of the Committee of Ministers to member states on gender equality standards and mechanisms.*

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88. Among the CoE member states, legal quotas have been rather unpopular until recently. Especially in Central and Eastern Europe there is particular resistance to quota provisions, due to the Soviet past, when quotas were used as a rather symbolic form of “emancipation from above”. In countries like the Czech Republic, Estonia, Lithuania and Poland, proposals to introduce legal quotas were finally rejected by the political parties (although some of them apply voluntary quotas). The same has happened in several Western European democracies, e.g. in Switzerland. In a few states, legal quotas were brought before the Constitutional Courts. In Italy, for instance, the Constitutional Court repealed the respective law in 1995, contrary to Spain, where the Equality Law was declared constitutional in 2008. *The sentence of the Spanish Constitutional Court states that balanced presence or membership as it is established in the Organic Act for effective equality between women and men, does not refer to legal gender quota or affirmative action.*

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89. However, ten CoE member states have introduced legal gender quotas for elections to national parliaments so far. The first country was Belgium, passing two quotas Acts in 1994 and 2002, followed by Bosnia and Herzegovina (1998, 2001), France (1999/2000) and Armenia (1999, 2007). Later on, legal quotas were also introduced in “the former Yugoslav Republic of Macedonia” (2002), Serbia (2004), Portugal (2006), Slovenia (2006), Spain (2007) and, most recently, in Albania (2008). According to the 2000 constitution, Greece applies mandatory quotas only at the sub-national level. In some cases the decision to introduce a quota has been strongly influenced by the recommendations of international organizations. A case in point is Bosnia and Herzegovina where the campaign to introduce an electoral gender quota in 1997-1998 was supported by the OSCE and funded by USAID.

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90. The legal gender quotas, applied in Council of Europe member states, differ considerably with regard to the minimum percentage of each sex among the candidatures. While only a few countries provide for the equal share of women and men on the party lists (Belgium) or among the overall number of party candidates (France), in most cases the required minimum of both sexes is lower: 40% in Spain, 35% in Slovenia, 33% in Bosnia and Herzegovina and Portugal, 30% in Albania, “the former Yugoslav Republic of Macedonia” and Serbia, and 15% of the party/bloc lists in the PR contest of the Armenian elections.

91. A few countries also provide rules for the ranking order on the list. In Serbia every 4th position must be filled with the less represented sex. In Spain it is every 5th place, while in Armenia women must be placed on every 10th position only. In Bosnia and Herzegovina there must be one candidate of the underrepresented sex among the first two positions on the list, two candidates among the first five, and three among the first eight. In Belgium the top two positions (in 2002: the top three) must not be filled by candidates of the same sex. None of the legal quotas, however, provides for a “zipper system”, where every other candidate on the list must be a woman. The importance of placement mandates can not be overestimated since they may oblige the parties to put female candidates on prominent positions on the list. However, the existing regulations in Europe are rather few and far between.

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92. The possibility to sanction the non-compliance with legal quotas is considered to be important, too. Legal sanctions for non-compliance may result in reducing public funding

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(Albania, France, and Portugal), limiting the numbers of candidates (Belgium) or simply not approving the lists (e.g. Armenia, “the former Yugoslav Republic of Macedonia”, Serbia, Slovenia, and Spain).

93. Since legal quotas provided in constitutions and/or electoral laws are obligatory by nature, they seem to be more effective than voluntary party quotas. However, this is not necessarily the case. The successful adoption and implementation of legal quotas require not only strict placement mandates and effective enforcement mechanisms, but also the commitment of political parties. Even with legal quotas, political parties play a key role in implementing them. Resistant party gatekeepers may find ways to bypass quota legislation or only poorly implement the respective provisions.

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94. In France, for instance, political parties have not fully complied with the gender parity law that provides parties to present 50% of candidates of each sex. As for the parliamentary elections, using a Two-Round system in single-member districts, gender parity cannot be guaranteed within each constituency. Therefore, the difference between numbers of candidates of each sex may not exceed 2% of the overall number of the party’s candidates. Otherwise the law provides for a reduction in public funds. Despite the massive loss of such public funds, political parties have not fulfilled the parity requirements in elections to the national parliament up to now. Even the Socialist Party, which was the driving force behind the “parity law” of 2000, nominated only 36% female candidates in 2002.

