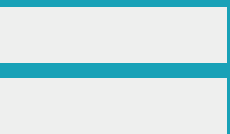


EQQUAL

The GQUAL Campaign
promotes gender parity
in international courts
and monitoring bodies



TRENDS, OBSTACLES, GOOD PRACTICES AND RECOMMENDATIONS REGARDING WOMEN'S PARTICIPATION IN POLITICAL AND PUBLIC LIFE: SUMMARY OF THE WORK OF THE WORKING GROUP ON THE ISSUE OF DISCRIMINATION AGAINST WOMEN AND GIRLS



GQUAL is a global campaign working to overcome the underrepresentation of women in international tribunals and monitoring bodies. To that end, we want national and international selection processes to include gender parity as a criterion for participation within these spaces.

Our founding Declaration and subsequent Action Plan outline our conviction that gender parity is a necessary component to guarantee the diversity and balance across international institutions, required to strengthen the legitimacy and impact of international justice.

GQUAL is mobilized by the conviction that women, in all their diversity, cannot be absent from decision-making spaces. Because international bodies of justice have a direct impact on the lives and rights of individuals and on the functioning of nations, women must have equal levels of representation as men in these institutions.

Since its launch in 2015, GQUAL has played an important role in highlighting the under-representation of women in international tribunals and monitoring bodies. By working with diverse stakeholders, including States, international organizations, civil society and academics, we have contributed to the development of guidelines and practices to improve selection processes and the understanding of State's international obligations with regards to gender parity. We have also developed research and discussions on the importance of gender parity; served as a network of experts and offered information on available positions, upcoming selection processes, as well as up-to-date statistics on the composition of international bodies.

The Gqual Campaign is an initiative housed by the Center for Justice and International Law (CEJIL).

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“Trends, Obstacles, Good Practices and Recommendations Regarding Women’s Participation in Political and Public Life: Summary of the Work of the Working Group on the Issue of Discrimination Against Women and Girls”

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TRENDS, OBSTACLES, GOOD PRACTICES AND RECOMMENDATIONS REGARDING WOMEN'S PARTICIPATION IN POLITICAL AND PUBLIC LIFE: SUMMARY OF THE WORK OF THE WORKING GROUP ON THE ISSUE OF DISCRIMINATION AGAINST WOMEN AND GIRLS, JUNE 2020; UPDATED MAY 2023

I. Introduction

“No country in the world has successfully eliminated discrimination against women or achieved full equality, and [this] should no longer be tolerated or normalized.”¹

Achievement of the equality of women in economic, social, cultural, public, and political life will only be the result of continuous effort at all levels of global society, including at the level of international and regional tribunals, organs, and monitoring bodies. These international bodies are decision-making bodies, determining issues of security, health, environmental protection and the scope of human rights.² Parity of women's representation on the international judiciary and monitoring bodies, assures that the diverse perspectives of women will be heard and incorporated into decisions that affect all nations globally.³ In addition, parity strengthens the legitimacy of and public confidence in the judiciary, and increases access to justice by diverse groups.⁴

And yet, underrepresentation of women exists across almost all these international bodies.⁵

The present report summarizes the obstacles, trends and good practices identified by the Working Group on the Issue of Discrimination Against Women and Girls (Working Group DWG, Working Group, or WGDWG) in its thematic and country reports regarding women's participation in political and public life. Since the Working Group DWG understands public participation broadly, including participation at the global level, the conclusions reached in its reports are relevant to identify and reflect upon the reasons that prevent women from being nominated and elected in international tribunals, adjudicating, and monitoring bodies.

Additionally, this document includes a section on recommendations issued by the Working Group DWG in its reports. The recommendations target specific areas identified as obstacles to achieving women's equal representation in political and public life. These recommendations are also relevant for States to craft new guidelines to

¹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, A/HRC/38/46, 14 May 2018, para 16; *Report of the Working Group on Discrimination against women and girls, Women's and girls' sexual and reproductive health rights in crisis*, A/HRC/47/38, 28 April 2021, para. 15.

² GQUAL Campaign, *Why is gender parity in international representation important?*, 2015, at <http://www.gqualcampaign.org/about-gqual/>

³ *Id.*; see also Nienke Grossman, *Shattering the Glass Ceiling in International Adjudication*, 56 Va. J. Int'l L 213, 218 (2016).

⁴ *Id.*; see also, Grossman, Nienke Grossman, *Achieving Sex-Representative International Court Benches*, 110 Am. J. Int'l L. 82, 88 (2016).

⁵ See GQUAL Campaign, *Composition of International Organizations and Tribunals*, at <https://www.gqualcampaign.org/current-composition/> (updated as of September 2022).

nominate and vote for candidates in parity for membership in international organs and tribunals, for example, through the adoption of quotas and other temporary measures.

Section I provides a brief introduction with Section IA describing the background of the work of the Working Group DWG; Section IB reviews trends identified by the Working Group DWG in their work on women's role in public and political life; Section IC defines parity as used in this research; and Section ID refers to the report of the Advisory Committee (AC) of the Human Rights Council (HRC) on women underrepresentation in international institutions and underscores recommendations issued to the Working Group. Section II summarizes obstacles encountered by women in public and political life and Annex I lists excerpts from country reports to provide examples. Section III summarizes good practices with accompanying excerpts from country reports listed in Annex II. Finally, Section IV reviews the Working Group's recommendations on this subject, supported by excerpts from country reports listed in Annex III. The report closes with a conclusion summarizing the findings identified in the prior sections.

The GQUAL Campaign believes that the trends, obstacles, and good practices gathered in this report, which are based on twelve years of work by the Working Group DWG, can assist this mechanism in monitoring women's representation on international and regional tribunals and other mechanisms.⁶ As described below, the Advisory Committee ('AC') of the Human Rights Council ('HRC') has adopted a report that acknowledges the underrepresentation of women in international tribunals and other mechanisms, and specifically recommends that the Working Group should monitor this issue.⁷ By incorporating this important information, including good or promising practices and recommendations, in its future reporting, the Working Group DWG will advance women's equal representation in decision-making bodies both at the national and international level.

A. Background

The Working Group on DWG was established by the HRC in 2010, acknowledging "that women everywhere are still subject to significant disadvantage as the result of discriminatory laws and practices, and that de jure and de facto equality has not been achieved in any country in the world."⁸ In 2023, this continues to be true. In its 2020 report, *Tackling Social Norms*, the UNDP confirmed that the move toward gender equality has slowed and that, based on recent developments, it will take 257 years to reach gender parity in economic development alone.⁹ In 2022, the UNDP affirmed that gender inequality continues to be one of the most widespread of global inequalities.¹⁰

⁶ GQUAL is a global campaign that works to overcome underrepresentation of women in international tribunals and monitoring bodies, at <http://www.gqualcampaign.org/home/>

⁷ HRC, *Report of the Human Rights Council, Advisory Committee, Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance*, A/HRC/47/51, 21 May 2021.

⁸ *Report of the Working Group on the issue of discrimination against women in law and in practice*, A/HRC/20/28, 5 April 2012, para. 1.

⁹ *Tackling Social Norms, A game changer for gender inequalities*, United Nations Development Programme, 2020, p. 4, at https://hdr.undp.org/system/files/documents/hdperspectivesgsnipdf_1.pdf

¹⁰ *New Threats to human security in the Anthropocene: Demanding greater subsidiarity*, 2022 Special Report, p. 98, at <https://hs.hdr.undp.org/pdf/srhs2022.pdf>

The purpose of the Working Group DWG is to eliminate discrimination and attain equality for women in all fields, including in political and public life as a fundamental right.¹¹ Without parity in political and public life, it is difficult to attain equality in any sector.¹² In its investigations on women’s participation in political and public life, the Working Group DWG was guided by Articles 4, 7 and 8 of the Convention on All Forms of Discrimination against Women (‘CEDAW’), CEDAW’s Committee General Recommendation No. 23, as well as Articles 2, 3, and 25 of the International Covenant on Civil and Political Rights (‘ICCPR’), and Human Rights Committee General Comment 28.¹³

Article 7 of CEDAW requires States to “take all appropriate measures to eliminate discrimination against women in the political and public life.”

Article 8 goes further in regard to representation by women on international bodies, stating that States must “take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.”¹⁴

Article 4 (1) of the same treaty provides that “[a]doption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.”

In addition, General Recommendation No. 23 of the CEDAW Committee, states:

*The political and public life of a country is a broad concept. It refers to the exercise of political power, in particular the exercise of legislative, judicial, executive and administrative powers. The term covers all aspects of public administration and the formulation and implementation of policy at the international, national, regional and local levels. The concept also includes many aspects of civil society, including public boards and local councils and the activities of organizations such as political parties, trade unions, professional or industry associations, women’s organizations, community-based organizations and other organizations concerned with public and political life.*¹⁵

¹¹ Report of the Working Group on the issue of discrimination against women in law and in practice, 2012, *supra*, paras. 15, 24. See also, Working Group on discrimination against women and girls, Purpose of the mandate, at <https://www.ohchr.org/en/issues/women/wgwomen/pages/wgwomenindex.aspx>

¹² Tackling Social Norms, A game changer for gender inequalities, *supra*, p. 14. “Policies are important in areas ranging from protection from violence and discrimination to access to public services. But the way policies are designed and implemented is determined, in part, by participation in politics.”

¹³ Report of the Working Group on the issue of discrimination against women in law and in practice, 2012, *supra*, paras. 25-26.

¹⁴ See also, Claudia Martin, “Article 8 of the Convention to Eliminate All Forms of Discrimination against Women: A stepping stone in ensuring gender parity in international organs and tribunals”, GQUAL, 14 September, 2015, at <https://gqualcampaign.org/wp-content/uploads/2023/02/CEDAW-Article8-ENG.pdf>

¹⁵ CEDAW Committee, General Recommendation No. 23: Political and Public Life, 1997, A/52/38, para. 5, at <https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/Recommendations.aspx>

Furthermore, Articles 2, 3 and 25 of the ICCPR collectively ensure the right of women to participate in political and public life on an equal basis and without discrimination.¹⁶ In General Comment 28, the Human Rights Committee calls States to “take effective and positive measures to promote and ensure women’s participation in the conduct of public affairs and in public office, including appropriate affirmative action.”¹⁷

Finally, Articles 6 and 7 of the International Covenant on Economic, Social and Cultural Rights (‘ICESCR’) ensure access to equal opportunity in employment, which extends to positions on international judicial and monitoring bodies.¹⁸

B. Trends

In its thematic report presented to the Human Rights Council in May 2018, the Working Group DWG conveyed a sense of urgency for all stakeholders to act to address the discrimination that still exists over 40 years after CEDAW’s adoption.¹⁹ As noted above, “No country in the world has successfully eliminated discrimination against women or achieved full equality, and [this] should no longer be tolerated or normalized.”²⁰ The achievement of gender equality is “slow, uneven and far from a global reality;”²¹ with the rise of political conservatism and religious fundamentalism, there is a risk that achievements are in danger of being reversed.²² Concepts such as “equity,” “complementarity” and “protection of the family” are used to undermine women’s rights to equality and non-discrimination.²³ Poverty or just lack of wealth have negatively impacted women’s ability to participate in public and economic life.²⁴ An area particularly resistant to change is women’s participation in the international tribunals, judiciary, political and decision-making bodies.²⁵

Discrimination against women and inequality of women in political and public life was addressed again in the 2019 Working Group DWG thematic report on women deprived of liberty. The report states that “[i]n many parts of the world, the myth that women are inferior and ‘should be seen and not heard’ continues to permeate society, influencing both law and cultural practice. That stereotype dictates the way women are expected to behave in both the private and public spheres.”²⁶ “Stereo-

¹⁶ See Articles 2, 3 and 25 of the ICCPR, at <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

¹⁷ Human Rights Committee, *General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women)*, CCPR/C/21/Rev.1/Add.10, 29 March 2000, para. 29, at https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/CCPR_C_21_Rev-1_Add-10_6619_E.pdf

¹⁸ See Articles 6 and 7 of the ICESCR, at <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

¹⁹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, 2018, *supra*, para. 16.

²⁰ *Id.*; *Report of the Working Group on Discrimination against women and girls, Women’s and girls’ sexual and reproductive health rights in crisis*, 2021, *supra*, para. 15.

²¹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, 2018, *supra*, para. 24.

²² *Id.*

²³ *Id.*, para. 13.

²⁴ *Id.*, paras. 38-39.

²⁵ *Id.*, para. 41.

