



## **“Introducing Parity Democracy: The Role of the International Community and the European Women’s Lobby”**

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#### **Background**

EWL is a non-governmental organization (NGO) that brings together over 4,000 women’s organisations that are working to promote equality between women and men and to ensure that gender equality and women’s human rights are taken into consideration in all European Union (EU) policies. This case study will examine the experiences and activities of the European Women’s Lobby (EWL) in the area of women in decision-making.

Each of the current EU Member States has what we call a ‘National Co-ordination of Women’s NGOs for EWL’. In September 2004 there were 18 National Co-ordinations. At our General Assembly on 17 October 2004, we welcomed seven new National Co-ordinations, from the Czech Republic, Estonia, Lithuania, Malta, Poland, Slovakia and Turkey. We very much hope to develop our contacts and to increase our level of cooperation with women’s organisation from the Balkans.

In addition, 23 large European networks are members of the EWL, including for example the International Alliance of Women and the women’s section of the European Trade Union Confederation.

In our work we focus on: 1) women and economic justice, including labour market issues, social policies and pensions, and gender budgeting; 2) women in decision-making and institutional issues, such as the revision of EU treaties; 3) violence against women and women’s human rights; 4) the accession process and working with women’s NGOs in the new EU Member States; and 5) in coming months, the ten-year review of implementation of the Beijing Platform for Action (BPfA). EWL has drafted a report on implementation of the BPfA by the EU.

We all know that achieving equality between women and men requires changes at many different levels, so EWL aims:

- to ensure that women and women's organisations are kept fully informed of EU policy developments that will affect their lives so that they are in a position to organise their responses at the local, national, regional and European levels; and
- to lobby at the European level to ensure that decision-makers are made aware of the concerns, interests and needs of women with respect to all areas of EU policy.

EWL acts as a link between women's organisations and EU institutions and facilitates the flow of information from these institutions to local, national and European women's organisations. Thanks to its advisory status vis-à-vis the United Nations Economic and Social Council (ECOSOC) and the Council of Europe, EWL can also play a dual role at the international level. The work of EWL takes place both at the level of the Members of the European Parliament and with the Commission in Brussels as well as at the level of governments and political representatives in the Member States by our member organisations.

### **International instruments and the promotion of gender equality in decision-making**

International instruments can be very useful resources in pushing for equality between women and men in decision-making. It is very important, therefore, to be aware of them and to utilise them, so as to make decision-makers accountable for the commitments that they have made at the European and international levels.

The equal participation of women and men in power and decision-making has been strongly promoted at the international level. Articles 7 and 8 of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW),<sup>1</sup> adopted in 1979 and ratified by most European countries,<sup>2</sup> commits states parties to 'take all appropriate measures to eliminate discrimination against women in political and public life'. Furthermore, Article 4 stipulates that the adoption of 'temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination'.

'Women in power and decision-making' is also one of the 12 critical areas of concern of the Beijing Platform for Action,<sup>3</sup> adopted at the Fourth World Conference on Women in 1995. The BPfA contains precise measures in order to 'ensure women's equal access to and full participation in power structures and decision-making' and to '[i]ncrease women's capacity to participate in decision-making and leadership'.

The Council of Europe has also done some very interesting work on women in decision-making. A recommendation on balanced participation of women and men in political and public decision-making was adopted on 12 March 2003, although this is not legally binding.<sup>4</sup>

The Treaty on the European Union contains strong, general gender equality provisions.<sup>5</sup> In addition, the EU has adopted several recommendations and issued various statements on women in decision-making.<sup>6</sup> However, there is no binding

gender equality provision with respect to political decision-making in European institutions (the European Parliament, the European Commission and Council).

Article 141, paragraph 4 of the 1999 Treaty of Amsterdam lays the legal foundations for 'specific advantages' established by Member States and favouring the 'under-represented sex'. As a consequence, a directive<sup>7</sup> was adopted in 2002, which states (Article 2, paragraph 8): "Member States may maintain or adopt measures within the meaning of Article 141§4 of the Treaty with a view to ensuring full equality in practice between men and women'.

