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Commission on the Status of Women**Forty-eighth session**

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Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”: implementation of strategic objectives and actions in the critical areas of concern and further actions and initiatives**Enhancing women’s participation in electoral processes in post-conflict countries****Note by the Secretariat**

1. In accordance with its multi-year programme of work for 2002-2006, the Commission on the Status of Women will review the thematic issue of “women’s equal participation in conflict prevention, management and conflict resolution and in post-conflict peace-building” at its forty-eighth session in 2004. In order to contribute to a further understanding of this issue and to assist the Commission in its deliberations, the Office of the Special Adviser on Gender Issues and Advancement of Women in the Department of Economic and Social Affairs (DESA) convened an expert group meeting on “Enhancing women’s participation in electoral processes in post-conflict countries,” jointly organized with the Department of Political Affairs of the United Nations. The expert group meeting was held at the Harrison Conference Centre in Glen Cove, New York from 19 to 22 January 2004. The expert group discussed and analysed electoral processes in post-conflict countries and the obstacles, lessons learned and good

* E/CN.6/2004/1.

practices in enhancing women's participation in these processes. Based on its discussions, the expert group meeting adopted recommendations on the incorporation of gender perspectives into the phases of elections in post-conflict and the roles of the various actors in support of women's full participation. The following is a brief introduction and the recommendations of this meeting.

Introduction

2. Women's full and equal participation and the integration of gender perspectives are key to democratic electoral processes in post-conflict situations. A gender-sensitive constitutional and legal framework, especially electoral laws and regulations, is necessary to ensure that women can fully participate in such processes. Political parties can play a crucial role in promoting women's equal participation. Steps are also necessary to ensure that women participate fully in the design and implementation of voter and civic education programmes, and in election administration and observation.

3. A diverse range of actors have responsibility for enhancing attention to gender equality and ensuring women's full participation in post-conflict elections, such as concerned Governments, the United Nations Security Council, regional and subregional organizations, the Secretary-General of the United Nations, special representatives heading peace support operations, political parties, United Nations entities, civil society including non-governmental organizations, and multilateral donor and funding entities.

Recommendations made by the expert group

4. The expert group meeting considers it important to make overarching recommendations regarding the incorporation of gender perspectives and the advancement of women in peace operations as a whole.

5. It was recommended that *all* actors listed above should:

- Be guided by the relevant laws and instruments that give full expression to the rights of women as set out in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Covenant on Civil and Political Rights and the Convention on the Political Rights of Women, and establish mechanisms for ensuring that those rights will, in practice, be enjoyed.

- Be guided by the recommendations of the Ottawa Expert Group Meeting on Peace Agreements as a Means for Promoting Gender Equality and Ensuring the Participation of Women: a Framework for Model Provisions¹.

- Work proactively for the inclusion of women as part of delegations to international and national peace negotiations, including by structuring negotiations to include women as participants and by providing incentives to parties to the conflict to include women on their negotiating teams.

- Help protect and empower women refugees when negotiating United Nation's Status of Mission Agreements with neighbouring countries, for example, by preventing forced returns and ensuring availability of voting rights to women in refugee camps.

- Create platforms to ensure women's voices are heard, through meetings, events and publicity, and by consulting and being seen to consult with women leaders and women's groups.

¹ EGM/PEACE/2003/REPORT of 10 December 2003.

- Support transitional bodies, constituent assemblies and other such institutions by enhancing their capacities and supporting their women members, and encourage gender balance in their composition.
- Mainstream gender into peacekeeping mission budgets and include provisions for gender units/advisers and gender mainstreaming activities throughout the mission.
- Ensure effective donor coordination which should be clear on the priority attached to advancing women's participation and gender equality.
- Consider using opinion polling and focus groups to identify issues of importance for women in post-conflict countries and to develop ways to be responsive.
- Support and foster domestic civil society organizations with a view to strengthening their involvement in developing women's political rights.

A. Legal Framework

6. The expert group meeting recommends that a legal framework should:

- Ensure gender balance in all bodies created as part of the design or implementation of the constitutional, political, legislative and electoral laws and regulations. To ensure this outcome special measures including the use of quotas and incentives should be explored.
- Ensure that women participate and hold decision-making positions in all committees, commissions or other fora that are established, including in drafting committees and create specialized bodies to advance the rights of women.