²⁶ *Report of the Working Group on the issue of discrimination against women in law and in practice, Women*

types about a woman's 'proper' role dictate not only how she should (not) behave within the home but also in public... Women who seek to participate in political, economic, social or cultural leadership in their communities or nations may be acting in defiance of stereotypes obliging women to stay quiet and invisible and defer to male governance. They may thus be stigmatized, or even criminalized or confined, to prevent them from speaking out or taking action. For example, violence or confinement may be used to stifle and punish women politicians, or those who have an active voice in public, for transgressing traditional gender norms."²⁷

In its 2020 thematic report on women and work, the Working Group DWG noted the structural and systemic discrimination already faced by women in all facets of their life, which places them at greater risk of further discrimination. Women's work can be fully realized at all levels by tackling obstacles to women's equal progress and access to leadership positions;²⁸ this extends to positions on international judicial and monitoring bodies. In its 2021 thematic report on women's and girls' sexual and reproductive health rights, the Working Group underlined that the same cultural and traditional values invoked to resist women's public and political participation are used to prevent women and girls from accessing health and reproductive health.²⁹ In that vein, the Working Group concluded that "[i]t is imperative that States ensure the participation of women and girls in political and public life on an equal basis with men and boys, as well as the integration of women and girls into decision-making processes related to crisis prevention, management and recovery, encompassing the formulation of laws and policies, monitoring, implementation and accountability."³⁰ Likewise, in the 2022 thematic report on girls' and young women activism, the Working Group emphasized once more that States must enable girls and young women public participation by creating "the necessary frameworks and policies to promote and guarantee their inclusion and participation in decision-making processes, particularly those that affect them directly."³¹

The Working Group DWG has acknowledged advances and good practices in the elimination of discrimination against women, as noted in excerpts from country reports below. Gender disparity in education has decreased and women are participating more fully in cultural and scientific communities; advances in ICT have enabled women to demand an end to discrimination, sexism and harassment on a global platform; women's participation in the labor force has increased dramatically; in many countries, family laws have been revised to recognize rights of women that were not recognized even a few decades ago.³² Regional and international human rights bodies, as well as domestic legislators, have developed standards and have incorporated language in their governing documents that recognize women's rights to equality.³³

deprived of liberty, A/HRC/41/33, 15 May 2019, para. 20.

²⁷ *Id.*, para. 25.

²⁸ *Report of the Working Group on discrimination against women and girls, Women's human rights in the changing world of work*, A/HRC/44/51, 16 April 2020, para. 10. See also, GQUAL-response-representation_of_women_29_may_2020.

²⁹ *Report of the Working Group on discrimination against women and girls, Women's and girls' sexual and reproductive health rights in crisis*, 2021, *supra*, para. 44.

³⁰ *Id.*

³¹ *Report of the Working Group on discrimination against women and girls, Girls' and young women's activism*, A/HRC/50/25, 10 May 2022, para. 51.

³² *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, 2018, *supra*, paras. 19-20.

³³ *Id.*, para. 23.

However, in practice, there remains a huge disparity in women's representation and participation in all levels of government and in international and regional organizations.³⁴ In this context, the Working Group DWG has urged that global leadership work to move toward greater equality and participation in domestic and international forums and to prevent backsliding of hard-won progress already achieved.³⁵

C. Parity as a measure of equality

Parity is the measure of equality between women and men, socially, economically and politically. The Working Group DWG uses parity as the measure to assess whether states have complied with the international obligations to ensure women's political and public participation without discrimination.³⁶ As a result, the Working Group established that (i) parity in decision-making forums is a good practice standard for equal representation,³⁷ and (ii) parity laws or quotas are good practices to address the lack of women's participation and to ensure representation of women in public and political bodies.³⁸

Progress toward parity is evident in some fields such as education and the labor market,³⁹ however, despite efforts by gender equality advocates and some governments to move toward parity, no country in the world has achieved gender equality in political and public life.⁴⁰ As stated by the Working Group "women in every part of the world continued to be largely marginalized from the political sphere."⁴¹ Additionally, "while political empowerment has improved significantly in many regions, it is still the area with the largest gender gap in all regions."⁴² Thus, much still needs to be done to advance women's participation in political decision making – setting policies, ensuring compliance, etc.

Generally, gender parity exists at lower levels of politics such as voting rates, or representation at lower levels of administration or local governments.⁴³ However, as political power increases, the gap between women and men representatives widens.⁴⁴ The

³⁴ *Id.*, para. 41.

³⁵ *Id.*, para. 48.

³⁶ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, A/HRC/23/50, 19 April 2013, para. 19.

³⁷ *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women*, A/HRC/35/29, 19 April 2017, para. 31.

³⁸ *Id.*, para. 39.

³⁹ *Power of Parity*, McKinsey & Company, September 2015, p. 4, Executive Summary, at https://www.mckinsey.com/-/media/McKinsey/Featured%20Insights/Employment%20and%20Growth/How%20advancing%20womens%20equality%20can%20add%2012%20trillion%20to%20global%20growth/MGI%20Power%20of%20parity_Executive%20summary_September%202015.ashx

⁴⁰ *Tackling Social Norms, A game changer for gender inequalities*, *supra*, p. 1.

⁴¹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 17.

⁴² World Economic Forum, *Global Gender Gap Report 2020*, p. 21, at http://www3.weforum.org/docs/WEF_GGGR_2020.pdf.

⁴³ *Tackling Social Norms, A game changer for gender inequalities*, *supra*, p. 4.

⁴⁴ *Id.*

Working Group DDWG has shown in its work over the last twelve years “that globally, women remain underrepresented in all branches and at all levels of government... Women are also underrepresented in international and regional entities, and their voices and concerns are often omitted from peace agreements and rebuilding strategies.”⁴⁵

Women’s representation in parliaments and at higher levels of government will not change quickly, and will only change with consistent effort.⁴⁶ This is also the case with women’s representation at the levels of international tribunals, adjudicating and monitoring bodies.⁴⁷

D. The Human Rights Council Advisory Committee’s Report on the current representation of women in international organs and mechanisms: Recommendations to the Working Group DWG

In 2021, at the request of the HRC, the AC, in cooperation with the Working Group DWG and CEDAW, prepared a report on current levels of representation of women in human rights organs and mechanisms.⁴⁸ The report acknowledges that the underrepresentation of women remains an issue within the overall United Nations system and that the composition of human rights bodies and mechanisms within the system “shows a serious lack of gender parity.”⁴⁹ Additionally, it recognizes the impact that women’s underrepresentation has on the right to equality and non-discrimination, the right to equal participation in decision-making, including at the international level, and the right to equal opportunity in employment.⁵⁰ Drawing from the Working Group’s practice, the report concludes that gender parity is a measure of equality and that “parity in decision-making forums is a good practice standard for equal representation.”⁵¹

Furthermore, the report identifies national and international level obstacles to women’s equal representation in international tribunals and mechanisms.⁵² At the national level, the lack of transparent and public selection processes that explicitly consider gender as a factor, coupled with the opacity and secrecy of candidate nomination mechanisms, prevent women from accessing international positions.⁵³ At the international level, the selection of candidates is carried out through an exchange of votes, whereby gender balance is not given any weight.⁵⁴ Ultimately, these obstacles combine give rise to the ongoing reality of women’s pervasive underrepresentation in international spheres. Additionally, the report describes good or promising prac-

⁴⁵ *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks, 2018, supra, para. 41.*

⁴⁶ *Tackling Social Norms, A game changer for gender inequalities, supra, p. 4.*

⁴⁷ GQUAL Campaign, *Why is gender parity in international representation important?, supra.*

⁴⁸ HRC, *Report of the Human Rights Council, Advisory Committee, Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance, supra.*

⁴⁹ *Id.*, paras. 5-8.

⁵⁰ *Id.*, paras. 19-33.

⁵¹ *Id.*, para. 30.

⁵² *Id.*, para. 42.

⁵³ *Id.*, paras. 43-49.

⁵⁴ *Id.*, paras. 51-53.

tics by States and international organizations in nominating, electing, and appointing candidates with a view to ensuring balanced gender representation.⁵⁵ Finally, the report concludes with a set of recommendations designed to assist the HRC, Member States, and the Office of the High Commissioner for Human Rights in addressing, within their own spheres of competence, the issue of women’s underrepresentation in international tribunals and mechanisms.⁵⁶

From among the report’s recommendations, two specifically refer to the monitoring role of the Working Group DWG. First, the report states that the HRC Consultative Group should consult the Working Group when drafting gender parity guidelines for the appointment of experts to HRC Special Procedures mandates.⁵⁷ In addition, the report provides that the Working Group should assess during country visits and reflect in its reports if the concerned State is taking measures to overcome the underrepresentation of women in international positions.⁵⁸

The Working Group DWG began producing country reports in 2012 and has covered 20 countries to dates; annual thematic reports have also been published since 2012. Each country report identifies the state of gender equality, obstacles and challenges to gender equality, and good practices and recommendations for achieving gender equality domestically. Thematic reports focus on specific topics, with several having addressed equality in political and public life; others have featured observations on participation in public and private life in reference to other themes, such as economic and social life,⁵⁹ women and liberty,⁶⁰ and women’s human rights in the changing world of work.⁶¹ In its work with countries over the past twelve years, the Working Group DWG has identified obstacles and challenges, as well as good practices in addressing gender parity across all spheres of life.

The next sections will focus on the obstacles, challenges, and good practices identified by the Working Group in the area of women’s participation in political and public life. These parameters are useful in assisting the Working Group to map out the constraints that women face in accessing membership to international adjudication organs and tribunals; and to assess, in its country reports, whether States are taking steps to address the underrepresentation of women in the international sphere, per the HRC Advisory Committee’s recommendations.

⁵⁵ *Id.*, Section V.

⁵⁶ *Id.*, Section VI.

⁵⁷ *Id.*, para. 95.

⁵⁸ *Id.*

⁵⁹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in economic and social life with a focus on economic crisis*, 1 April 2014, A/HRC/26/39.

⁶⁰ *Report of the Working Group on the issue of discrimination against women in law and in practice, Women deprived of liberty*, 2019, *supra*.

⁶¹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Women’s human rights in the changing world of work*, 2020, *supra*.

II. Obstacles in political and public life

Research into the thematic and country reports produced by the Working Group DWG concludes that obstacles for women's participation in political and public life have remained relatively consistent over the past twelve years and generally include the following to varying degrees:

- Discriminatory social, cultural, economic, institutional, religious norms⁶²
- Unequal division of labor between men and women in the family without proper public services to support childcare, family care; patriarchal attitudes within the family; women active in political and public life must constantly bear a double burden⁶³
- Stereotypes of women as not being as capable as men in any sphere (except domestic care); women are the weaker sex⁶⁴
- Violence against women, emotional, physical, financial;⁶⁵ women remain targets of political/election violence and harassment⁶⁶
- Budgets do not support gender equality at state, local levels, including election funding⁶⁷

⁶² WGDWG, Country Report, *Morocco*, A/HRC/20/28/Add.1, 19 June 2012, paras. 41, 49; Country Report, *Kuwait*, A/HRC/35/29/Add.2, 24 May 2017, para. 62; Country Report, *Chad*, A/HRC/38/46/Add.2, 8 May 2018, para. 34; Country Report, *Samoa*, A/HRC/38/46/Add.1, 14 May 2018, paras. 19, 75; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 33, 35; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in cultural and family life, with a focus on the family as a cultural space*, A/HRC/29/40, 2 April 2015, paras. 16, 19-20.

⁶³ WGDWG, Country Report, *Moldova*, A/HRC/23/50/Add.1, 15 March 2013, para. 57; Country Report, *Chile*, A/HRC/29/40/Add.1, 20 May 2015, para. 49; Country Report, *Peru*, A/HRC/29/40/Add.2, 26 June 2015, para. 56; Country Report, *Senegal*, A/HRC/32/44/Add.1, 7 April 2016, para. 6; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 56, 58, 62; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in economic and social life with a focus on economic crisis*, 2014, *supra*, para. 16.

⁶⁴ WGDWG, Country Report, *Hungary*, A/HRC/35/29/Add.1, 21 April 2017, paras. 67-68, 92; End of Mission Statement, *Maldives*, 22 September 2022; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 69; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in cultural and family life, with a focus on the family as a cultural space*, 2015, *supra*, para. 22; *Report of the Working Group on the issue of discrimination against women in law and in practice, Women deprived of liberty*, 2019, *supra*, paras. 18-22.

⁶⁵ WGDWG, Country Report, *Iceland*, A/HRC/26/39/Add.1, 16 September 2014, para. 66.

⁶⁶ WGDWG, Country Report, *Peru*, *supra*, para. 39; Country Report, *Senegal*, *supra*, para. 59; *Report of the Working Group on the issue of discrimination against women in law and in practice*, 2012, *supra*, para. 28; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 64-65, 67; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in cultural and family life, with a focus on the family as a cultural space*, 2015, *supra*, para. 21; *Report of the Working Group on the issue of discrimination against women in law and in practice, Women deprived of liberty*, 2019, *supra*, para. 25.

⁶⁷ WGDWG, Country Report, *Moldova*, *supra*, para 56; Country Report, *Iceland*, *supra*, para. 54; Country Report, *Spain*, A/HRC/29/40/Add.3, 17 June 2015, para. 85; Country Report, *USA*, A/HRC/32/44/Add.2, 4 August 2016, para. 43; Country Report, *Poland*, A/HRC/41/33/Add.2, 25 June 2019, paras. 9, 24-28; *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women*, 2017, *supra*, para. 108.

- Lack of education in general⁶⁸, and no education regarding gender equality⁶⁹
- Multiple and intersecting forms of discrimination⁷⁰
- Lack of systematic data on women's participation in political and public life⁷¹
- Democratic deficit⁷²
- Nationality laws that discriminate against women⁷³
- Legal framework
- Constitutions lack gender equality provisions, or lack anti-discrimination provisions⁷⁴
 - Discriminatory laws remain in effect⁷⁵
 - Laws banning political violence are missing as well as the legal capacity to sanction such violence⁷⁶
 - Conservative and patriarchal attitudes permeate the law, even laws intended to address gender inequality⁷⁷
 - Legislation largely protective of women, maternity, women in old age, with no focus to empower women⁷⁸
 - Countries promote cultural relativism, including religion-based, rather than universal human rights⁷⁹

⁶⁸ WGDWG, Country Report, *Chad*, *supra*, para. 42; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 53-54.