This wording is an important step forward, as it should make it easier to engage in positive action and to achieve substantive equality in the employment field, including in decision-making positions. However, there are still some uncertainties regarding how the European Court of Justice will interpret this provision and whether it will accept the concept of 'equality of result'.<sup>8</sup> The deadline for transposing this directive into national legislation is October 2005.

The European Commission Decision on Gender Balance within the Committees and Expert Groups taken on 19 June 2000,<sup>9</sup> aims in the medium term to ensure that there is at least 40 percent of one sex in each of these bodies.

A 1998 European Parliament resolution on a draft common procedure for elections<sup>10</sup> to the body states that: 'When lists of candidates for European elections are drawn up, account must be taken of the objective of equality between men and women and that it is primarily for political parties to achieve this objective directly'. However, no final decision was taken<sup>11</sup> on a common electoral procedure and hence it is up to each member state and national political parties to define their own rules for European parliamentary elections.

## **Data on Women in Decision-making at the European Level**

### ***National parliaments***

There are vast disparities between countries in terms of the representation of women in national parliaments. The average representation of women in January 2005 stood at 21.2 percent for the Lower Houses in EU member states, accession countries and the Balkans, as shown in Table 1.

**Table 1:** Women in Lower Houses of National Parliaments in EU Member States, Accession countries and the Balkans

<b>Rank</b>	<b>Country</b>	<b>Last election</b>	<b>Seats</b>	<b>Women</b>	<b>% women</b>
1	Sweden	09/2002	349	158	<b>45.3</b>
2	Denmark	11/2001	179	68	<b>38.0</b>
3	Finland	03/2003	200	75	<b>37.5</b>
4	Netherlands	01/2003	150	55	<b>36.7</b>
5	Spain	03/2004	350	126	<b>36.0</b>
6	Belgium	05/2003	150	52	<b>34.7</b>
7	Austria	11/2002	183	62	<b>33.9</b>
8	Germany	09/2002	601	197	<b>32.8</b>
9	Bulgaria	06/2001	240	63	<b>26.3</b>
10	Luxembourg	06/2004	60	14	<b>23.3</b>
11	Lithuania	10/2004	141	31	<b>22.0</b>
12	Lithuania	10/2004	141	31	<b>22.0</b>
13	Croatia	11/2003	152	33	<b>21.7</b>

14	Latvia	10/2002	100	21	<b>21.0</b>
15	Poland	09/2001	460	93	<b>20.2</b>
16	The F.Y.R of Macedonia	09/2002	120	23	<b>19.2</b>
17	Portugal	03/2002	230	44	<b>19.1</b>
18	Estonia	03/2003	101	19	<b>18.8</b>
19	United Kingdom	06/2001	659	119	<b>18.1</b>
20	Czech Republic	06/2002	200	34	<b>17.0</b>
21	Slovakia	09/2002	150	25	<b>16.7</b>
22	Bosnia and Herzegovina	10/2002	42	7	<b>16.7</b>
23	Cyprus	05/2001	56	9	<b>16.1</b>
24	Greece	03/2004	300	42	<b>14.0</b>
25	Ireland	05/2002	166	22	<b>13.3</b>
26	France	06/2002	574	70	<b>12.2</b>
27	Slovenia	10/2000	90	11	<b>12.2</b>
28	Italy	05/2001	618	71	<b>11.5</b>
29	Romania	11/2004	332	38	<b>11.4</b>
30	Malta	04/2003	65	6	<b>9.2</b>
31	Hungary	04/2002	385	35	<b>9.1</b>
32	Serbia and Montenegro	09/2003	126	10	<b>7.9</b>
33	Turkey	11/2002	550	24	<b>4.4</b>
<b>AVERAGE</b>					<b>21.2</b>

**Source:** Inter-Parliamentary Union, 2005. *Women in National Parliaments*, as of 31 January. Available at <http://www.ipu.org>.