- Have specific provisions on non-discrimination and the full equality between women and men, in accordance with international standards on human rights and women's rights.
- Ensure that citizenship rights of women and men are equal in all respects.

7. With regard to the electoral process, the legal framework should:

- Eliminate procedures that might constitute indirect discrimination such as an excessive requirement for signatures of citizens.
- Ensure that campaign financing laws do not directly or indirectly discriminate against women, such as requiring an unreasonably high monetary deposit taking into account that women often have less access to resources than men.
- Include provisions to assist illiterate voters, and ensure that these provisions are not abused.
- Include provisions to ensure polling stations are established and located so as to provide easy access for women voters.
- Establish a complaints and appeals process that can provide rapid and genuine redress to individuals whose electoral rights have been violated. Procedures should be simple, clear and rule-based and should operate in a way that inspires the confidence of the electorate. Women should participate as members of any administrative or judicial body considering election complaints.

8. The expert group recommends that:

Government actors should

- Ensure that the relevant laws and instruments give full expression to the rights of women as set out in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Covenant on Civil and Political Rights and the Convention on the Political Rights of Women, and establish mechanisms for ensuring that those rights will, in practice, be enjoyed.
- Review the legal framework for proposed constitutional, political, legislative and electoral laws and regulations to identify elements which may hamper women's participation, and amend legislation to correct problems identified.

International actors should

- Within their mandates, encourage the adoption of a legal framework that guarantees equal participation by women in elections.
- Encourage the formation of new institutions and strengthening of existing institutions, including ministries of women's affairs, national commissions on women, and ombudsman offices and other innovative institutions that can contribute to empowering women and advancing their political rights.
- Undertake or offer to assist with a gender analysis of the legal framework on elections, to help identify any shortcomings or indirect discrimination and suggest remedies, and provide advisers on human rights and women's rights to improve legal frameworks.
- Encourage and facilitate the exchange of information and best practices, particularly within the same region on ways to advance women's participation in elections. For example, open lists and proportional representation systems have been shown to lead to the election of greater

numbers of women than majoritarian systems, although both systems are accepted as meeting international standards.

- Provide information on special measures and encourage their adoption. It has been shown that special measures, including quotas for women on party lists or reserved seats for women, can lead to a significant increase in women's participation as members of parliament or other elected bodies. Special measures are acceptable under international standards such as article 4 of the Convention on the Elimination of All Forms of Discrimination against Women. Such measures can also be among the most effective means of increasing women's participation and the election of women candidates. These measures can be applied at local or regional levels as well as at the national level.

- Pursue further research on:

- Special measures with a view toward evaluating their effectiveness;
- How different constitutional and political legislative frameworks affect the level of women's participation and representation;

Civil society actors should

- Organize public consultations, and lobby for women to participate and hold decision making positions in all committees, commissions or other fora that are established, including in drafting committees during the reform process.

- Identify and support (including through training) qualified women to participate in these fora. Effective strategies for influencing domestic reform can include developing education outreach campaigns, and reaching out to the international community and other civil society organizations for support.

- Support gender equality through issuing position papers and lobbying on:
 - Application of international legal instruments;
 - Internal party democracy including candidate recruitment and party rules;
 - Election monitoring and observation mechanisms;
 - Application of special measures, including gender quotas and party ballot composition;

- Monitor the Government's implementation of peace agreements and mobilize public support for the full implementation where agreements have included women's equitable political participation.

- Ensure that women who are refugees, internally displaced persons, non-registered voters, or those without official identification forms and/or birth certificates are not excluded or disenfranchised due to barriers of citizenship.

- Develop a media strategy that highlights the application of international norms and standards or specific constitutional or electoral reform proposals.

- Develop coalitions and alliances among sectoral groups and non-governmental organizations, to unite, for example, women's groups and human rights organizations, to galvanize support for constitutional and electoral reform.

- Provide training for members of electoral commissions on international laws and standards on gender equality issues as well as state obligations.