⁶⁹ WGDWG, Country Report, *Poland*, *supra*, paras. 38-40; End of Mission Statement, *Kyrgyzstan*, 15 April 2022.

⁷⁰ WGDWG, Country Report, *Moldova*, *supra*, para. 72; Country Report, *Romania*, A/HRC/47/38/Add.1, 20 April 2021, para. 27; *Report of the Working Group on the issue of discrimination against women in law and in practice*, 2012, *supra*, para. 24; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 59-70; *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, 2018, *supra*, para. 11.

⁷¹ WGDWG, Country Report, *Greece*, A/HRC/44/51/Add.1, 29 June 2020, para. 13; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 23, 28.

⁷² WGDWG, Country Report, *Samoa*, *supra*, para. 80; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 50;

⁷³ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 84-85.

⁷⁴ WGDWG, Country Report, *Tunisia*, A/HRC/23/50/Add.2, 30 May 2013, para 29; Country Report, *USA*, *supra*, para. 23; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 79, 81-82.

⁷⁵ WGDWG, Country Report, *Morocco*, *supra*, para. 17; *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women*, 2017, *supra*, para. 20.

⁷⁶ WGDWG, Country Report, *Honduras*, A/HRC/41/33/Add.1, 8 May 2019, para 30; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 67-68.

⁷⁷ WGDWG, Country Report, *Morocco*, *supra*, para. 29; Country Report, *Chad*, *supra*, para. 34; Country Report, *Poland*, *supra*, paras 65-67.

⁷⁸ WGDWG, Country Report, *China*, A/HRC/26/39/Add.2, 12 June 2014, para. 20.

⁷⁹ WGDWG, Country Report, *Tunisia*, *supra*, para. 26; Country Report, *Poland*, *supra*, para. 56; End of Mission Statement, *Kyrgyzstan*, *supra*; End of Mission Statement, *Maldives*, *supra*; *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, 2018, *supra*, paras. 14-15, 25.

- Lack of compliance with existing non-discrimination laws; lack of sanctions to ensure compliance⁸⁰
- Lack of women in the judiciary; lack of access to justice; lack of gender equality awareness training for the judiciary⁸¹
- Legislation and policies don't support gender equality⁸²
- Lack of women representation in parliament (or equivalent), upper levels of government; difficult access to vote⁸³
 - No quotas or quotas disregarded⁸⁴
 - Lack of inclusion and resistance from political parties⁸⁵
 - No legal access to credit, land and asset ownership⁸⁶
- Lack of women in high level business positions, boards of directors⁸⁷
- Lack of representation in international fields, decision making and monitoring bodies (UN)⁸⁸

As observed by the Working Group DWG, gender stereotypes and patronizing attitudes toward women prevent women's full participation in all facets of society.⁸⁹ Women are predominately portrayed as domestic caregivers and are denigrated as political leaders, undermining their empowerment.⁹⁰ One of the priorities of the Working Group has been the elimination of discrimination against women in political and public life and the empowerment of women in those fields; review of how soci-

⁸⁰ WGDWG, Country Report, *Tunisia, supra*, para. 16; Country Report, *Peru, supra*, para. 14; Country Report, *Senegal, supra*, para. 6.

⁸¹ WGDWG, Country Report, *Morocco, supra*, para. 59; Country Report, *Iceland, supra*, para. 67; Country Report, *China, supra*, paras. 21-22; Country Report, *Peru, supra*, para. 23; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 89-92.

⁸² WGDWG, Country Report, *Chile, supra*, para. 10; Country Report, *Peru, supra*, para. 19.

⁸³ WGDWG, Country Report, *Moldova, supra*, para. 49; Country Report, *China, supra*, para. 61; Country Report, *Chile, supra*, para. 55; Country Report, *Peru, supra*, paras. 40, 42; Country Report, *USA, supra*, paras. 40, 42, 45; Country Report, *Hungary, supra*, paras. 27-29, 31; Country Report, *Kuwait, supra*, paras. 61, 65; *End of Mission Statement of the Working Group on discrimination against women and girls, Romania, 2020; Report of the Working Group on the issue of discrimination against women in law and in practice*, 2012, *supra*, para. 201.

⁸⁴ WGDWG, Country Report, *Morocco, supra*, paras. 51, 53-54; Country Report, *China, supra*, para. 62; Country Report, *Peru, supra*, paras. 18, 38; Country Report, *Kuwait, supra*, para. 63; *End of mission statement by the UN Working Group on the issue of discrimination against women in law and in practice to its visit to Greece*, 2019.

⁸⁵ WGDWG, Country Report, *Moldova, supra*, para. 56; Country Report, *Tunisia, supra*, para. 63; Country Report, *Honduras, supra*, para. 29; Country Report, *Poland, supra*, para. 21; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 74-75.

⁸⁶ WGDWG, Country Report, *Senegal, supra*, para. 52.

⁸⁷ WGDWG, Country Report, *Chile, supra*, para. 48; Country Report, *Spain, supra*, para. 43, Country Report, *Hungary, supra*, para. 92; Country Report, *Greece, supra*, paras. 25-26; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in cultural and family life, with a focus on the family as a cultural space*, 2015, *supra*, para. 63.

⁸⁸ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 24-25; *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women*, 2017, *supra*, para. 30; *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, 2018, *supra*, para. 82.

⁸⁹ WGDWG, Country Report, *Hungary, supra*, para. 67.

⁹⁰ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 62.

etal factors impact women’s participation in public and private life was essential to their investigation.⁹¹

Social norms are central to the understanding of slow progress toward equality.⁹²

“[U]nless the active barriers posed by biased beliefs and practices that sustain persistent gender inequalities are addressed, progress towards equality will be far harder in the foreseeable future.”⁹³

Moreover, as stressed by the Working Group DWG “gender equality and women’s empowerment need to be addressed in a comprehensive manner both as a stand-alone goal and as cross-cutting concepts across all other development goals. The limited understanding of equality as equal treatment and the lack of explicit focus on addressing women’s disadvantage in society undermine the potential for developing targeted gender equality measures.”⁹⁴

Excerpts from Working Group DWG country reports that reflect the work that the WGDWG has done identifying practices that constitute obstacles to attaining gender equality in political and public life can be found in [Annex I](#).

III. Good practices

The Working Group DWG determined that effective elimination of discrimination against women requires the consistent political will of states, with broad-based consensus of whole societies, to formulate and implement laws that promote equality between men and women, prohibit discrimination on the basis of sex, and prevent and provide redress for violence against women, along with policies and measures that create a conducive environment for women’s empowerment.⁹⁵

As stated by the Working Group DWG, progress is not linear and “new political openings can bring about backlash, reverse advances and produce new forms of discriminatory laws and practices. Complex national reforms can result in inconsistent laws and policies, between national/federal and subnational/local levels, across different regions of the country, and among sectors of social and economic life. Good practices in eliminating discrimination against women in law and in practice include the ability to overcome backlash or backsliding and establish grounds for the sustainability of

⁹¹ *Report of the Working Group on the issue of discrimination against women in law and in practice*, 2012, *supra*, para. 19.

⁹² *Tackling Social Norms, A game changer for gender inequalities*, *supra*, p. 1. “Globally almost 50 percent of people say they think men make better political leaders, while more than 40 percent feel that men make better business executives—a social judgement, just for being a woman, an invisible barrier and an affront to fairness and real meritocracy.”

⁹³ UNDP, *Human Development Report*, 2019, p. 149, at <http://hdr.undp.org/sites/default/files/hdr2019.pdf>

⁹⁴ WGDWG, Country Report, *Poland*, *supra*, para. 15.

⁹⁵ *Report of the Working Group on the issue of discrimination against women in law and in practice*, 2012, *supra*, para. 9.

achievements in substantive equality.”⁹⁶ Also, “[g]ood practices in sustaining achievements in equality and non-discrimination involve the active agency of women themselves.”⁹⁷

The Working Group in establishing its conceptual framework and working methods decided to use the term of “good” or “promising” practices rather than “best” practices, taking into account the complex contextual framework of the wide spectrum of good to bad practices.⁹⁸ Additionally, it focused its investigations on good practices by applying a living law approach, instead of looking at more static indicators of good practice.⁹⁹ The living-law approach looks at laws beyond the text of a legislation or judicial decision, and includes the dynamic processes by which that law comes into being, is implemented meaningfully and contributes to real and sustainable outcomes for women’s de facto enjoyment of human rights.¹⁰⁰

Good practices are basically actions that have been implemented to counter or overcome obstacles identified in the country reports, to move states toward de facto gender equality, as required by CEDAW and other human rights instruments. Strong gender equality laws are not sufficient, “the test lies in the ability to implement progressive laws in practice,”¹⁰¹ specially in the male-dominated environment in which the laws are usually operationalized.¹⁰² In the case of public and political participation, the Working Group DWG has established that a good practice requires the following four factors: “a) the removal of barriers, whether cultural, economic, institutional or religious barriers, preventing women from having an equal opportunity to gain access to positions of power at all levels; b) the elimination of disempowering stereotypes. Misogyny and violence against women in public and private spheres; c) parity for women in decision making forums; d) and gender-sensitive mainstreaming of policymaking processes, including budgeting.”¹⁰³

⁹⁶ *Id.*, para. 12.

⁹⁷ *Id.*, para. 15.

⁹⁸ *Id.*, para. 18.

⁹⁹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women, 2017, supra*, para. 25.

¹⁰⁰ *Id.*, para. 26.

¹⁰¹ *Id.*, para 20.

¹⁰² *Id.*

¹⁰³ *Id.*, para. 31.

Good practices or “promising practices” identified by the Working Group DWG to ensure women’s participation in public and political life on equal terms generally include the following, which correlate to the obstacles identified in country visits and as captured in the Working Group thematic reports:

- Constitutional inclusion of equality of women and men¹⁰⁴
- Gender equality incorporated into legislation and elimination of discriminatory laws¹⁰⁵; comprehensive legal framework on substantive gender equality¹⁰⁶
- Women equal representation in the judiciary;¹⁰⁷ women have access to justice,¹⁰⁸ with judiciary well trained on gender equality¹⁰⁹
- Parity representation by women in parliament, upper levels of government;¹¹⁰ foreign and civil service;¹¹¹ representation for international decision-making bodies¹¹²
 - Elections, including transparency and gender sensitivity in nominations¹¹³
 - Election funding¹¹⁴
 - Use of quotas¹¹⁵

¹⁰⁴ WGDWG, Country Report, *Morocco*, supra, paras. 15, 42, 52; Country Report, *China*, supra, para. 100; Country Report, *Samoa*, supra, para. 88; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, supra, paras. 77, 79, 82.

¹⁰⁵ WGDWG, Country Report, *Morocco*, supra, paras. 82-83; Country Report, *Peru*, supra, paras. 7-8; Country Report, *Spain*, supra, paras. 16, 22-24; Country Report, *Chad*, supra, paras. 9-10; *End of Mission Statement, Greece*, supra; *End of Mission Statement, Romania*, supra.

¹⁰⁶ WGDWG, Country Report, *Greece*, supra, para. 9.

¹⁰⁷ WGDWG, Country Report, *Hungary*, supra, para. 32; Country Report, *Poland*, supra, para. 20; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, supra, para. 22.

¹⁰⁸ WGDWG, Country Report, *Senegal*, supra, para. 85; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, supra, paras. 83, 92.

¹⁰⁹ WGDWG, Country Report, *Peru*, supra, para. 21.

¹¹⁰ WGDWG, Country Report, *Peru*, supra, para. 42; Country Report, *Senegal*, supra, paras. 15, 60; Country Report, *Honduras*, supra, para. 59; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, supra, para. 21.

¹¹¹ WGDWG, *End of Mission Statement, Maldives*, supra.

¹¹² *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, supra, para. 24.

¹¹³ WGDWG, Country Report, *Chile*, supra, paras. 19, 56; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, supra note 29, paras. 75-76.

¹¹⁴ WGDWG, Country Report, *USA*, supra, para. 44.

¹¹⁵ WGDWG, Country Report, *Peru*, supra, para. 38; Country Report, *Spain*, supra, paras. 84, 97; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, supra, paras. 39-41; *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women*, 2017, supra, paras. 39-40.

- Cross party alliances in parliament, government¹¹⁶
- Temporary special measures used to ensure gender equality in parliament and government and international bodies¹¹⁷
- Civil society active in promoting gender equality¹¹⁸
- Gender sensitive budgeting; gender sensitive tax reform¹¹⁹
- Implementation of women's equality initiatives, including media portrayal of women as leaders¹²⁰
- Parity of women in business, particularly at decision making levels and on boards¹²¹
- Education at all levels to include women's human rights, inclusion of boys and men in education¹²²
- Gender balanced childcare, family care¹²³
- Gender equality as a foreign policy concern in development cooperation and human rights policy¹²⁴

Some of the measures identified above are more “promising” than “good practices.” As the Working Group DWG has indicated laws are an essential mechanism to advance the human rights of women.¹²⁵ However, laws are not necessarily “good practices” in themselves, but more often “function as a component in the development of [such] good practices.”¹²⁶ Laws need to be assessed in a wider context, that considers that even strong rules are “filtered through the biases and limitations of the individuals and institutions, public and private, responsible for grounding it in reality, compounded by a social environment that disadvantages women through the perpetuation of historical discrimination, the patriarchal construction of gender and the perpetuation of stereotypes and practices.”¹²⁷ At the same time, even if women’s

¹¹⁶ WGDWG, Country Report, *Moldova, supra*, paras. 75-78.