### **European Parliament**

Women's representation in the European Parliament has increased steadily over the years, except for stagnation following the last elections in June 2004. The proportion of women Members of the European Parliament (MEPs) rose from 17.3 percent after the 1984 elections to 31 percent in 2003, decreasing to 30.3 percent after the 2004 polls. It must be noted that there are big differences between countries, ranging from 57.9 percent women in the Swedish group to not a single woman from Malta, and between political groups.

**Table 2:** Percentage of women in the European Parliament Sixth Term 2004–2009

Rank in Europe	Member state	No. of seats	No. of women	% of women	Evolution compared to fifth term <sup>12</sup>
1	Sweden	19	11	57.9	↑↑ <sup>13</sup>
2	Luxemburg	6	3	50.0	↑↑
3	Netherlands	27	12	44.4	↑
4	Slovenia	7	3	42.9	
5	France	78	33	42.3	↓
6	Austria	18	7	38.9	↑
7	Lithuania	13	5	38.5	
8	Ireland	13	5	38.5	↑
9	Hungary	24	9	37.5	
10	Denmark	14	5	35.7	↓
11	Finland	14	5	35.7	↓

12	Slovakia	14	5	35.7	
13	Estonia	6	2	33.3	
14	Spain	54	18	33.3	→
15	Germany	98	31	31.6	↓
16	Belgium	24	7	29.2	↓
17	Greece	24	7	29.2	↑↑
18	Portugal	24	6	25.0	↓
19	UK	78	19	24.4	↑
20	Latvia	9	2	22.2	
21	Czech Republic	24	5	20.8	
22	Italy	77	14	18.1	↑
23	Poland	53	7	13.2	
24	Cyprus	6	0	0	
25	Malta	5	0	0	
Total		729	221	30.3%	↓

**Source:** Data from August 2004, compiled from the European Parliament Website.<sup>14</sup>

### ***Political Groups of the European Parliament***

The situation is not good in terms of women’s representation in the governing bodies of the European Parliament—the situation has even deteriorated with regard to some posts following the 2004 elections. Women hold only 15 percent of chairs of parliamentary committees and only two political groups are co-chaired by women (20 percent of chairpersons). This shows that the position of women is still weak in terms of their internal influence within the European Parliament.

**Table 3:** Women and men chairpersons of political groups in European Parliament

Political groups	Chairpersons		Vice-chairpersons	
	Women	Men	Women	Men
European People’s Party (PPE)		1	1	6
Party of European Socialists (PSE)		1	3	4
Group of the Alliance of Liberals and Democrats for Europe (ALDE)		1	3	1
Greens/European Free Alliance (V/ALE)	1	1		
Confederal Group of the European United Left/Nordic Green Left (GUE/NGL)		1	3	1
Independence and Democracy Group		2		
Union for a Europe of Nations (UEN)	1	1		4
<b>Total</b>	<b>2</b>	<b>8</b>	<b>10</b>	<b>16</b>
<b>Percentage</b>	<b>20%</b>	<b>80%</b>	<b>38.5%</b>	<b>61.5%</b>

### **Council of Ministers**

Given that the Council of Ministers is composed of national ministers, the percentage of women is directly related to the presence of women in national governments, around 23 percent.<sup>15</sup>

### **European Commission**

Until April 2004,<sup>16</sup> 25 percent of Commissioners were women (1999–2004 legislative period), signifying no progress in comparison to the past. For the 2004–2009 legislative period, eight women (out of 25) have been nominated to the Commission, taking the rate of participation of women to 32 percent, the highest to date. However, only one of the five vice-presidents is a woman and a woman has never been appointed president of this body.

### **The EWL Position: The Need to Move towards Parity Democracy in Europe**

At the 2002 EWL General Assembly, delegates of the European Women's Lobby approved several motions emphasizing the need to lobby for the introduction of parity democracy at the EU level. Parity democracy, which implies *equal* representation of women and men in decision-making positions, is based on the understanding that the essence of humanity is duality, and that both sexes should be represented whenever decisions are made that affect their lives. It is obvious that, on the whole, men and women behave differently and have different interests.