B. Political Representation and Political Parties

9. The expert group meeting recommends that political parties should:

- Be required, as a condition of registration, to have a constitution specifying their position on gender equality. Where possible, such requirements should be incorporated in the document or instrument which is likely to be seen by all political players as being most binding.
- Adopt internally democratic structures (e.g., open and transparent candidate nomination procedures) in order to advance the participation of women rather than closed decision-making structures.
- Identify gender issues in their platforms and select women candidates using transparent criteria, party-list placement in winnable positions and other mechanisms to promote their election such as a “zippered” list, in which the names of men and women alternate, which provides the best possibility of electing greater numbers of women.
- In their party rules, mandate that the membership of party management and party policy committees is gender balanced and that women are included in decision-making roles. They should ensure that women candidates have access to resources and special training opportunities. These should include strategies that reach out to include women.
- If a party Code of Conduct exists, include standards on participation by women and gender equality.
- Take into account that experience has shown that women’s political participation can often be most effectively advanced at the party level through setting voluntary quotas or targets

on the proportion of women candidates who will appear on party lists. Targets are most effective if linked to a specific timeframe and accompanied by training and resources for women party members and candidates.

10. In order to ensure that political parties incorporate gender perspectives, the expert group meeting recommends that:

Government actors should

- Ensure that elections be conducted over a timeframe long enough to enable political parties to be firmly established and developed in a manner which does not merely replicate the structures which preceded or arose during the period of conflict.
- Implement processes which give political parties the strongest incentives, including access to state resources, the state media at election time, and public funding, to involve women fully in all aspects of the parties' operations. This includes, if necessary, making mandatory requirements (relating, for example, to nomination of women candidates and internal party democracy) which a party must satisfy to gain or retain legal recognition.
- Provide sufficient resources to women's organizations which are involved in supporting, researching or encouraging the greater participation of women in electoral processes, not only at election time but also between elections.
- Provide resources to all parties on an equitable basis for the training of women in the skills required to become candidates and undertake public campaigns to emphasize the legitimate role of women as candidates, to break down stereotypes, and to encourage women to become candidates. Where a party has a women's wing, make resources available to strengthen its activities.

- Explore systems for guaranteeing representation of women in the legislature, including legislated or voluntary party quotas within a list system of proportional representation, or reserved seats within a majoritarian or plurality system. Where quotas are adopted for implementation, the enforcement mechanism should be clearly specified.

International actors should

- Establish and support programmes to develop cross-party cooperation among women candidates, including training through cross-party caucuses, and support men and women members of parliament and activists in developing cross-party networks and policies on issues of special concern to women.
- Encourage research on the circumstances under which women's wings of political parties help advance women's political participation, as these entities have in some instances promoted the advancement of women and in others, relegated women to a subsidiary place in the party.
- Assist with training
 - All political party members and candidates – men and women – on gender-related issues including gender awareness;
 - Journalists on effective coverage of women candidates and issues of special concern to women, as well as training on gender sensitivity;
 - Women candidates on how to deal effectively with the media. More research is needed on the quantity, content and presentation of the coverage of women in elections by the media;
 - Security forces on gender aspects of elections in post-conflict societies, including developing model codes of conduct for police and military;

- Consider sponsoring a gender-sensitive security liaison focal point within the police or military for political parties and candidates, as well as safe havens in dangerous areas where women candidates campaign.

Civil society actors should

- Advocate and lobby to ensure that critical gender issues are addressed in political party platforms. They can hold elected officials accountable between elections by monitoring and publishing performance on issues of importance to women against party platforms.
- Lobby for media access and free public media to all political parties as part of election process. Consider incentives such as extra airtime to parties who propose women candidates and support training for women candidates on media issues.
- Support women's wings to ensure that they are linked to main decision-making bodies within their political parties, and that they know how to influence the candidate selection process so as to avoid being marginalized in party decision-making.
- Because of ties to the community-level, serve as a link between women candidates and the grassroots, and provide an incentive to women to run as candidates and use this link to mobilize voters and raise resources for candidates.
- Once women are elected to office, encourage, establish and support programmes to develop cross-party cooperation among women candidates and potential candidates, including network and training through cross-party fora. In addition support men and women members of parliament and activists in developing cross-party networks and policies on issues of special concern to women.