¹¹⁷ WGDWG, Country Report, *Morocco, supra*, para. 56; WGDWG, Country Report, *Tunisia, supra*, para. 63; Country Report, *Kuwait, supra*, para. 64; Country Report, *Chile, supra*, para. 56; Country Report, *Poland, supra*, para. 6; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 24-25.

¹¹⁸ WGDWG, Country Report, *Morocco, supra*, para. 84.

¹¹⁹ WGDWG, Country Report, *Morocco, supra*, para. 85; Country Report, *Chile, supra*, para. 28; *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women*, 2017, *supra*, para. 108.

¹²⁰ WGDWG, Country Report, *Samoa, supra*, para. 84; WGDWG, Country Report, *Greece, supra*, para. 33; *End of Mission Statement, Romania, supra*; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, paras. 42-43.

¹²¹ WGDWG, Country Report, *Iceland, supra*, para. 46; Country Report, *Spain, supra*, para. 43; Country Report, *Poland, supra*, para. 34; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in economic and social life with a focus on economic crisis*, 2014, *supra*, para. 63.

¹²² WGDWG, Country Report, *Senegal, supra*, para. 54; Country Report, *Samoa, supra*, para. 79; WGDWG, Country Report, *Greece, supra*, para. 32.

¹²³ WGDWG, Country Report, *China, supra*, para. 100; Country Report, *Chile, supra*, para. 29; Country Report, *Spain, supra*, para. 24; Country Report, *Hungary, supra*, para. 13; *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 63.

¹²⁴ WGDWG, Country Report, *Iceland, supra*, paras. 92-93.

¹²⁵ *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women*, 2017, *supra*, para. 17.

¹²⁶ *Id.*, para. 18.

¹²⁷ *Id.*, paras. 18, 20.

human rights are universal, States depart from different level of compliance regarding the duties to respect, ensure and fulfill those rights. The identification of good practices must consider what the Working Group DWG calls the “multiple contexts of diverse stakeholders.”¹²⁸ Thus, frameworks of analysis “require flexibility and creativity to capture the full complexity of any practice, including both its successes and shortcomings. This emphasis on context also requires a robust consideration of current challenges to human rights implementation on a global, regional, national and local scale.”¹²⁹

A compilation of country report excerpts can be found in [Annex II](#). These excerpts reflect the complexity of identifying good practices or promising practices in different contexts and realities and underlines some of those practices that the Working Group DWG considered would move States toward gender equality in political and public life.

IV. Recommendations

It is the goal of the Working Group DWG to promote the adoption of parity standards, including through special measures, to ensure representation of women in public, political and economic decision-making leadership, as well as in international organizations.¹³⁰ In addition to the recommendations provided in the country report excerpts in [Annex III](#), the Working Group DWG has made clear, practical recommendations in its thematic reports, applicable to all States. Overall, recommendations intend to tackle the obstacles identified by the Working Group in its reporting and relate to the following issues:

- adoption of rules of parity in political decision-making and leadership¹³¹
- strengthening the legislative foundations towards parity, including through constitutional norms, to guarantee sustainability and counteract regressive movements¹³²
- repealing discriminatory laws, specially those that discriminate women on traditional, cultural or religious grounds¹³³

¹²⁸ *Id.*, para. 23.

¹²⁹ *Id.*

¹³⁰ *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women, 2017, supra, para. 30.*

¹³¹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition, 2013, supra, para. 97; Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks, 2018, supra, paras. 90, 92; WGDWG, Country Report, Tunisia, supra, para. 70.*

¹³² *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition, 2013, supra, para. 97; WGDWG, Country Report, Peru, supra, para. 86.*

¹³³ *Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women, 2017, supra, para. 109; Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks, 2018, supra, para. 9; WGDWG, Country Report, Hungary, supra, para. 92.*

- adoption of effective legal and policy measures to increase women’s electability in public and political positions, for example through “zipper rules”¹³⁴
- implementation of capacity development for women aspiring to positions of leadership¹³⁵
- creation of enabling conditions for public recognition and acceptance for women in positions of leadership through campaigns and educational programs¹³⁶
- overcoming the knowledge gap on women’s participation in public and political life at the national and international levels, by generating robust sex disaggregated statistics¹³⁷
- creation of an enabling environment for civil society to combat the backlash and to resist anti-rights movements¹³⁸
- promote temporary measures, in particular quotas, to increase participation of women in public life at the domestic and global levels.¹³⁹

The thematic report excerpts related to parity in political and public life precede the country reports excerpts. A compilation of these excerpts can be found in [Annex III](#).

VIII. Conclusion

Ending discrimination against women in law and practice and achieving gender parity is a complex effort involving a wide range of interrelated rights. Many access points are available for States and international bodies to achieve gender equality. The Working Group’s living-law approach goes beyond formulating a checklist of documents that States legislate or international bodies agree to in principle, and takes into account all factors to ensure that gender equity is actually implemented.

As concluded in one of the WG’s reports, the starting points for implementation of equal rights standards is incorporation of gender equality requirements into national constitutions and legislation, with discriminatory provisions repealed; constitutional and legislative changes must override cultural and religious customs. Analyses of country laws and customs must continue, with a focus on gender equality and steps that must be taken to achieve parity in political and public life. This will require that temporary measures be put in place, including numeric quotas. Compliance with policies must be monitored and States must be held accountable to their obligations

¹³⁴ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 97; WGDWG, Country Report, *Tunisia*, *supra*, para. 70; Country Report, *Poland*, *supra*, para. 83.

¹³⁵ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 97; Country Report, *Morocco*, *supra*, par. 91; Country Report, *Tunisia*, *supra*, para. 70.

¹³⁶ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 97; Country Report, *Moldova*, *supra*, para. 91; Country Report, *Kuwait*, *supra*, para. 103.

¹³⁷ *Report of the Working Group on the issue of discrimination against women in law and in practice, Eliminating discrimination against women in political and public life with a focus on political transition*, 2013, *supra*, para. 97.

¹³⁸ *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, 2018, *supra*, para. 90.

¹³⁹ WGDWG, Country Report, *Peru*, *supra*, para. 86; Country Report, *Senegal*, *supra*, para. 94; Country Report, *USA*, *supra*, para. 94; Country Report, *Chad*, *supra*, para. 75.

under human rights treaties. Clear direction is provided in CEDAW and the Working Group's reports, good practices and recommendations.

Women's membership in decision making institutions is key to providing a voice and empowerment to women and to ensuring women's equal rights in all aspects of society. Women's membership in decision making institutions, whether at the state or international level is also measurable. Acknowledging where states and international decision-making bodies stand in terms of gender equality provides a base line against which to measure progress toward parity.

Empowering girl's and young women (12-30 year old's) and encouraging their participation in the Legislative, Executive and Judiciary branches is essential for highlighting women rights agenda and ensuring that women's and LGBTQ+ rights have official means of being addressed from the activism that girls and young women carry out on the civil sphere.

As stated by the Working Group DWG, "women are not just another vulnerable group...[t]hey are half of the world population and often the majority of the vulnerable groups, hence eliminating the persistent discrimination and backlashes against women's rights should be addressed both as a standalone goal and as a mainstream issue."¹⁴⁰

At this crucial moment, the Working Group DWG urges that global leadership, including international human rights bodies, States and civil society organizations, push the agenda forward to move toward greater equality and participation, and to prevent backsliding of hard-won progress already achieved.¹⁴¹ Women's representation in parliaments and at higher levels of government will not change quickly, and will only change with consistent effort.¹⁴² This is also the case with women's representation at the levels of international tribunals, adjudicating and monitoring bodies.¹⁴³ International and regional human rights bodies determine issues of security, health, environmental protection and the scope of human rights.¹⁴⁴ Parity of women's representation on these bodies assures that the perspective of women will be heard and incorporated into decisions that affect all nations globally.¹⁴⁵

The present research covers obstacles identified by the Working Group DWG that prevent women from achieving parity representation in public and political life, as well as collects promising or good practices that some States have adopted to tackle those obstacles and barriers. Additionally, the research collects specific recommendations made by the Working Group in its thematic and country reports targeting the areas that prevent women from achieving *de facto* equality in public and political life. The obstacles identified in this report also explain the underlying reasons that prevent

¹⁴⁰ *Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks*, 2018, *supra*, para. 12.

¹⁴¹ *Id.*, para. 48.

¹⁴² *Tackling Social Norms, A game changer for gender inequalities*, *supra*, p. 4.

¹⁴³ GQUAL Campaign, *Why is gender parity in international representation important?*, *supra*.

¹⁴⁴ *Id.*

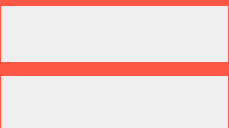
¹⁴⁵ *Id.*

equal representation of women in international organs and tribunals. Similarly, the good practices and recommendations collected in this research, such as the adoption of temporary measures and quotas, can be equally applied to promote changes in the way women access global institutions.

In conclusion, the parameters described in this document stand to serve as a baseline for the Working Group DWG's assessment of women's underrepresentation in international tribunals and other organs in its future reporting, per the HC Advisory Committee report's recommendations.

ANNEX I

COUNTRY REPORT EXCERPTS ON PRACTICES THAT CONSTITUTE OBSTACLES TO ATTAINING GENDER EQUALITY IN POLITICAL AND PUBLIC LIFE



The excerpts below were taken from the Working Group DWG country reports verbatim. The portions in bold highlight sections where the Working Group expressly identifies obstacles to women's participation in political and public life in each country visited.

1. Morocco 2012¹⁴⁶

17. While the legal reforms, including those of the Family Code, are to be commended, **some discriminatory provisions remain in existing laws and perpetuate inequalities and discrimination against women in Morocco.**

29. Government officials, including the Minister for Justice, and other stakeholders admitted that, in spite of the advances of the past decade, **cultural and societal attitudes and behaviors pose significant obstacles to full equality and rights for women in Morocco, including in the administration of justice.** Many specified that the law, even with its shortcomings, is often more advanced than the mentalities of the magistrates and judges who are entrusted with its implementation, and that the Moudawana is being divested of meaning by some enforcing judges. **Training for magistrates and judges has been insufficient and has not produced the desired results. Conservative and patriarchal attitudes permeate the law and its application and serve to maintain harmful practices.**

49. Women have had the right to vote and stand for office in Morocco since 1963. While data show that **women's participation in political life in Morocco has increased as a result of ad hoc measures and that women are willing to engage in politics, their participation is still hampered by prevailing patriarchal attitudes, social constraints and other factors.**

50. Regarding the participation of women in Parliament, in the election to the Chamber of Councillors in 2003, **there was no national list and only 0.56 per cent of elected communal representatives were women.** In 2009, women held six of 270 seats, representing 2.2 per cent in that Chamber.

51. In 2002, **political parties adopted for the first time a quota** that reserved 30 (9.2 per cent) of the 325 seats in the Chamber of Representatives for female candidates. As a result, 35 women (10.77 per cent) were elected to the Chamber. **This quota was not, however, established by law but was rather embodied in an agreement between political parties. In the 2007 parliamentary elections, political parties again resorted to affirmative action, and 30 women were elected. The Government formed in 2007 had the greatest number of women in Moroccan history: seven women heads of ministries (of 36).** In the 2009 local elections, "supplementary lists" enabled women to win around 12 per cent of the seats. A woman was elected mayor in Marrakech and 13 women were elected president of a commune.

53. Organic law No. 27-11 of 14 October 2011 on the Chamber of Representatives **establishes a quota of 60 seats for women out of a total of 395 (15 per cent).** According to article 23, 90 Members of Parliament are elected at the national level, and the remaining 305 are elected at the local level. **The law requires that the lists of candidates presented by parties at the national level** comprise 60 women and 30 men

¹⁴⁶ WGDWG, Country Report, *Morocco*, A/HRC/20/28/Add.1, 19 June 2012

aged less than 40 years; however, **there is no quota applying to lists presented at the local level.** As a result, in the parliamentary elections held in November 2011, the total number of women elected was 67, or 17 per cent of the total membership. The local elections, tentatively scheduled for late 2012, will be an opportunity to redress the situation and institutionalize women's lists.

54. Organic law No. 29-11 of 21 October 2011 on political parties provides, in article 26, **that all political parties must work to achieve a proportion of one third of women in their governing bodies at the national and regional levels, although the law does not include sanctions for failure to respect this provision.** It therefore does not recognize the role that political parties need to play in promoting equality and women's human rights. In the 2011 elections, only 57 women were at the top of the lists at the local level out of 1,521 lists. Women accounted for only 4 per cent of candidates.

55. The Working Group recalls that the Convention on the Elimination of All Forms of Discrimination against Women requires States to achieve not only purely formal or de jure equality, that is equality between women and men in and before the law with respect to formal opportunities and treatment, but also de facto or substantive equality, whereby women enjoy equality with men in practice. While numerical representation of women is important, substantive representation of women goes beyond numbers and is about how women and men, in decision-making positions, produce gender-responsive policy formulation and implementation. It is therefore critical to look beyond the numbers to the contexts and conditions that allow women to participate on an equal footing with men, including in political and public life.