Parity is a goal to be attained. While it may be achieved progressively, one must always bear in mind the ultimate objective of equal participation of women and men in all areas of life, particularly in politics.

Another significant point is that women are represented in all social groups; they are neither a minority nor a category (such as class or ethnicity). This is important with respect to reflection on quotas and parity. If quotas can serve as a useful means with which to make up for the lack of representation of a certain category, it is important to recall the fundamental conceptual difference with parity. Quotas can be perceived as a 'ceiling' used to protect the rights of a minority and to ensure its participation in decision-making forums. But, as noted above, women are neither a minority nor a specific category: they represent more than one-half of humanity—a quantitative dimension—and one of its two components—a qualitative dimension. Therefore, parity goes a step further than quotas. Parity is about power-sharing and participation on an equal basis (50/50) or from 40/60 to 60/40.<sup>17</sup> In other words, fundamental to parity is the claim that men and women must be *equally* represented in decision-making positions, whereas quotas are a means of achieving fair representation. Some examples of parity legislation adopted by EU member states as follows:

**Table 4:** National Constitutional Provisions on Parity Democracy or Positive Action<sup>18</sup>

<b>Constitutional provision</b>	<b>Old EU Member States</b>	<b>New EU Member States<sup>19</sup></b>
<b>Specific gender equality provision</b>	<b>Six out of 15 countries</b> Belgium (art. 10), Finland (Chapter 2, section 6.4), Germany (art. 3.2), Greece (art. 4.2), Portugal (art. 9), Sweden (art. 2.3)	<b>Three out of 13 countries</b> Hungary (art. 66.1), Malta (section 14), Poland art. 33)

<p><b>Clause on active measures by states/positive action for the promotion of equality<sup>20</sup></b></p>	<p><b>Nine out of 15 countries</b> Austria (art. 7.2), Belgium (art. 11 bis), Finland (section 6), France (arts. 3 &amp; 4), Germany (art. 3.2), Greece, Italy (51 &amp; 117), Portugal (arts. 9 &amp; 109), Spain (art. 9.2)</p>	<p><b>Two out of 13 countries</b> Hungary (art. 70/A Section 3), Malta (section 45.11)</p>
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The concept of parity is also useful as it gives arguments in favour of specific bodies and mechanisms for gender equality and to put pressure against the tendency (including at the EU level) to merge all anti-discrimination measures into single programmes/institutional mechanisms.

More than ever, it is necessary for European institutions to commit themselves to parity democracy. This is for the following reasons:

- EU Member States have committed themselves to gender equality many times at the international, European and national levels.
- Gender equality is related to fundamental notions about the quality of social justice, human rights and the nature of democracy.
- Gender equality is a prerequisite for participatory democracy and for sustainable human and economic development.
- There are strong indications that the inclusion of both sexes in policymaking bodies leads to decisions that better meet the interests and needs of a diverse citizenry, thus promoting better allocation of public resources.
- Gender balance leads to the introduction of new and/or forgotten issues on the policy agenda.
- As they constitute the majority of citizens and taxpayers, women must be engaged equally in political decision-making, including with respect to decisions on economic matters and the spending of public money.
- Democracy is a privilege and, within the democratic system, political parties are in a privileged position (public funding, main entry point into politics). It is legitimate, therefore for citizens and taxpayers to demand that political parties function more democratically and to call for some degree of accountability.

It has to be noted, too, that some groups of women, such as women of colour, migrant and ethnic minority women and disabled or young women, are even less visible in the decision-making sphere (political, as well as social, economic and cultural).

### **EWL Activities in the Area of Women in Decision-making**

The promotion of women in decision-making is naturally an important area of activity for EWL. It has been actively promoting equal representation of women in the European institutions, especially the European Parliament.