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95. In the case of the elections of 2002 in “the former Yugoslav Republic of Macedonia” all political parties met the 30% criterion. However, the female candidates were often placed on lower positions of the party lists. Consequently, among the parliamentarians there were only 18.3% elected women. Nevertheless, the quota contributed to a significant increase in female representation, compared to the elections in 1990 (4.1%), 1994 (3.3%) and 1998 (6.6%). In the 2006 elections, the portion of women elected has reached 28.3%. This example shows that legal quotas may be important in “kick-starting” the process for more women to be elected to parliament.

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96. In Spain, the 2008 parliamentary election was the first national election in which the Equality Law was in effect. According to the law, there may not be less than 40% of each sex on the party list. In small districts with fewer than five seats, list positions must be allocated as equally as possible. However, the law did not lead to a significant increase in women’s representation in the lower house of parliament. Whereas 126 women had been elected in the 2004 elections, 127 women gained a parliamentary seat in 2008, which signifies a proportion of 36.3% of the elected members of the lower house. In the Spanish case, therefore, the gender quota has consolidated the high level of women’s parliamentary representation that has already been reached partly due to voluntary party quotas.

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Voluntary party quotas

97. Party gender quotas are adopted voluntarily by the respective parties in order to guarantee the nomination of a certain proportion of women. Such quotas might be either loose commitments, or statutory provisions. Among the Council of Europe member states, in about 30 countries one or more political parties have adopted voluntary quotas. In some states party quotas are applied in addition to legal quotas, whilst in other countries they are used alternatively to them.

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98. Like legal quotas, voluntary quotas can be a way of ensuring a “fast-track” access of women to parliaments. However, the proportion of women to be nominated usually varies between the political parties, both in intra-national and cross-national comparison. Among the parties with a 50% quota for women on party lists, there are, for instance, the Green parties in Austria, Germany, Iceland, Italy and Sweden, as well as some leftist parties in Germany, the

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Netherlands and Sweden. In several cases also “zipper systems” are applied. Other parties have opted for gender quotas, usually between 20% and 40%.

99. It is noteworthy that in some countries which apply only voluntary party quotas, women’s parliamentary representation is relatively high. In Europe, cases in point are Sweden, Norway, the Netherlands, Iceland and Germany. Against the general assumption that high levels of representation in Scandinavian states, like Sweden and Norway, have resulted mainly from party quotas, however, it is important to note that in both countries such quotas were established only after women had gained significant representation. In both Sweden and Norway, the introduction of party quotas constituted an incremental step in a long process of women gaining representation. Nevertheless, even in those countries, the implementation of party quotas had a positive impact on women’s representation.

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100. As a rule, it can be said that the larger the parties that apply voluntarily gender quotas, the higher the impact. For example, it was of paramount importance that the Labour Party, as the largest party in Norwegian politics, implemented such a quota in the 1985 elections for the first time. This led to a significant rise in the number of female representatives. The same can be said with regard to the British Labour party which increased its number of women candidates by introducing all-women shortlists in 1997. The adoption of a 40% quota by the Social Democratic Party of Croatia in 1996 constitutes another example since the party was responsible for a significant portion of women being elected to parliament. Similar effects are clearly visible in countries where predominant ruling parties adopt voluntary quotas, as has been the case in Mozambique, Namibia or South Africa.