57. Nonetheless, the meagre representation of women in the composition of the new Government and the reported explanation that this was due to lack of competent women candidates leads many to question the extent of current commitment and political willingness to promote equality and women's rights in practice. Many stakeholders expressed their regret at the gap between rhetoric and reality.

58. Women's representation in senior decision-making positions in the public service is particularly low. **While women represent more than one third of the total number of public servants, they account for only 12 per cent of leadership positions.** Only two women are governors. Currently, only 10 of 84 ambassadors are women.

59. **In 2012, women occupied 20 per cent of all judicial posts;** they accounted for 21 per cent of judges and 11.8 per cent of prosecutors. According to article 115 of the Constitution, representation of women judges is to be secured among the 10 elected members of the Supreme Council of the judiciary, in proportion to their presence in the judiciary. **In January 2012, the Moroccan Association of Women Judges announced that it would submit a claim to the Supreme Court calling for increased representation of women in the judiciary and access to the highest positions.**

60. **At present, none of the eight heads of parliamentary groups of political parties is a woman.** Of the 13 members of the bureau of Parliament, three are women. One woman presides over a parliamentary commission (specialized parliamentary bodies) out of a total of eight. Therefore, only four women hold positions allowing them to influence the functioning of Parliament.

2. Moldova 2012¹⁴⁷

12. In 2006, parliament adopted Law N. 5-XVI on Ensuring Equal Opportunities for Men and Women, which contains the principle of gender equality, defines discrimination on grounds of sex, and establishes an institutional framework for its implementation. The Law includes provisions pertaining to, *inter alia*, discrimination on grounds of pregnancy or maternity; sexual harassment; and ensuring equal opportunities between women and men in the public domain, and socio-economic spheres (including employment) education and health care. **However, many stakeholders in Government and civil society described this law as merely “declarative” as it has no enforcement mechanism, despite being a symbolic achievement for women.**

14. At the time of its visit, the Government was conducting a comprehensive review of Law N. 5-XVI. Amendments under consideration include, for example, definitions of victimization, sexism, incitement to sex discrimination and discrimination by association; the establishment of Gender Coordinating Councils (made up of Gender Units) tasked with drafting, promoting and monitoring policies; review of alleged sex discrimination cases within public institutions; **establishment of minimum participation quotas of 40 per cent of each sex in access to public offices, in representation of governing bodies of political parties, and on the list of candidates**; and recourse mechanisms for victims seeking remedy for discrimination. Some of these proposals have been incorporated into Law No. 121 of 25 May 2012 on Ensuring Equality.

47. **In the judiciary, there are currently 165 women judges out of a total of 441 (37 per cent).** This is a 12 per cent increase since 2008, **although no woman holds any of the top leadership positions.** In the Prosecutor General’s office, 252 out of 744 prosecutors are women (33 per cent). In 2012, for the first time, a female police commissioner was appointed.

48. **In parliament, there are 20 women (19.8 per cent) out of a total of 101 parliamentarians**, placing the Republic of Moldova at 64 out of 188 countries on a ranking of women in parliament, as of 1 January 2012. The position of Deputy Speaker of the Parliament is held by a woman.

49. **At the top levels of the executive bodies, only one ministerial position was held by a woman**, out of 18 members of the Cabinet, at the time of the Working Group’s visit. She is in charge of MLSPF. **After the visit, another woman was appointed as Minister of Education.** At the deputy ministerial level, there are 7 women out of 35. In Transnistria, the three deputies to the de facto prime minister are all women, and key “ministries” such as finance and foreign affairs are led by women.

50. **The June 2011 general local elections produced a result of 166 women (18.4 per cent) out of a total of 898 elected mayors.** In first-level Municipal Councils, 3,033 women (28.5 per cent) out of a total of 10,630 counsellors were elected, and 206 women (18.3 per cent) out of a total of 1,120 were elected counsellors at the second level. Women represent 27.5 per cent of total counsellors. Several stakeholders stated that villages with women mayors are often among the best in terms of performance and responsiveness to public needs.

¹⁴⁷ WGDWG, Country Report, *Moldova*, A/HRC/23/50/Add.1, 15 March 2013.

51. In election management structures, women make up three quarters of staff of constituency commissions and 81 per cent of polling stations staff. As chairpersons of electoral commissions, women constitute 48 per cent of the total.

52. **Although most parties are comprised of 54 per cent women, many are not actively engaged and, as candidates, they were underrepresented in the 2011 local elections although they make up 53 per cent of the electorate.** In the period between 1988 and 2009, **there was a steady increase in women's inclusion in the candidates' lists of political parties, from 8 per cent to 25 per cent. The Working Group is concerned that this achievement has not been securely sustainable, however, as there was regression to 20 per cent in 2010.** Political parties have exceptionally required 30 per cent representation in their charter in management bodies and on ballots.

55. **The allocation of two ministerial portfolios to women is consistent with entrenched attitudes and stereotypes in the Republic of Moldova, clearly evident at the highest levels of leadership, which constrain women to traditional roles of having principal responsibility for the family and children, and for issues traditionally considered within "women's domain" such as education, social affairs, and gender.** The MLFSP is also heavily female dominated, with 19 of the 25 leadership and directorate posts (76 per cent) allocated to women. In contrast, in other fields, women are less represented, especially at decision making levels. For example, women constitute 144 of the 336 employees (42.9 per cent) of the Ministry of Foreign Affairs at home and abroad, but hold only one ambassadorship position, to the Council of Europe.

56. The Working Group met with several women who are members of political parties. As the Republic of Moldova has a national party-list system, **the primary obstacle to the advancement of women in Parliament has been unwillingness by all major parties except the Party of Communists to place women at electable positions on party lists during national elections.** Neither Electoral Code provisions nor the rules governing party financing are currently sufficient to overcome these problems. A female mayor serving her fifth term could not get the support of her party for a seat in the Regional Council despite her ability to gain the necessary votes. On the eve of the elections, the party transferred her from fourth to fourteenth place in the list, denying her the chance to win the elections. **Women see themselves at a disadvantage during elections because they generally have less money than male candidates and lower wages, and less access to decision-making about resource allocation or spending. They also often lack male support.**

57. **All the women in political and public office with whom the Working Group met highlighted the "great price" they must pay because of the imbalance between their professional and family life.** Without a change in the **division of labour between men and women in the family** and without proper public services to support **childcare, women active in political and public life must constantly bear a double burden.** Some have expressed their deep disappointment at the lack of sufficient support from the Government on this matter, while others fear that their career choice has become a disincentive for their daughters and other women to pursue a public role.

72. **Multiple forms of discrimination:** "Romani advocates stated that they have little or no access to women parliamentarians and politicians do not respond to their concerns. Quotas for universities have not worked in practice because no adequate support exists at the secondary level of education for Romani girls and women."

3. Tunisia 2013¹⁴⁸

16. In spite of the challenges, women continue to take an active part in the political transition, at street level and through official processes. They participated as voters, candidates and observers during the country's first free and democratic elections in October 2011, in which the Ennahda Party won the most seats in the National Constituent Assembly (NCA). This institution is now leading the drafting of the country's new constitution. **Although parties were obliged to respect the rules requiring parity of male and female candidates on electoral lists, few placed women at the top of lists, thereby limiting the effects of this legislation.**

17. The trend is not consistent across institutions of the State, however. In the Ennahdled coalition government, **women are severely underrepresented in top decision-making positions.** As of March 2012, in the 41-member Government, there were 3 women. While the Government has stressed its commitment to maintaining women's rights, several of its representatives have made statements calling these into question. For example, in February 2012, the Minister for Women and Family Affairs said that customary marriage or *orfi* was a "personal freedom". Also, in November 2011, a member of parliament affiliated with Ennahda declared that single mothers were a disgrace in an Arab Muslim society. **Such statements have contributed to the sense of a genuine risk of regression in existing guarantees of equality between men and women felt among the country's advocates of women's human rights.**

26. The Group's visit coincided with the consideration of a second draft constitution, released on 14 December 2012. **As stated before, one of the most contentious debates since the first draft concerns the principle of full equality between men and women in all fields of life.** This principle has been discussed in connection with other key provisions, namely those which refer to Islam as the religion of the State and to human rights. The Working Group heard widely divergent views on these provisions, including disturbing arguments promoting cultural relativism, including religion-based, in place of universal human rights – a clear regression from the 1959 Constitution's long-standing guarantee of "the fundamental freedoms and human rights in their universality, comprehensiveness, complementarity and interdependence" (art. 5).

29. In view of the forthcoming draft under preparation, the Working Group identifies some key elements of a gender-responsive constitutional design which would ensure that a country abides by its international obligations on non-discrimination on the grounds of sex, gender equality and the protection and promotion of women's human rights. **A constitution should uphold equality between men and women in its entirety and without ambiguity.** Such a constitutional design would include specific provisions on gender equality, including:

- (a) A clear and explicit principle of equality between women and men before and in the law with the aim of framing equality priorities throughout the constitution;**
- (b) A clear and explicit prohibition of all forms of discrimination based on the grounds of sex and gender in all fields and in relation to other prohibited grounds, such as race, colour, language, religion, political or other opinions, national or social origin, property, birth or other status;**

¹⁴⁸ WGDWG, Country Report, *Tunisia*, A/HRC/23/50/Add.2, 30 May 2013.

(c) **The specific enumeration of women’s civil, political, economic, social and cultural rights in all spheres of life, including family life; A/HRC/23/50/Add.2 10**

(d) **A provision on the possibility of taking positive action to promote gender equality in all fields of women’s life, including gender parity in political and public life;**

(e) **Provisions on the protection of women’s physical, sexual and moral integrity, criminalization of violence against women, and consideration of violence as a serious violation of human rights and gender-based discrimination;**

63. For its first and free democratic election in October 2011, the High Authority for the Realization of the Goals of the Revolution, which was tasked to lead the process of legal and institutional reform, adopted Decree N°35 of 10 May 2011 concerning elections to the NCA establishing parity on electoral lists. This law showed the Government’s commitment to enhancing women’s involvement in political life and their role in the transition to democracy. **Although parties were obliged to follow the rules requiring parity of male and female candidates on electoral lists, as provided for in article 16, few placed women at the top of lists, thereby limiting the effects of this legislation.** According to official statistics, women only composed 7 per cent of those at the top of candidate lists. On paper, this was a strong affirmative measure, but in practice, most of the more than 80 parties competing in the elections (with more than 1,500 lists registered) won only one seat in any one constituency, which went to the male candidate invariably heading the list, showing the gap in this field between the law and the practice. As a result, fewer women were elected in 2011 than in the previous election in 2009, with 57 women (26.3 per cent) elected among the 217 members of the NCA. However, Tunisia remains the country in the region with the highest proportion of women in parliament.

4. *Iceland 2013*¹⁴⁹

54. Despite [those] achievements (legislation regarding gender equality, and achievement of a minimum quota of 40 per cent), **the Working Group is concerned that inadequate funding and staffing shortfalls at the Centre for Gender Equality are likely to have an impact on its efficiency and effectiveness.** While its mandate was expanded in 2008, its budget was reportedly cut by 30 per cent during the economic crisis. Concerns were also raised about the location of the Centre far from Reykjavik, making access very difficult for some right holders to seek its services.

62. Despite the long-term achievements of Iceland in gender equality legislation and its efforts to protect the most disadvantaged groups of society, including women, in the aftermath of the financial crisis, **discrimination against women remains in practice.**

66. **The Working Group is concerned that there is a high level of gender-based violence in Icelandic society.** The Working Group’s attention was drawn to the results of comprehensive research carried out from 2008 to 2010 at the request of the Minister of Welfare, which revealed that 42 per cent of the women surveyed had been since the age of 16 subject to violence at some point. Approximately 30 per cent reported having suffered physical violence, 24 per cent reported sexual abuse and 13

¹⁴⁹ WGDWG, Country Report, *Iceland*, A/HRC/26/39/Add.1, 16 September 2014.

per cent reported rape or attempted rape. Reports commissioned by the Government at the peak of the crisis also highlighted an increase in gender-based violence and an increasing number of women seeking assistance from women's shelters.

67. The Working Group notes that there is a clear need to make efforts to increase the gender sensitivity of the judiciary, as emphasized by representatives of the Ministry of the Interior during the Group's visit. The Group also observes that **women are severely underrepresented in the judiciary.** Only 2 out of 12 Supreme Court justices and 14 out of 38 District Court judges are women, while there are more female than male law graduates.

5. *China 2013*¹⁵⁰

19. The Working Group notes that, despite an impressive existing framework of law and policies for the elimination of discrimination against women, **gaps remain in de facto equality, as a result of persistent discriminatory practices and stereotypes.** There is currently no definition of sex discrimination in employment and hence there is no legal prohibition in line with the definition of discrimination against women in article 1 of the Convention on the Elimination of All Forms of Discrimination against Women.

20. Furthermore, efforts to promote women's equality have been **largely protective**, preserving minimum standards for women in employment conditions, maternity, matrimony and old age, **with less focus on concrete measures or policies to empower women to participate in decision-making and leadership positions.**

21. The Group notes that existing anti-discrimination legislation does not provide access to judicial or administrative agencies for its implementation. **There are no provisions which facilitate action by victims of discrimination to enforce their rights under those laws**, such as the possibility of class actions, the submission of claims by civil society organizations, shifting the burden of proof to the defendant, punitive compensation, or regulations to protect plaintiffs or witnesses against retaliation. This seriously impedes enforceability of the legislative anti-discrimination framework nationwide.