#### ***An example of not very successful lobbying: The Convention on the Future of Europe, 2001–2002***

Given that women were poorly represented (14 percent) in the convention tasked with drafting the Charter on Fundamental Rights of the EU, EWL wanted to ensure

that the same thing would not happen with the convention in charge of thinking about the future of Europe. Thus it started to send out letters to decision-makers highlighting the need for equal participation between women and men in autumn 2001. On the eve of the official opening of the Convention, EWL launched a European campaign entitled 'Put your weight behind equality in Europe', based on a postcard petition. Despite the lobbying and campaigning, only two of the 12 members of the Presidium of the Convention were women. The president and the two vice-presidents were men. In total, women made up just 14 percent of the Convention on the Future of Europe.

### ***Action connected to the European Parliament elections of June 2004***

By virtue of its representative nature, the European Parliament constitutes an essential means of promoting equality and social justice. It was seen as essential, therefore, to improve the representation of women in the European Parliament in the elections of June 2004, especially in view of the enlargement of the European Union in May 2004. The EWL started work on this in 2003.

EWL supported the gender-equality-related amendments to the Leinen report of May 2003 tabled by the Green group in the European Parliament.<sup>21</sup> Unfortunately the amendments (aimed at linking funding of political parties to gender equality criteria) were not adopted by the European Parliament.

A lobbying kit was also put together that focussed on women and the European elections, containing, for example, information on national Constitutions and gender equality. Since elections to the European Parliament are still organized according to national rules, the objective was to support the actions of EWL member organizations and women's organizations in general aimed at achieving better representation of women on electoral lists and in the European Parliament. In parallel, EWL wrote to all national political parties asking them to put women in eligible positions on their lists of candidates. It also collaborated with member organizations to press for the nomination of women Commissioners in the first half of 2004.

### **Challenges and Opportunities: How to Introduce Parity Democracy in Europe**

#### ***An integrated approach to achieve gender equality***

EWL believes that inequalities between women and men form part of a continuum and are deeply rooted in national mentalities, as well as in different social structures. Hence it is very unlikely that isolated measures will prove effective in achieving gender equality. Other issues must be taken into account, including those linked to stereotypes, how women are portrayed in the media, social policies, and the existence of real opportunities for women (and men) to combine family and working life, as well as to more fundamental matters like violence against women. This is why EWL always tries to work at several levels and to establish connections between different issues.

Much remains to be done, though, to achieve equality between women and men in all areas. Progress remains particularly slow in the economic sphere, where different obstacles linked to women's situation in the labour market and in society combine to make it difficult for them to break through the 'glass ceiling'.

The introduction of parity democracy at the EU level is thus a challenge that the EWL took up and tried to meet using different strategies. It took advantage of the



different windows of opportunity that manifested themselves in the past few years in the realm of European policymaking (see below).

### ***A new European directive?***

The concept of parity democracy was included in the 'shadow directive' drafted by EWL that pertains to the proposed new directive on gender equality in all areas, which the European Commission put forward in November 2003. Unfortunately, the scope of the directive (which was adopted in December 2004) concerns only equal treatment of women and men with respect to goods and services—the issue of women in decision-making was not included. When presenting its proposal in 2003, the European Commission stated that it was the first of a series of European directives on gender equality. However there is nothing to indicate that the Commission has any intention of putting forward a new proposal in the near future.

### ***No progress on the treaty establishing a Constitution for Europe***

EWL has been lobbying for the introduction of parity democracy in the Constitutional Treaty being drafted by the Convention on the Future of Europe. Unfortunately, although equality between women and men is now a core EU value, the text of the treaty establishing a Constitution for Europe (agreed by the Inter-Governmental Conference in June 2004) does not make reference to women in decision-making. The earlier draft of the Convention on the Future of Europe for Article I-26§2 on the nomination of the Commission stated that each member state would have to put forward three names, 'in which both genders were represented'. This requirement was removed and member states are only required to put forward names based on general competence, commitment to the goals of the European Union and their independence. Clearly this is a disappointment and weakens the possibility of ensuring a gender-balanced Commission.

### ***Key lessons***

What is extremely interesting to note is that EU institutions are used to dealing with different criteria on decision-making positions, including quotas per country and quotas for political parties. Nonetheless, the gender criterion always seems to be unacceptable and, in any case, is rarely employed when it comes to defining rules, or, even worse, when making nominations.