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X. Political parties as important contextual factors

101. From the arguments above it should be clear that electoral systems and gender quotas alone do not guarantee high levels of women’s representation. As for the political context, parties play a prominent role for balancing gender representation in parliament since they control the nomination process. In the literature, the following party characteristics are singled out for positively influencing women’s representation:

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102. First, an advanced development and institutionalisation of parties and party systems: Although little empirical research has been done on the impact of these factors, there are theoretical reasons for assuming that women, particularly if they lack political resources, can profit from running under the label of strong parties. Especially with a high level of party systems’ institutionalisation, political parties play a key role in the electoral process. Because of their control over the nomination process, strong political parties are often more decisive on the election of women than the voters themselves. For strong and institutionalised parties nominating (genuinely or supposedly) weak candidates may not be risky since their candidates are likely to win, irrespective of their gender. Even in less developed party systems party affiliation among women matters a lot as a source of electoral success, as, for example, research on regional assembly elections in Russia has shown.

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103. Second, an active female branch inside the party and female representation in party leadership: Even with high party magnitudes, gender ticket balancing will be more likely if female activists exert pressure inside the party. If women are well-organised and hold powerful positions in the party, they will be able to insist on prominent positions on PR lists, and even on the nomination of women in SMDs. Additionally, a strong women’s movement may actively press, from outside the party, for the greater participation of women. The Spanish example demonstrates the strong influence of a feminist lobby and party feminists on the rise of women in party politics, especially inside the Socialist Party. Also in other countries women from political parties, from the civil society, and from the media have worked together to exert pressure to nominate women for parliamentary elections and/or to adopt electoral gender quotas. Nevertheless, in many countries party membership and, above all, leadership still remain

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predominantly male. Sometimes, women are seriously discriminated against within their own parties.

104. Third, the programmatic orientation of the parties: a party's ideology seems to play an important role in the prospects of women to be nominated and elected. It is generally assumed that leftist and green parties are more ideologically inclined to nominate women and to implement gender parity than parties of the right. Indeed, social democrats, socialists, workers' or other leftist parties have often been the first (and sometimes the only) parties to adopt voluntary gender quotas. This was the case, for example, in Austria, Croatia, Cyprus, the Czech Republic, France, Greece, Hungary, Lithuania, "the former Yugoslav Republic of Macedonia", Malta, the Netherlands, Norway, Portugal, Serbia, Spain, Sweden or Denmark (where, however, the respective party quotas have already been abandoned). In some countries, like Germany, green parties have been the spearhead of introducing a 50% parity quota. Even after the adoption of legal gender quotas, leftist parties are rather inclined to effectively implement such quotas, as, for example, the experiences in Spain (however not necessarily in France) show.

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105. Moreover, the so-called "contagion" effect should be taken into account. Contagion is defined as a process by which parties adopt policies initiated by other parties. It is assumed that once a prominent party starts to nominate more women in winnable positions, other parties will (more quickly) follow such an example. However, it has been shown that the conditions for doing so are much better under PR list systems than with plurality or majority systems. With PR systems the costs of such a strategy are lower and the gains are higher since ticket-balancing is possible and even a small increase in (women's) votes can result in more seats being gained.

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106. The contagion effect can also refer to the adoption of voluntary party quotas. Once a party has introduced gender quotas, other parties may do the same. In about half of the Council of Europe member states with party quotas, more than one party has adopted a voluntary quota. This is the case, for example, in Belgium, Germany, Iceland, Ireland, Italy, Luxembourg, the Netherlands, Norway, Poland, Romania, Slovenia, Spain, Sweden, and the United Kingdom. In Belgium, for example, the legal quota served only as a minimum benchmark and some parties increased their voluntary quotas, driven by competition with other parties. In the scientific literature also Norway has been singled out as an example of the contagious effects of gender policy. The contagious effect can be shown in the German case, too: the success of the Green party, having achieved gender parity from the early 1980s on, exerts strong electoral pressure on competing parties, especially the Social Democrats.

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XI. Conclusions

107. There are a wide variety of socio-economic, cultural and political factors that can hamper or facilitate women's access to parliament.

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108. Among the institutional factors of politics, both the electoral system and gender quotas can strongly influence women's parliamentary representation.

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109. Compared with many structural and cultural obstacles of women's representation, the electoral system can be changed more easily, and quota rules can be adopted, if politically wanted. Electoral reforms, thus, offer a viable option for increasing women's representation.