22. The Group was informed that the inadequate implementation of laws prohibiting discrimination against women is partly due to the fact that some of the **national legal provisions are not considered sufficiently concrete to provide a cause of action, resulting in a lack of accountability.**

23. The Group was informed that the Government enacts anti-discrimination laws as guidelines, which will then be propagated as enforceable rights through the agency of the provinces, which can interpret, apply and render them enforceable. The Group acknowledges the important role of the provincial level in spearheading changes in laws and regulations related to women's rights. **It notes that measures to promote equality have often originated in the provinces or are transformed there from national guidelines to enforceable laws and regulations. However, the Group wishes to emphasize that the ultimate responsibility for the implementation of the human rights of women falls on the State itself**, which has ratified the Conven

¹⁵⁰ WGDWG, Country Report, *China*, A/HRC/26/39/Add.2, 12 June 2014.

tion on the Elimination of All Forms of Discrimination against Women, and the State must respect, protect and fulfil these rights throughout its entire territory.

60. The development of policy and social norms by the Government and the Communist Party has not led to the empowerment of women in political and public life. This is especially apparent **in the low percentage of women at high levels of decision-making, both at the national and provincial levels.** The Working Group emphasizes the fact that the empowerment of women in political and public life is an integral aspect of achieving national goals and dreams of China.

61. **The Group is concerned that, in the executive branch, the participation of women is exceptionally low, especially at the highest levels.** Only one woman serves as a vice-premier and there are no women in the most powerful decision-making body, the Standing Committee of the Central Politburo. According to reports, of the 31 governors and 31 party secretaries at the provincial level, only one is a woman. **Within the Communist Party, women account for 17.3 per cent of the total membership.** Two women currently serve on the twenty-five-member Central Politburo of the Communist Party, while no figures are available on the number of women on the Central Committee of the Party, which comprises 204 members and 167 alternates.

62. **Women currently account for 23 per cent of the legislative branch,** the National People's Congress, placing China 62nd in the world in terms of percentage of women in the legislature. That is a record number following a decision in 2007 of the 10th Congress, at which a target minimum of 22 per cent was established. The Electoral Law of the National People's Congress, the Local People's Congresses and the Law on the Protection of Rights and Interests of Women merely stipulate that **there shall be "an appropriate number" of women among deputies to the NPC and local people's congresses at various levels, and that the proportion thereof shall be raised gradually, without specific policy measures to ensure a consistent and progressive increase.**

6. Chile 2014¹⁵¹

9. Over the last 20 years, Chile has launched several legislative initiatives in order to further the realization of women's human rights and gender equality. The Constitution of Chile enshrines the principles of non-discrimination and equality between men and women.

10. Act No. 20609, adopted in 2012, established anti-discrimination measures, with a judicial mechanism that makes it possible to effectively restore the rule of law whenever an act of arbitrary discrimination is committed. It also contains a definition of arbitrary discrimination that makes express reference to discrimination on grounds of sex and gender identity. **However, the Act does not contain a broad definition of direct and indirect discrimination against women or affirmative action and reparation for victims** in line with articles 1 and 2 (a) of the Convention on the Elimination of All Forms of Discrimination against Women and with the principle of equality between women and men.

48. **Women hold only 5 per cent of high-level management positions in the principal Chilean companies.** According to information provided by the Government, the

¹⁵¹ WGDWG, Country Report, Chile, A/HRC/29/40/Add.1, 20 May 2015.

appointment of women to the boards of directors of public companies has increased by 24 per cent since 2014, and the goal is to reach 40 per cent by the end of the presidential mandate in 2018.

49. Despite reforms aimed at encouraging shared responsibility, continued cultural resistance in Chilean society in these areas means that the percentage of men willing to take on care-giving functions as provided under the reforms is minimal. Moreover, the legal provisions giving benefits to fathers who participate in the upbringing and care of their children generally apply only if the mother is absent.

54. The Working Group was pleased to note the Government's efforts to increase the number of women in the executive. The cabinet is made up of 9 female ministers, 14 male ministers, 10 female undersecretaries and 22 male undersecretaries, meaning that 39 per cent of ministers and 31 per cent of undersecretaries are women. Moreover, around 20 per cent of intendants and 40 per cent of governors in Chile are women. **Representation is lower at the level of local government,** where only 12.5 per cent of mayors are women. **Among the largest hindrances to the participation of women are the political parties, which remain unwilling to embrace gender equality in political representation by introducing it into their internal culture, working practices and system of incentives.**

55. Notwithstanding efforts to increase the representation of women in the executive, **they remain seriously underrepresented in other areas of power, particularly in the legislature.** Although for the first time in the history of Chile the President of the Senate is a woman, the proportion of women in parliament stands at 15.8 per cent for the Chamber of Deputies and 18.4 per cent for the Senate, which is far below the regional average (24.5 per cent in 2014). According to the Inter-Parliamentary Union, Chile is number 94 on a list of 188 countries classified according to the proportion of women in parliament.

57. According to information obtained during the visit, the representation of women in the judiciary is higher than in other areas of power. However, women are concentrated in the lower courts. Fewer women are appointed to the courts of appeal. **Of the 20 members of the Supreme Court, only five are women** (in 1995 there were no women on the Supreme Court, in 2005 there was one and in 2009 five).

7. Peru 2014¹⁵²

14. The working group notes that articles 3 and 5 of the **Act on Equal Opportunities** refer to “*equidad de género*” (gender equity) rather than “*igualdad*” (equality), the more appropriate term. The State is obliged by various international instruments to respect, protect and implement women’s right to equality and to prohibit discrimination against women based on sex. The promise of equity is not enough to ensure the right to equality and to live a life free from discrimination of all kinds. The Working Group also regrets that sexual orientation and gender identity were excluded from the list of protected categories. **Many informants expressed regret that this ambitious and promising Act has not been systematically and effectively implemented the major constraints include the fact that political parties assign women to places in which they are unlikely to be elected, as well as the limited framework for enforcing the Quotas Act and gender stereotypes that limit women’s access to**

¹⁵² WGDWG, Country Report, Peru, A/HRC/29/40/Add.2, 26 June 2015.

decision-making posts.

18. **The Working Group regrets the failure to adopt bills aimed at rectifying the scant participation of women in public life, including Bill No. 3670, which proposed that the seven members of the Constitutional Court should include at least three women, Bill No. 3682 on the implementation of gender quotas in the appointment of judges and magistrates and Bill No. 4708 on the implementation of gender quotas.** The Group hopes that Bill No. 268-2011-JNE on regulating gender quotas for elections and setting up a mandatory system of rotating the candidates on electoral lists will be adopted.

19. The Working Group notes that despite an impressive legal framework promoting women's rights and gender equality, there are **still significant gaps in *de jure* and *de facto* equality. Although existing legislation strengthens the guarantee of access to justice, victims of discrimination face several obstacles to exercising their rights under that legislation, which seriously complicates enforcement of the anti-discrimination laws.**

23. Despite efforts to increase the number of women in the police and judiciary, **there is an evident shortage of women at the highest levels of the judicial system** (see paragraph 43). Nor does the Supreme Court or the National Council of the Judiciary have a commission on gender, such as those found in most Latin American judicial systems, to ensure the appointment of female judges and monitor the incorporation of a gender-based approach in the practice of the courts.

38. The State has made significant efforts in terms of the political participation of women. Their participation has increased as a result of the acts on gender quotas, which call for women to make up at least 30 per cent of the candidates on electoral lists (the Congress, the Andean Parliament, the regional councils of regional governments and the councils of provincial and district municipalities). **This quota has led to some progress but has not managed to remedy a situation in which women clearly lag, as it fails to ensure that women are elected to the offices for which they stand.**

39. **The major constraints include the fact that political parties assign women to places in which they are unlikely to be elected, as well as the limited framework for enforcing the Quotas Act and gender stereotypes that limit women's access to decision-making posts. The Working Group also received reports that female candidates or authorities were subjected to widespread political harassment, a new way of discouraging them from participating in politics. This serious problem hinders women's equal participation in political life.** To prevent, eradicate and penalize this form of violence against women, the National Network of Women Local and Regional Authorities of Peru has proposed a bill that has not yet been debated.

40. **After having risen steadily to 29.2 per cent in 2006 the proportion of persons elected to Congress, fell to 21.5 per cent in the 2011 elections.** After the 2010 elections, the proportion of women on regional government coordinating councils fell to less than 30 per cent, no woman was president of a region and only two held positions as regional vice-presidents; women accounted for only 28 per cent of the regional councillors. At local government level, women accounted for only 4.6 per cent of those elected mayor of a provincial municipality and 23.9 per cent of those elected councillor. They accounted for only 3.7 per cent of those elected mayor of a district municipality and 28 per cent of those elected councillor.

42. The Working Group notes with satisfaction that there has been an increase in the number of women holding senior positions in the various branches of government, including the President of Congress, the President of the Council of Ministers and other ministers and deputy ministers. **The presence of women in the executive branch remains limited, however, only 6 of 19 ministries are headed by women (31.5 per cent).**

43. **Regarding the judiciary, women are concentrated in more junior positions and account for only 17 per cent of the senior judges, 27 per cent of the higher courts and 36 per cent of the special divisions.** Only 5 of the 13 members of the Attorney General's Office are women; only one of the nine members of the Constitutional Court is a woman; only 3 of the 19 Supreme Court judges are women; and of the six members of the National Council of the Judiciary only one is a woman.

56. The Working Group notes **with concern the link between the inequality affecting women within the family and their limited participation in political and economic life. Patriarchal attitudes in Peru also perpetuate domestic violence and other forms of violence committed outside the home.**

8. Spain 2014¹⁵³

43. The law on equality of 2007 recommends that the State endeavour to reach gender balance in the boards of directors of large companies. According to article 75 of the law, regarding the participation of women in the boards of directors of mercantile companies, companies that are required to present unabridged financial statements of income should endeavour to reach a balanced presence of women and men on their boards of directors within eight years of the entry of the law into effect. According to information provided by the Government, in the top 35 companies quoted on the Spanish stock exchange (IBEX 35), in 2014, 18.2 per cent of corporate board members were women, up from the 12.1 per cent recorded three years earlier. **The Working Group was, however, informed that since the commitment to achieve the goal of 40 per cent of women on corporate boards is voluntary, some companies do not take any particular measures to increase the number of women on their boards.** Law 31/2014 of 3 December 2014 amending the Corporations Act does not address this issue.

84. According to the Inter-Parliamentary Union, regarding the number of women in the national parliament, **Spain is above both regional and world averages. The law of 2007 on equality established a quota of 40 per cent for political representation of each sex, resulting in a significant increase in women's participation in parliament at both the central and local levels. In the national parliament, 36 per cent are women.** Total parity was achieved at one stage in the Council of Ministers when, for the first time in Spanish history, women occupied the posts of deputy

Prime Minister and Minister for Defence. **The proportion of women ministers in the Government has since dropped to only 28.6 per cent (four out of 14 members, including a deputy Prime Minister).**

85. At the local level, the proportion of women mayors increased from 15.16 per cent in 2007 to 17.17 per cent in 2013. Four out of 17 autonomous communities have women

¹⁵³ WGDWG, Country Report, *Spain*, A/HRC/29/40/Add.3, 17 June 2015.

as presidents. Women in autonomous community regional governments decreased from 39.7 per cent in 2008 to 34.2 per cent in 2013. **Funding of equality institutions at the regional level have been reduced by 32 per cent.** According to shadow report on the period 2008-2013 submitted by civil society organizations to the Committee on the Elimination of Discrimination against Women (see para. 54 above), Andalusia and the Basque Country, which have maintained their budgeting levels, are exceptions to this trend.

86. Women began to enter the judiciary in the late 1970s; **today, there are as many women judges as men. The actual number of women at the highest levels of the judiciary remains, however, extremely low** in the Supreme Court, of 70 judges, only 12 are women; there are no women presidents in the chambers of the *Audiencia Nacional* (National Court); and only six out of 52 presidents in the high courts of justice are women. The Working Group was informed that the low number of appointments of women to the highest levels of the judiciary was due to their late entry into the judicial hierarchy.

9. Senegal 2015¹⁵⁴

6. Senegal cannot aspire to development without the genuine and full participation of women. **The unequal assignment of roles and responsibilities within the family, the overall division of labour and the reduced economic power of women exacerbate the growing feminization of poverty. The Working Group observed that the many legal but predominantly sociocultural constraints impede the achievement of gender equality.**

52. **The Working Group is particularly concerned that women have very limited and unequal access to land.** Although the Constitution provides for equal access to land, less than 2 per cent of women have access to land as the result of purchase, less than 15 per cent hold assigned plots and only 25 per cent have access through inheritance. Yet women carry out 70 per cent of farming activities and are responsible for more than 80 per cent of agricultural production, especially of food crops. **They also face limited access to the means of production. Societal norms that encourage granting the status of head of the holding to men, women's limited mobility and their relatively low income result in de facto discrimination** in terms of access to the products of cultivated lands, but also in terms of the control and use of those lands. The Working Group welcomes the land reform that is currently under way **and hopes that quotas will be introduced in order to ensure equal access to land.**

59. **Elections held in 2014 showed that the political marginalization of women in Senegal continues to be a problem. Female candidates faced major opposition from several influential religious groups and political figures, but also from the general public, including women themselves.** After the elections, it became apparent that there had not been full compliance with the Act by all bodies at the local level. **This resistance to compliance with the 2010 Parity Act shows that the Act has not been fully accepted and that considerable efforts are still needed to eliminate all forms of discrimination and negative stereotypes that are deeply rooted in Senegalese culture and hinder women's equal participation in decision-making bodies.**

¹⁵⁴ WGDWG, Country Report, *Senegal*, A/HRC/32/44/Add.1, 7 April 2016.