- Help elaborate strategies for elected women officials to ensure that they function effectively as legislators and prepare for re-election campaigns.

C. Voter and Civic Education

11. The expert group meeting recommends that voter and civic education programmes should:

- Start early, cover the entire election process and include the roles of women as candidates and voters.
- Use inclusive language and images that include both women and men and develop specific material targeted at women. Use a variety of methods and media that are sensitive to the needs of all citizens.
- Address not only voter registration and voting procedures (such as informing women that their vote will be secret and a matter of their individual choice), but also focus on other specific issues of concern in a country.
- Create safe resource centres to facilitate women's access to voter education programmes.
- Review curriculum materials to ensure they are gender sensitive and explicitly address the rights of women to vote and to be candidates in the electoral process, as well as in the broader political process and develop curriculum materials suitable for long-term civic education in schools.
- Provide sufficient resources so as to meet the objective of universal coverage. Voter and civic education should be seen as an ongoing activity, not just as a one-off process at election time.

- Involve women's organizations from the outset in the design and implementation of voter and civic education campaigns and ensure that women are involved on an equal basis in its delivery.
- Provide sessions for women only and ensure the locations and times of voter education sessions allow women's full access. Where necessary, child-care arrangements should be incorporated in planning for voter education.

12. The expert group recommends that:

Government actors should

- Provide sufficient and sustained resources for gender sensitive, neutral and accurate voter and civic education to ensure that all voters understand their electoral rights and responsibilities, and are able to cast valid votes.

International actors should

- Support comprehensive gender-sensitive voter education programmes that ensure women's full participation in the design and dissemination of the programmes.
- Support civic education campaigns that include information on the benefits of democracy, reconciliation and peace-building. Information should be gender sensitive and should combat stereotypes.
- Develop specific tools and creative means to help get voter and civic education messages to the public, in all relevant languages. These might include plays, radio and television messages, and establishing internet cafés which are safe and accessible for women. Monitor and assess whether messages are getting through effectively to the voters.

- Develop and support training opportunities for women through partnerships and exchange programmes.
- Support links between the party leadership and women at the grassroots level to enhance mutual understanding of election-related issues.

Civil society actors should

- Monitor the content and design of government publications on voter and civic education to ensure that they are accessible and gender-sensitive.
- Develop training programmes in civic education that address education and skills fundamental to living in a democracy (specifically, literacy skills) in addition to immediate voter education training.
- Develop gender-sensitive voter education messages that
 - Highlight the capacities of women as candidates and political representatives;
 - Encourage women to run for office;
 - Emphasize that votes are secret, individual, and personal (i.e. not “family votes”);
 - Inform the population that elections are a peaceful process for governments in transition, and if conducted in a free and fair manner, the results would be accepted as conclusive and final;
 - Teach women not only how to vote but also the responsibilities of the electorate and elected officials;
 - Involve male community leaders, party officials, and religious leaders, in endorsing and participating in training and education programmes for women;

- Design training targeted at men and “local notables” on women’s capacity as voters and candidates.
- Insist that electoral commissions conduct a wide-reaching public education campaign targeting women as well as men to ensure that all citizens understand and have access to voting procedures. Electoral commissions should make the training material available in local languages.
- Collaborate with teachers and academics to develop curricula on civic education (e.g. model parliaments) that emphasize women’s right to equal political participation.

E. Election Administration

13. The expert group meeting recommends that election management boards should:

- Have a stated objective on gender balance at all levels and put incentive packages in place to enable women who wish to seek employment or a career in electoral administration to do so.
- Develop a policy on gender, dealing both with strategies for enhancing the role of women within the election management board, and for enhancing women’s participation in the election process.
- Where security is a concern, give priority to ensuring that people are able to register and vote safely.
- Train its staff to ensure the correct implementation of procedures intended to facilitate women’s participation in the election process.