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110. Only a few Council of Europe member states apply an electoral system that is per se unfavourable to women. Plurality or majority systems in single-member districts, which tend to work against women, are quite seldom in Europe.

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111. Combined electoral systems, particularly Mixed Member Proportional Systems, appear to be more conducive to women's parliamentary representation than plurality or majority systems, but less favourable than PR systems which are applied exclusively in multi-member districts in one tier or at different levels.

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- | 112. In general, the vast majority of PR systems that are used in Europe do not disfavour women. Among them, those with high district magnitudes and electoral thresholds theoretically tend to do a better job since they ensure large party magnitudes, making ticket-balancing more likely. However, comparative research has to confirm this assessment empirically. Deleted: 112
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- | 113. In order to increase the district magnitude in PR systems, different options can be explored: Increasing the total number of members of parliament (while maintaining the number of districts), or reducing the numbers of electoral districts (while maintaining the number of representatives). Alternatively, a PR system with one national electoral district can be chosen. Deleted: 113
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- | 114. While it is difficult to make general recommendations on list forms, closed lists seem to make women's representation easier, especially if gender quotas are used. Deleted: 114
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- | 115. Electoral gender quotas are highly controversial in some countries. Given the profound under-representation of women, however, quotas should be viewed as compensation for existing obstacles to women's access to parliament. They can help to overcome structural, cultural and political constraints on women's representation. Deleted: 115
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- | 116. Since legal quotas are mandatory by nature they seem to be preferable to party quotas. However, voluntary quotas can, additionally or alternatively, contribute to an increase of women's representation, too. Deleted: 116
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- | 117. In order to be effective, gender quotas should provide for at least 30% of women on party lists, while 40% or 50% is preferable. Deleted: 117
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- | 118. Electoral quotas are more effective if they provide for strict ranking rules or placement mandates. "Zipper systems" can be considered the most effective method to ensure gender parity. Deleted: 118
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- | 119. For being respected, moreover, gender quotas require effective monitoring and enforcement mechanisms. Deleted: 119
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- | 120. Reserved seats for women are not considered as a viable and legitimate option in Europe. Deleted: 120
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- | 121. Instead, the following combination, theoretically, appears to be favourable: PR list systems in large constituencies and/or a nation-wide district, with legal threshold, closed lists and a mandatory quota which provides not only for a high portion of female candidates, but also for strict rank-order rules, e.g. a zipper-system, and effective sanctions for non-compliance. Deleted: 121
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- | 122. Also other combinations may fit with the aim to increase women's parliamentary representation. There are many possible and existing variations of PR systems, and legal gender quotas can effectively be substituted or supplemented by voluntary party quotas. Both electoral systems and gender quotas can thus be modified and adapted to suit the particular conditions of each country. Deleted: 122
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- | 123. Finally, every reform, however appropriate it may be, must be adopted and supported by the political stakeholders. The commitment of political parties is essential for adopting and effectively implementing new regulations. Deleted: 123
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- | 124. In general, political parties play a prominent role for balancing gender representation in parliament since they nominate the candidates for elections. The nomination process is the most critical one for women's access to parliament. Deleted: 124
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- | 125. It should be noted that the electoral system, apart from favouring women's representation, can also pursue other political aims, such as, for instance, the following ones: Deleted: 125
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- a. Ensuring a fair representation of political parties according to the shares of votes they received. From a representation perspective, a high degree of disproportionality between the vote and seat shares of the parties is regarded as problematic, as well as the exclusion of small parties.
- b. Enabling the formation of stable governing majorities: Too many parties are often understood to be problematic, in particular if they lead to unstable governing majorities. From that perspective, the fragmentation of party systems should be avoided. In order to do so, a high degree of disproportionality between the vote and seat shares of the parties and the exclusion of small parties may not only be tolerated, but may even be explicitly intended.
- c. Ensuring a close voter-representative relationship: Here the key question is whether the voter can choose only between political parties or between individuals as well. A candidate-oriented form of candidature and voting – in small constituencies or through preference/preferential voting – is assumed to increase the participation of the electorate and improve the accountability of individual representatives to the voters. From this perspective, anonymous closed party lists are regarded as undesirable.
- d. Ensuring that the electoral system is easy to understand and to deal with: Problems of voters in understanding and dealing with the electoral system should be resolved. In particular a large number of invalid votes are not tolerable from that perspective.
- e. Reducing costs and administrative efforts: Electoral systems have implications for the electoral administration, for instance with regard to the drawing of electoral boundaries, voter registration, the voting and counting process or to voter education.