61. **Many stakeholders drew attention to problems in obtaining full compliance with parity in the departmental majority voting system and in elections for local executive committees** (of municipalities and departments). Unfortunately, out of the 557 municipalities, only 13 currently had women mayors, and out of 42 departmental councils, only 2 were presided by women. **Even at the executive level, this reluctance to place women in decision-making positions is evident:** out of 34 ministers and deputy ministers, only 7 are women, and their areas of responsibility are those traditionally assigned to women, including social affairs, the family and women's affairs. If the secretaries of State are included, women account for less than 18 per cent of the members of the incumbent Government.

62. **Women's representation in the judicial system also remains insufficient.** In 2010, women accounted for only 17.29 per cent of judicial personnel. There are no women among the five members of the Constitutional Council. However, the Working Group welcomes the fact that, of the four chambers comprising the Supreme Court, two are headed by women.

10. USA 2015¹⁵⁵

9. The Working Group deeply regrets that the **United States has not ratified the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol.**

23. The Working Group **regrets that political resistance has consistently blocked efforts to pass an equal rights amendment, which would entrench women's right to equality in the Constitution.** Constitutional guarantee is considered by leading human rights experts as crucial to secure women's right to equality and is included in almost all constitutions globally. According to a poll in 2012, 91 per cent of people in the United States think that the Constitution should include equal rights for men and women.

40. Despite the current administration's commitment to advancing women's rights, **adequate representation for women in political life is far from being achieved** and, indeed, only 4 out of 15 Cabinet members are women.

41. Women hold 19.4 per cent of the seats in the House of Representatives and 20 per cent in the Senate. Between 2004 and 2015, the number of women in the Senate increased from 14 to 20 and the number of women in the House grew from 60 to 84. This represents the highest level of legislative representation ever achieved by women in the United States. However, it still puts the country at only 96 in the global ranking. 24 Women of colour make up 7.4 per cent (32 of 435 representatives) of the House. There is only one woman of colour serving in the Senate, but not a single African American woman.

42. Only six states have female governors: New Hampshire, New Mexico, Oklahoma, Oregon, Rhode Island and South Carolina. The share of state senate seats held by women is largest in Arizona (43.3 per cent) and smallest in South Carolina (2.2 per

¹⁵⁵ WGDWG, Country Report, USA, A/HRC/32/44/Add.2, 4 August 2016.

cent). The share of seats in the state house or assembly held by women is largest in Colorado (46.2 per cent) and smallest in Oklahoma (12.9 per cent).

43. According to several of the interlocutors whom the Working Group met during its visit, the low level of representation of women in elected political posts is due partly to the greater difficulties women face in fundraising for campaigns.

The financing of political campaigns has increasingly played a major role in recent decades and has drastically altered the landscape of elections and political participation. The experts observed that women's difficulty in fundraising is considered to result from complex causes. **In particular, it is a result of exclusion from the predominantly male political networks that promote funding. Interlocutors also attribute women's low rate of election to negative stereotypes and biased presentation of women in the media, which adversely affect both women's fundraising ability and their political candidacy.** The experts consider the objective difficulties women face in raising campaign funding to be a serious limitation on women's opportunities for political representation, and are deeply concerned that the removal of limits on campaign contributions by the Supreme Court in 2014 threatens to exacerbate this situation.

45. Furthermore, while more women currently vote than men, it is essential to ensure that women continue to have access to the voting booth. Today, a patchwork of state laws is making it more and more difficult to exercise the right to vote. For instance, officials in Ohio, Texas and North Carolina have manipulated rules to keep part of the population away from the polls.

88. The ability to address these challenges is limited by a range of factors. **Such obstacles include lack of political will to pass essential legislation; women's limited representation in leadership positions in Congress and in business; a strong conservative religious lobby which opposes reproductive rights; gun lobbies which oppose gun control; and discriminatory gender norms perpetuating a culture that allows discrimination against women to flourish. Women's underrepresentation and negative representation in the media also present major challenges and reinforce existing gender biases.**

11. Hungary 2016¹⁵⁶

26. Political and public life encompasses the legislative, judicial and executive organs of the State; public administration, including public boards and local councils; political parties and other organizations concerned with public and political life; and civil society, including trade unions, professional and industry associations, women's organizations and community-based organizations.

27. At only 10.1 per cent, the representation of women in Parliament has improved little since the first democratic election in 1990 in which women won 7 per cent of seats; **it is still one of the lowest in the European Union and one of the lowest globally**, ranking 158th out of 193 countries. In the regional assemblies, women's representation is slightly higher (12 per cent), although there are no women Regional Presidents. In local councils, women account for 20 per cent of those elected, mostly in small communities. **At only 19 per cent, the proportion of Hungarian women Members of the European Parliament is among the lowest.**

¹⁵⁶WGDWG, Country Report, *Hungary*, A/HRC/35/29/Add.1, 21 April 2017.

28. There have been consistently few women ministers in successive Governments. After the transition to parliamentary democracy, from 1998 to 2014, only five women have been members of cabinet. Currently, **there are no women in the 9-member cabinet**. In 2015, women accounted for 11 per cent of all secretaries of State and 15.7 per cent of deputy secretaries (while making up 49 per cent of medium-level officials in ministries and 40 per cent of high-level positions in public administration in 2012); **in the diplomatic service, women account for 15 per cent of ambassadors, 28 per cent of minister counsellors and 34 per cent of consuls**.

29. **There are no Roma women in Parliament at the national and European levels**, although two Roma women were members of the European Parliament between 2004 and 2014. The National Social Inclusion Strategy (2011–2020), while specifically tackling the **social exclusion of the Roma, who constitute 7 per cent of the population, has not strategized the empowerment of Roma women in political life or in decision-making positions**.

30. **The low representation of women in the country's political life is also reflected in their low degree of visibility in media programs**. In television and radio news programs, women represent only 20 per cent of interviewees and interviewers. In this regard, the Working Group particularly welcomes the monitoring role played by the National Media Authority.

31. **The extremely low representation of women in Parliament and their absence from the Cabinet represent a clear lack of political will to empower women. The Working Group notes that, although the Fundamental Law provides for the adoption of special measures to promote equal opportunities and social convergence, proposals to introduce temporary special measures, including quotas, to increase women's representation have been repeatedly rejected in Parliament**. The Working Group reiterates its view that special measures, including quotas for women and other temporary measures, as required under the Convention on the Elimination of All Forms of Discrimination against Women, are necessary to achieve equality between men and women in political and public life, and to address discrimination, stereotypes and the underlying structural disadvantaging of women. In its report on public and political life, the Working Group observed that the most significant increase in the number of women in national parliaments over the years had been witnessed in countries where special measures, such as gender quotas, had been effectively implemented. The use of quotas to advance women's political representation has increased in the past three decades and has produced significant results when properly adapted to specific electoral and political systems (A/HRC/23/50, para. 38). The Working Group welcomes the adoption by some political parties in Hungary of quotas for their national lists. In the current political situation, the governing party could play a decisive role in increasing women's representation in Parliament either by adopting quotas in its own party or by requiring quotas for all political parties in legislation.

32. **In the judiciary, a branch largely feminized during the socialist period, women are well represented, including in leading positions**. They indeed account for 65 per cent of judges in all courts and 48 per cent of judges at the National Supreme Court, significantly higher than the European Union average of 34 per cent. **Nonetheless, of the 15 members of the Constitutional Court, who are appointed by Parliament, only three are women**.

67. **The Working Group noted that women's participation in all spheres of society was overshadowed by a stereotypical and patronizing approach to women that**

pervades attitudes and speeches. Gender stereotypes depicting women solely in the role of mothers and caregivers and disparaging them as political actors are predominant, which has a great impact on their right to equality, undermining their empowerment. Some interlocutors referred to women as “the weaker sex”.

68. **The high prevalence of gender stereotyping of women in the public sphere undoubtedly contributes to their low levels of political participation.** Some public officials openly justify the low representation of women in politics, as did the Speaker of Parliament, in his speech at a rally for the Fidesz party on 13 December 2015, when he suggested that **a woman’s place is at home, not in politics; he was greeted by a round of applause. When Hungarian women do enter in politics, they face a strong sexist institutional culture of which the Working Group was given several egregious examples by interlocutors. Offenders are rarely sanctioned for their behaviour or remarks.** Interlocutors also informed the Group **that incitement to hatred against sexual minorities by politicians and leading government officials is commonplace.**

69. Conservative stereotypes about women’s role in society also have a considerable impact on women’s participation in the labour market. A survey conducted in 2008 on gender stereotypes revealed that Hungarians were more likely than citizens in other countries of the European Union to support the notion that men should be prioritized for employment when jobs are scarce and that women should be prepared to do less paid work in order to care for their families. **For a high portion of the population, the role of the man is to earn money, while that of the woman is to care for the household and children.**

92. **Women are significantly disempowered in Hungarian political life. Underlying this situation is the pervasive and flagrant stereotyping of women, with repeated statements by some public figures that women are unsuited to political power and the insistence on a woman’s role as primarily a wife and a mother. This is aggravated by multiple forms of discrimination and xenophobia regarding Roma women, who are virtually invisible in the political system. Significant measures should be taken to eliminate these forms of stereotyping and discrimination, including by censuring the sexist rhetoric of public figures.**

12. Kuwait 2016¹⁵⁷

60. Women have historically been active players in the public life of the country, particularly in the period of conflict. **It was only in 2005, after decades of persistent struggles and repeated rejection, that Kuwaiti women gained their electoral rights.** This represented a crucial step in their quest for equality.

61. Nonetheless, more than a decade later, **the number of women in the parliament has been minimal and decreasing.** In the national elections in 2009, the first in which women were elected to the parliament, women won four seats in a strongly contested vote. **The most recent national elections, held on 26 November 2016, resulted in one woman among the 50 parliamentarians elected, which places Kuwait at the bottom of the world ranking (183rd of 190 countries),** in comparison with an 18.9 per cent average for other Arab States. The proportion of women candidates also decreased, from 11.1 per cent in 2006 to 2.5 per cent in 2013. There were 15 women

¹⁵⁷ WGDWG, Country Report, *Kuwait*, A/HRC/35/29/Add.2, 24 May 2017.

candidates among the 287 candidates in the 2016 elections (about 5 per cent), which represents a slight improvement from the 2013 elections. The experts also regretted to learn that no women were represented at the municipal level.

62. Women in Kuwait continue to face serious obstacles in exercising their political rights as a result of a multitude of cultural, institutional and structural barriers and exclusion from the existing male-dominated political movements and networks. The fact that there are no formal political parties, but rather ideological movements, also makes meaningful advancement of women's political representation more difficult.

63. Under the Convention on the Elimination of All Forms of Discrimination against Women, the State has the obligation to remove all barriers to women's equal participation, including by establishing a quota system or taking other special measures for women's political representation at all levels and branches of government. **The experts were informed that there had been no systematic and sustained measure to meaningfully support women's political participation and that the concept of temporary special measures was not well understood and did not enjoy support in the country.**

65. The present Government has only one woman among the 16 ministers. Previous Governments have not had more than two women in the Cabinet. Despite their active role in society over decades, **women still experience slow career advancement in the public service and face barriers in reaching senior leadership positions.** In some sectors, such as health, women have been able to make important breakthroughs: women occupy most of the director positions in the Ministry of Health, but only 1 of the 12 under-secretaries is a woman. The overwhelming majority of the country's 100 polyclinics are headed by women and half of the heads of hospitals are women.

68. The diplomatic service has remained relatively closed to women's entry and advancement until recently. Of 84 ambassadors, only 2 are women. Until a 2014 policy reform within the Ministry of Foreign Affairs, women who had gone through the same diplomatic training could only be "political researchers". Women now have the possibility to be appointed as diplomats following success in an entry exam, which all applicants must undertake. The experts were pleased to learn that in 2014, of the five candidates accepted, two were women.

13. Samoa 2017¹⁵⁸

19. While the legal and policy framework of Samoa opens the way for progress towards equality between men and women, its full implementation will depend on changes in the nation's family and cultural life. The status of women and girls in the family affects their ability to act and participate in other aspects of life, including public and political life and social, economic and cultural life. Full equality between women and men, and girls and boys, is a requirement of international human rights law and constitutes a human right of women that is vital for the well-being of the family and for society as a whole.

¹⁵⁸ WGDWG, Country Report, *Samoa*, A/HRC/38/46/Add.1, 14 May 2018.

75. **Women's participation in political and public life at the national and village levels is distinct yet interrelated, a complex picture of evolving achievements and persistent barriers.** Progress in this field moves gradually as women excel in their studies and professions, and as more families bestow chiefly titles on women, thereby opening new doors for career development and giving entitlement to run for the Legislative Assembly.

76. **The institutions most open to professional women are in the public service sector,** in which women constitute over half of its workforce and are well represented in leadership positions, including as the chief executive officers of ministries. The latest data show that of the 18 chief executive officers, 8 were women in the period between 2015 and 2016, an improvement from 6 women out of 19 between 2009 and 2010.