- Ensure the secrecy of the vote is reinforced by having appropriately laid out polling stations. Polling officials should know that they, not the voters, are responsible for ensuring that the secrecy of the vote is maintained and that any irregularities which arise are promptly and effectively dealt with.
- Ensure ballots bear photographs and party symbols, to reduce the need for assisted voting of the illiterate and to better enable voters to identify their preferred candidate or party.
- Explore mechanisms for providing incentives to increase the turnout of women voters. For example, where positions in a legislature are to be filled on a sub-national level, consideration could be given to apportioning the seats among the provinces, after the election, on the basis of total turnout, so as to give political players an incentive to support voting by women.
- Facilitate intercountry networking between staff of different election management boards, with a particular focus on mechanisms which will allow women staff of different election management boards to share and learn from each others' experiences.
- Collect sex-disaggregated statistics on the election process, covering such matters as different levels of registration or turnout among men and women, which could highlight strengths or weaknesses of existing electoral arrangements from a gender perspective.
- Critically evaluate voter registration and polling procedures to ensure that they should not disadvantage women in practice. Where necessary, special procedures, such as the use of mobile registration and polling teams, or the establishment of separate registration or polling stations for men and women, should be explored. Where the latter approach is adopted, strict procedures should be implemented to ensure that the facilities provided for women are not inferior to those provided for men.

14. The expert group meeting recommends that:

Government actors should

- Establish gender-sensitive electoral procedures which do not discriminate against women, whatever their situation, and which are administered by neutral bodies which are sensitive to gender issues and where women are fully represented at all levels.
- Ensure that all agencies of the state which are involved in any aspect of the electoral process, including, for example, police investigating alleged electoral transgressions, are trained to respect the electoral rights of women, and adopt a gender-sensitive approach.
- Ensure that independent monitoring mechanisms be established to identify and report on gender bias in the media in relation to the electoral process.

International actors should

- Ensure United Nations peacekeeping missions that are involved in supporting elections in post-conflict countries
 - Include a specific reference in the mandate to Security Council resolution 1325 (2000) on women, peace and security;
 - Give priority to enhancing the full participation of women in all aspects of the electoral process;
 - Ensure gender balance and deploy personnel who are gender sensitive;
 - Train personnel on gender issues and develop a curriculum for such training;
 - Report on gender perspectives and gender balance in their regular reporting to Headquarters;

- Provide sufficient up-front funding for elections, and in particular funding from the outset for promoting women's participation in elections.

Civil society actors should

- Advocate that the election management board ensures that gender perspectives in the voting process are fully incorporated.
- Identify qualified women candidates for election management boards and advocate for their equal inclusion. Identify and encourage women to run for positions on electoral commissions, registration centres and polling stations, including as chairpersons.
- Collaborate with the national election management board to develop a code of conduct for election administrators and political parties that includes gender-sensitive language.
- Monitor the implementation of registration processes so that they are non-discriminatory towards women.

F. Election Observation

15. The expert group meeting recommends that election observation missions should:

- Ensure gender balance and address gender issues in guidelines, including generic guidelines issued by international organizations, which define how election observation should properly be conducted.
- Receive training on gender issues, and on the electoral rights of women.

- Develop checklists that draw their attention to critical points of the election process at which women may be disadvantaged.
- When determining whether an election has been free and fair, give full weight to the extent to which women have been able to exercise their rights.
- Include gender considerations especially in determining possible irregularities such as in family voting, arbitrary application of rules and harassment of women attempting to vote.
- Collect sex-disaggregated statistics on the election process, covering such matters as different levels of registration or turnout among men and women, which could highlight strengths or weaknesses, from a gender perspective, of existing electoral arrangements.
- Evaluate an election from a gender perspective and disseminate the results.

16. The expert group recommends that:

Government actors should

- Facilitate the observation of elections, in a manner which gives due priority to gender issues, by observation groups in which women are adequately represented at all levels.
- Invite international and domestic observer groups to observe their elections.

International actors should

- Support the conduct of observation missions designed to look specifically at women's participation in elections.

- Encourage all governments to invite international observation missions, and encourage observation by non-partisan domestic observer groups.
- Continue to support the process of transition, democratization and equality after the election is over, including by giving support to women elected as legislators.

Civil society actors should

- Organize briefings by women's organizations and prominent women leaders for the election observation teams, both international and domestic.
 - Actively seek credentials as non-partisan election observers, bearing in mind that for security reasons, ideally, there should be more than one woman observer at each polling station.
 - Review election monitoring reports and advocate for reform.
-