| 126. The aim to improve women's representation by introducing, for instance, PR in large constituencies in combination with legal thresholds, closed lists and gender quotas, may conflict with the objective of ensuring a fair parliamentary representation of small parties and improving the voter-representative relationship via single-member or small multi-member constituencies, or via open lists and preference voting. At the same time it is compatible with other political aims. Since some of the objectives are antagonistic, no electoral system fulfils all requirements completely. Consequently, the appropriateness of an electoral system is dependent on the political aims which are given priority in a particular socio-cultural and political context.

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| 127. Finally, it should be reminded that the electoral system and gender quotas are not the only factors that influence women's parliamentary representation. In order to increase effectively both the descriptive and substantial representation of women in politics, a much broader and more comprehensive approach is necessary than changing electoral legislation. Nevertheless, appropriate electoral reforms may facilitate such a process.

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Appendix A: Glossary

Closed lists: The political parties determine the ranking order of candidates on the list. The voter endorses the entire list without any possibility of changing the order in which the seats are allocated to the candidates.

Combined systems contain technical elements usually belonging to plurality/majority systems as well as to PR list systems. Under combined systems, one part of the parliamentary seats is distributed, usually in single-member constituencies, by plurality/majority rule. The other part of the parliamentary seats is allocated by a PR formula to national or regional party lists. For the classification of the electoral system it is important whether both allocation procedures are separated from each other, as it is the case in parallel systems, or whether they are interrelated, as it is the case of Mixed Member Proportional Systems.

Compensatory seats are allocated to parties/alliances at higher tier(s) to compensate for the disproportionalities between votes and seats share of parties/alliances at lower tier(s).

District magnitude is defined by the number of seats to be elected in a district (also constituency magnitude).

Effective threshold of representation: mathematical equivalent to a legal threshold of representation. Each district of a given magnitude has its own "effective" or "natural" threshold. On the basis of the district magnitude (and the number of running parties and the PR formula) the minimum share of the votes a party needs to win a seat under optimal conditions (inclusion thresholds) can be calculated mathematically. The same can be done with regard to the maximum share of votes with which a party can still fail to win a seat under the most adverse conditions (exclusion threshold). The average of inclusion and exclusion thresholds is a useful approximation of the sufficient vote share a party needs to get a seat in a constituency. The higher the district magnitude, the lower is mathematically the effective threshold.

First-past-the-Post system (FPTP): another term for the plurality system in single-member districts.

Free lists allow voters to cross party lines and, thus, completely rearrange the party lists.

Gender quotas specify the minimum proportion of candidacies (or seats) that must be filled by members of one gender.

Legal threshold: minimum percentage of votes that a party needs to qualify for parliamentary representation, by legal provision.

Majority system in single-member districts: This system differs from the First-past-the-Post system only insofar as the winning candidate has to get the absolute majority of the votes (50% plus 1) in the first round of elections. If no candidate wins an absolute majority in the first round, either alternative votes come into effect (Alternative Vote) or a second round will be held (Two-Round system). The second round can be a "run-off" contest between the two top candidates. Alternatively several candidates participate in the second round winning the candidate with the most votes.

Mixed Member Proportional system (MMP) combines a personal vote in single-member districts with the principle of proportional representation. Though a portion of the representatives are elected, usually in single-member districts, by majority/plurality rule, the party list vote determines how many representatives will be sent from each party to parliament. The number of seats won directly by a party in the SMDs is subtracted from the total number of seats allocated to the party lists.

Multi-member district: more than one representative is elected per district (also multi-member constituency).