At the same time, recent events (in particular the extreme difficulty experienced in trying to introduce gender-equality-related issues into the discussions of the Convention on the Future of Europe) have shown that better representation of women in decision-making is needed at the European level, in order to make further progress towards ensuring equality between women and men in policies.

EWL has been actively lobbying to have parity democracy adopted and implemented at the European level. However, the different strategies employed by the EWL to date have failed, mainly because of a lack of political will and a lack of support for gender equality in decision-making at the European level.

EWL will continue to lobby for parity democracy in Europe through different means:

- It will continue to lobby for an integrated approach to gender equality, linking different policy areas. Gender equality in decision-making will not be achieved without measures being introduced in other areas, such as more gender-sensitive social policies.

- It will lobby for another European directive on gender equality, although this is a medium-term goal.
- It will explore other ways of achieving gender equality, through, for example, the internal rules of the European Parliament and of political parties, including the question of public funding for political parties and internal democracy.
- It will continue to question political parties and to place more pressure on them, as they are still the main point of entry to political life in EU countries.
- It will continue to network with women's organizations, to ensure that decision-makers hear the same message at different levels and in order to put pressure on them to act on their commitments.

## Endnotes

<sup>1</sup> Division for the Advancement of Women, 2004. *Convention on the Elimination of All Forms of Discrimination against Women*. See <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

<sup>2</sup> As of June 2003, 174 countries are party to CEDAW, 90 percent of members of the UN.

<sup>3</sup> United Nations Development Fund for Women See <http://www.unifem.org>

<sup>4</sup> Council of Europe. See

<http://www.humanrights.coe.int/equality/Eng/WordDocs/Document%20list.htm>

<sup>5</sup> Articles 2, 3(2), 13 and 141.

<sup>6</sup> European Commission, Gender Balance in Decision-Making. See [http://www.europa.eu.int/comm/employment\\_social/equ\\_opp/decision\\_en.html](http://www.europa.eu.int/comm/employment_social/equ_opp/decision_en.html)

<sup>7</sup> Council Directive, 76/207/EEC, on the 'Implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions'.

<sup>8</sup> Although its case law has evolved from a rigid position (Kalanke case C-450/93, 17 October 1995), it is not certain that the court will recognize the new provision as a guarantee of substantive equality.

<sup>9</sup> Decision on Gender Balance within the Committees and Expert Groups taken on 19 June 2000 Official Journal. 27 June 2000. L 154. p. 34.

<sup>10</sup> European Parliament resolution on a draft common procedure for elections Resolution A4-02212/1998.

<sup>11</sup> As of August 2004.

<sup>12</sup> Evolution compared to number of observers for new member states.

<sup>13</sup> ↑↑ indicates a rise of more than ten percent.

<sup>14</sup> [http://www.db.europarl.eu.int/ep6/owa/p\\_meps2.repartition?ilg=EN&iorig=home](http://www.db.europarl.eu.int/ep6/owa/p_meps2.repartition?ilg=EN&iorig=home)

<sup>15</sup> European database on women in decision-making: [http://www.europa.eu.int/comm/employment\\_social/women\\_men\\_stats/out/measures\\_out416\\_en.htm](http://www.europa.eu.int/comm/employment_social/women_men_stats/out/measures_out416_en.htm).

<sup>16</sup> Anna Diamantopoulou was replaced by Stavros Dimas in April 2004, resulting in the percentage of women Commissioners falling to 20 percent.

<sup>17</sup> It would be desirable to set the participation of both sexes at a minimum level. This level (usually 40 percent) has been called the 'parity threshold'.

<sup>18</sup> Most of the English versions of national constitutional provisions are taken from the following website: <http://www.oefre.unibe.ch/law/icl/home.html>.

<sup>19</sup> Thirteen countries, including the following three candidate states: Bulgaria, Romania and Turkey.

<sup>20</sup> In some cases, this concerns the promotion of women in decision-making.

<sup>21</sup> EU COM(2003) 77 - C5-0059/2003 - 2003/0039(COD).