Multiple-tier PR list systems provide for the proportional allocation of seats at different levels.

Open lists: The parties pre-structure the ranking order of the lists. The voter may express a preference for particular candidates by casting a certain number of preference votes, thus, changing the ranking order of the list.

Parallel system: This system provides for a separate allocation of parliamentary seats. A proportion of the seats are distributed, usually in single-member districts, by the plurality or majority rule, the remainder being allocated separately to regional or national PR lists. The overall electoral outcome is achieved by adding together the two part results as determined separately.

Party magnitude describes the number of seats a party wins in a district.

Plurality system in single-member districts: With this system, also known as "First-past-the-Post system", the country is divided into single-member districts. In each constituency one candidate is elected to parliament. Each voter has one vote, and the winning candidate is simply the person who gets most votes in the respective constituency.

Preference vote: The voters can give preference vote(s) to one or several candidates on the party list.

Preferential vote: In a preferential electoral system, voters choose candidates in order of preference, putting "1" next to their first choice, "2" by their second choice and so on.

PR list systems at the national level: With this system, parliamentary seats are allocated proportionately at the national level, that is, parties receive seats in proportion to their overall national share of the vote. Usually, each party (or alliance) presents a national list of candidates.

PR list systems in multi-member districts: The country is divided into multi-member districts. Each party (or alliance) presents a list of candidates for the respective constituencies. On the basis of the votes, seats are distributed to party lists according to a PR formula at the constituency level.

Single transferable vote: This is the proportional form of the preferential vote.

Single-member district (SMDs): In each district, one person is elected (also single-member constituency).

Tier: level at which seats are allocated to parties or candidates. Electoral systems may have one or several electoral tiers.

Two-Round system (TRS): another term for the majority system – generally in single member districts - with a second round, if majority is not achieved in the first round (or not achieved for all seats in the case of a multi-member district).

Appendix B: Women's parliamentary representation in CoE member states

World ranking*	Country	Proportion of women in lower or single house of parliament	Election year
2 (2)	Sweden	47.0%	2006
4 (4)	Finland	41.5%	2007
5 (5)	Netherlands	41.3%	2006
7 (7)	Denmark	38.0%	2007
10 (10)	Spain	36.3%	2008
11 (11)	Norway	36.1%	2005
12 (12)	Belgium	35.3%	2007
15 (15)	Iceland	33.3%	2007
18 (18)	Germany	32.2%	2005
20 (20)	"the former Yugoslav Republic of Macedonia"	31.7%	2008
26 (27)	Switzerland	28.5%	2007
27 (28)	Portugal	28.3%	2005
29 (30)	Austria	27.3%	2008
37 (39)	Andorra	25.0%	2005
37 (39)	Monaco	25.0%	2008
39 (44)	Liechtenstein	24.0%	2005
42 (47)	Luxembourg	23.3%	2004
49 (57)	Republic of Moldova	21.8%	2005
50 (58)	Bulgaria	21.7%	2005
51 (59)	Serbia	21.6%	2008
52 (60)	Italy	21.3%	2008
53 (62)	Croatia	20.9%	2007
54 (63)	Estonia	20.8%	2007
56 (65)	Poland	20.2%	2007
58 (67)	Latvia	20.0%	2006
60 (69)	United Kingdom	19.5%	2005
61 (70)	Slovakia	19.3%	2006
65 (75)	France	18.2%	2007
67 (79)	Lithuania	17.7%	2008
76 (91)	Czech Republic	15.5%	2006
79 (95)	San Marino	15.0%	2008
80 (97)	Greece	14.7%	2007
81 (98)	Cyprus	14.3%	2006
83 (100)	Russian Federation	14.0%	2007
87 (105)	Ireland	13.3%	2007
87 (105)	Slovenia	13.3%	2008
95 (119)	Bosnia and Herzegovina	11.9%	2006
98 (122)	Azerbaijan	11.4%	2005
98 (122)	Romania	11.4%	2008
99 (124)	Hungary	11.1%	2006
99 (124)	Montenegro	11.1%	2006
107 (140)	Turkey	9.1%	2007
110 (144)	Malta	8.7%	2008
112 (146)	Armenia	8.4%	2007
113 (149)	Ukraine	8.2%	2007
117 (157)	Albania	7.1%	2005
121 (161)	Georgia	6.0%	2008

Source: Inter-Parliamentary Union on the basis of information provided by national parliaments by 30 November 2008 (www.ipu.org).

*Note: The IPU world ranking is insofar misleading as the countries with the same percentages are counted only as one ranking number. Even when, for example, two countries are placed on the 25th position, the next ranking number is 26 (instead of 27). As a result, for instance, there are not only 120 but 160 countries with higher levels of women's representation than Georgia. The real ranking number of countries is indicated in brackets.

Appendix C: Electoral systems in member states of the Council of Europe

Category	Type of electoral system	Seat allocation	Candidacy	Voting	Legal threshold	Countries
Plurality systems	First-past-the-Post	plurality in SMD	individual	single vote	---	United Kingdom, Azerbaijan
Majority systems	Two-Round system	majority in SMD (2nd round: plurality)	individual	single vote	---	France
National PR	National PR list system (with national or regional lists)	PR-formula at national level	closed lists (national or regional)	single vote	national	Moldavia, Montenegro (with one minority MMD), Serbia, Turkey, Ukraine, Bulgaria, Netherlands, Russia
	National PR list system	PR-formula at national level	open lists	preference voting	national	Slovakia
Constituency PR	PR list system in MMD	PR-formula in MMD	closed lists	single vote	---	“the former Yugoslav Republic of Macedonia”, Portugal
	PR list system in MMD	PR-formula in MMD	open lists	preference voting	MMD national	Spain Croatia, Romania
	PR list system in MMD	PR-formula in MMD	free lists	multiple votes	---	Belgium, Cyprus, Finland
	PR list system in MMD	PR-formula in MMD	free lists	multiple votes	MMD national	Albania (after reform of 2008) Czech Republic, Latvia, Slovenia (2 SMD)
	STV-System	PR formula in MMD	free lists	preferential voting	---	Luxembourg, Switzerland (5 SMD) Liechtenstein Ireland, Malta
Multiple-tier PR systems	PR list system in MMD with additional list	PR formula in MMD, remaining seats to national party lists	open (and closed) lists	preference voting	national	Estonia, Greece, Poland
	Compensatory system	PR formula in MMD and compensatory national PR seats	closed lists	single vote	national	Bosnia and Herzegovina (partially open lists), Iceland, Norway
	Compensatory system	PR formula in MMD and compensatory national seats	open lists	preference voting	national	Denmark, Sweden
	Compensatory system	PR-formula in MMD; PR-formula in regional MMD, compensatory national seats (3 tiers)	open lists	preference voting	national	Austria

Combined systems	Parallel system	Parallel calculation: plurality in SMD PR formula at national level	individual	constituency vote	national	Armenia, Georgia, Macedonia (Russia until 2005)
	Parallel system	Parallel calculation: plurality in SMD PR formula at national level	closed lists individual	list vote vote for candidate preference voting	national	Lithuania
	Parallel system (Party bloc vote & PR list)	Parallel calculation: plurality in binominal districts PR formula at national level	closed lists closed lists	list vote list vote		Andorra
	Parallel system (Block vote & PR list)	Parallel calculation: Partly by majority system in nationwide MMD (block vote), partly by PR list at national level	free lists	multiple votes	national	Monaco
	Mixed Member Proportional system	plurality in SMD; overall seat allocation according to PR list votes (combined allocation of seats)	individual closed lists	SMD vote list vote	national	Germany
	Mixed Member Proportional system (compensatory system)	majority (2 nd round: plurality) in SMD compensatory seats at national level	individual closed lists	SMD vote list vote	national	Hungary, (Albania before 2005)
"Bonus system"	PR formula in MMD, with "bonus seats" (majority prize) for largest party/alliance	closed lists	single vote	national	Italy, San Marino	

Appendix D: References

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