77. **Women first entered the judiciary as judges in 2011. Today, 7 out of a total of 26 judges are women, including 2 out of 6 judges in the Supreme Court.** Of the 649 police officers, 23 per cent are female, including 8 in high-ranking positions.

78. **However, there are only 2 women out of 13 ministers, including a first woman Deputy Prime Minister. In the diplomatic service, Samoa has had only one women ambassador during the past two decades.** At the time of the visit, there were two women heads of missions among a total of six. Cabinet ministers are nominated by the Prime Minister, who also appoints ambassadors. The Working Group learned that a policy on the selection of ambassadors had been presented to the Prime Minister with a view to ensuring a transparent appointment process. **A strong political will is essential to raise the representation of women at the highest level of the executive and diplomatic service, especially in a context in which there are many competent women serving in the public service.**

79. The experts observed first-hand the competence and commitment of women in leadership positions. **Educational opportunities, such as merit-based overseas scholarships, have been a key factor for women's success,** especially for young women in the villages. This has been a good practice for the advancement of women in Samoa.

80. **Samoa continues to lag in women's political participation,** ranking 161 out of 190 countries. **The 10 per cent quota is a major but insufficient first step forward for women's meaningful participation, which requires a minimum of 30 per cent representation according to international standards.** Nevertheless, women see the 10 per cent quota as sending a clear message that the Legislative Assembly is not an exclusive men's club and that there is now a place for women in the nation's legislative body. **The quota system had an immediate impact: in the 2016 elections there was a record 24 woman candidates and a new (the fifth) woman entered the Assembly thanks to the Act.** Though every woman in the country is now entitled to vote, the political system still reserves the right to enter the Assembly for citizens holding chiefly titles, which remains a male privilege, since only 11 per cent of title holders nationwide are women, of which a significant number live abroad. **For those women who did run in the 2016 elections, they faced deeply entrenched political machinery and processes that have served male candidates well over decades, as well as corruption and a lack of influence in village governance.**

81. **Unequal opportunities for women remains a structural impediment for wom-**

en's full and meaningful participation at the highest level of the political institutions. The experts learned that a mentoring initiative for young women by senior women politicians has been set up and recognize this as a promising practice in the empowerment of individual women. Further policy measures in support of women's political representation remain necessary.

14. Chad 2017¹⁵⁹

34. The Working Group acknowledges the efforts that have been made to tackle discrimination against women, including legislative changes. **The persistence of discrimination in family and community life, however, is a major impediment to the full achievement of equality in all spheres of life, including political, public, economic and social life, and in respect of access to health care.**

41. **Although some progress has been made, women in Chad are still significantly underrepresented in all areas of political and public life, especially in decision-making bodies; this is true even at the community level.** At the time of the Working Group's visit, only 4 of the Government's 28 ministers (or 14.28 per cent) and 4 of its 19 secretaries of State (or 21.05 per cent) were women. Regrettably, following a Cabinet reshuffle on 24 December 2017, now only 2 of 20 ministers (10 per cent) are women; and only 27 women (14.36 per cent) sit in the 188-member National Assembly. **Chad thus ranks 140th out of 193 countries in terms of the percentage of women lawmakers.** Women are similarly underrepresented in the senior levels of the civil service: they account for only 2 of the country's 56 prefects (3.57 per cent); 4 of the 23 mayors (17.39 per cent); 6 of the 30 members of the Economic, Social and Cultural Council (20 per cent); and 2 of the 29 general secretaries (6.89 per cent). Not one of the 23 regional governors is a woman. Women are underrepresented in the foreign service as well: only 2 out of 24 ambassadors are women (8.33 per cent). Within the Ministry of Education and Promotion of Civic Responsibility, there is not a single woman among the directors and general secretaries; elsewhere in the sector, women occupy around 23 per cent of the technical department head positions, 8 per cent of regional representative positions, 0.2 per cent of primary-school director posts, 8 per cent of middle-school director posts and 10 per cent of secondary school director posts.

42. **Women's limited access to education and the wide gap between girls and boys in this area explain in great part women's unequal access to decision-making positions. The Working Group welcomes the commitment by the President to establish a quota of 30 per cent of such positions for women and hopes that this commitment will be backed up by appropriate legislative measures.**

¹⁵⁹ WGDWG, Country Report, *Chad*, A/HRC/38/46/Add.2, 8 May 2018.

15. Honduras 2018¹⁶⁰

27. The Working Group welcomes the improvement in the number of women in public offices, such as the increase in the percentage of women in the police force (from 3 to 19 per cent) and judiciary (54 per cent of all judges are women), and was pleased to meet with women in high-level positions, including the Minister of Human Rights and the Director of the National Institute for Women. **However, women, particularly those experiencing intersecting forms of discrimination, remain significantly underrepresented in all areas of political and public life. The low level of participation of women in public life is reflected at all decision-making levels: national, regional and community.**

28. **Women constitute 21.1 per cent of Congress, marking a decrease from the previous elections (25.7 per cent).** Women constitute only 12 per cent of the Board of Directors of the National Congress (2 out of 17 members) and some of the Congress's commissions have no women members (such as the Budget Commission). In 2017, women made up 21.7 per cent of ministers, 7.4 per cent of mayors and 30.7 per cent of city councillors. To date, there has never been an indigenous or Afro-Honduran minister. In the Supreme Court, 5 of the 15 judges are women

29. **In political parties, the highest positions are generally held by men. In 2012, Decree 54-2012 raised the women candidate quota to 40% for positions of authority and within parties, as well as candidates to popularly elected positions. It established that the principle of parity (50% of women) will be applied beginning with the 2015 electoral period. The parity pact signed by Honduran political parties indicates that ballots should alternate in displaying the names of women and men candidates. However, experts regret to learn that recent regulations for implementation of these principles, which indicated that the names only had to alternate further down the list of candidates, resulted in women being listed a number of places below men. This likely contributed to decreased numbers of women in office. We encourage the Government to insure effective implementation of the law.**

30. Experts were also made aware of additional barriers to the participation of women in political life, **such as the fact that women candidates for office are often discouraged from putting themselves forward by communities and partners, and that they have become targets of political violence.** One of our interlocutors, for example mentioned 14 cases of violence against women during election and 44 after. We encourage the Government to undertake measures to prevent violence against women in politics and investigate all the cases. We hope that the draft law on violence against women in politics will soon be adopted.

¹⁶⁰ WGDWG, Country Report, *Honduras*, A/HRC/41/33/Add.1, 8 May 2019.

16. Poland 2018¹⁶¹

9. **At present, Poland does not have a national strategy or plan for gender equality and women's empowerment.** The evaluation of the former National Action Plan for Equal Treatment (2013–2016) has still not been published. The absence, after more than two years, of a new plan with the appropriate accompanying budget allocations is indicative of the current lack of focus on gender equality.

17. The local elections of last October have seen progress in women's participation and representation, from 24% in 2010 to 30% in 2018. However, progress in the Parliament has been much more limited. **While there was a significant increase in women candidates (42% in 2011 and 2015 from 23% in 2007), it has only led to a 4% increase in membership in the Sejm (lower chamber of the Parliament) in each of the two elections because, in 2011 and 2015, women were placed further down in the list.**

18. **The Act does not apply to elections for the Senate.** Currently only 14% of senators are women which is significantly below the world average of 24.1% and the regional average of 27.2%. **While Poland has great potential to lead the world in women's political representation, in view of its long history of women's participation in political and public life, women do not yet fully occupy their rightful place at the highest level of political representation.**

19. Reasons for women's under-representation in public and economic life, despite their high level of educational attainment, **lie in the wider context of gender inequality fueled by gender stereotypes, which are problems that persist in countries around the world.** States therefore have the obligation to ensure the provision of human rights education at all levels of education, which address specifically gender equality issues, including violence against girls/women.

20. **In the judiciary, women are well represented at all levels including as presidents of the courts. However, at the most senior level, their representation drops significantly. The current Constitutional Tribunal has three women out of 15 judges.**

21. **During our visit, it has been widely acknowledged that women face social and cultural barriers preventing them from occupying most senior level positions.** We welcome the initiatives taken by NGOs aimed at encouraging women to be interested and equipped as candidates. The Government needs to introduce further legal and policy measures to ensure the full and effective participation of women, including the measure to support women candidates. Moreover, the effect of recent legislative and policy initiative in the areas of the judiciary, civil service, and media need to be monitored for how they may affect women's political and public participation. **Gender equality does not seem to be a priority for the Government now, as there is no designated state authority on women's rights issues, and no national strategies and plans on gender equality and women's empowerment. Moreover, the understanding of equality seems to be limited to equal treatment in law, while addressing women's structural disadvantage requires the adoption of specific measures, including temporary special measures.** It also requires the State to effectively tackle gender-based violence against women.

¹⁶¹ WGDWG, Country Report, *Poland*, A/HRC/41/33/Add.2, 25 June 2019.

17. Greece 2020¹⁶²

12. Although a comprehensive legal framework for the protection and promotion of women's human rights is in place, **implementation is lagging behind...**

13. **The lack of available data or a strong monitoring capacity by independent entities are also key challenges that impede progress.** The Working Group echoes the concerns of the Committee on the Elimination of Discrimination against Women and its call upon Greece **to enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, race, ethnicity, urban or rural location and socioeconomic background, and the use of measurable indicators to assess trends in the situation of women and progress** towards the realization of substantive equality for women in all areas covered by the Convention on the Elimination of All Forms of Discrimination against Women.

19. **Greece has historically had low labour force participation among women and one of the lowest rates of employment among women in the European Union.** One serious impact of the financial crisis and austerity measures is the high level of unemployment and underemployment among women...

24. The Working Group was unable to obtain meaningful sex-disaggregated data about the employment and representation of women in the private sector. However, discussions held during the country visit **revealed that discrimination against women was present in the public sector and also evident in the private sector and that it contributes to a national mindset that women should exit paid work earlier than men.**

25. The **proportion of women on the boards of the largest publicly listed companies registered in European Union countries reached 26.7 per cent in October 2018. In Greece, women account for less than 10 per cent of board members, 23 a marginal increase from 7 per cent in 2005. In the same period, the European Union average has increased from 15 per cent to 26.7 per cent.**

26. The new law on substantive gender equality (Law No. 4604/2019) encourages the development of equality plans by both the public and private sector to prevent all forms of discrimination against women and to ensure their promotion to senior roles. However, **the plans are voluntary in the private sector, with the incentive of an "equality medal" for driving progress. The Working Group's research reveals that mandatory interventions, and not voluntary ones, are the most effective way to increase the number of women at the decision-making level.** The requirement to regularly report and publish data on women in leadership roles is another effective strategy.

28. In addition to the loss of jobs associated with the crisis, **the unemployment and underemployment of women in the labour market is due in part to the unpaid care burden that falls largely on women.**

42. **On the effectiveness of school-based education to combat gender stereotypes, the Working Group learned from one interlocutor that "gender equality education is sporadic, not consistent, not developed and not really part of young**

¹⁶² WGDWG, Country Report, Greece, A/HRC/44/51/Add.1, 29 June 2020.

people's lives”. Given that prevailing narrative, it would be valuable for the Government to evaluate the effectiveness of the current curriculum with a view to strengthening it so that it is delivered in a systematic manner.

45. **The participation of women in political life in Greece lags behind at every level – local, regional, national and European.** Although there has been gradual progress over the years, change has been too slow. At the national level, since the first women entered the Hellenic Parliament in 1952, when women in Greece obtained the right to vote and to stand for election, the representation of women has increased gradually over the past decades, but it remains low.

46. At the time of the visit, **with 18.7 per cent women parliamentarians, Greece ranked 112 of 191 countries considered globally,** and was ranked among the lowest of all European Union countries. **The government Cabinet had 13 women (5 ministers, 1 deputy minister and 7 vice-ministers) of a total of 52 members, comprising 25 per cent of the Cabinet. The number of women ministers was even lower,** at 21 per cent (5 of 24 ministers). With the elections held in July 2019, the ratio of women parliamentarians increased, to 20.67 per cent – a welcome development.

47. At the regional level, according to information received from the Government, comparing the results of the local (municipal) elections held in 2010 and 2014, women comprised 2.46 per cent of mayors in 2010 and 4.62 per cent in 2014, and they comprised 16 per cent of local councillors in 2010 and 18 per cent in 2014. At the regional level, in 2010, there were no women regional governors, and 16.13 per cent of regional councillors were women; in 2014, 15.38 per cent of regional governors and 19.50 per cent of regional councillors were women.

48. **There has been regression in the representation of Greek women in the European Parliament,** from 32 per cent in 2009 to 28 per cent in 2014 and 23.8 per cent in 2019, despite the introduction of the one-third quota system in 2019, whereby the country will require at least 33 per cent of each gender on the lists for the European Parliament, with the list considered invalid in case of non-compliance. The experts of the Working Group were pleased to learn that, in the justice sector, women are generally well represented.

50. The Supreme Civil and Criminal Court of Greece is composed of a president, a public prosecutor, 10 vice-presidents, 65 judges and 22 vice-prosecutors, and the first woman president was appointed in 2011. **A total of 48.7 per cent of its current substantive staff are women.** The Council of State, the supreme administrative court of Greece, which comprises a president, 10 vice-presidents, 52 councillors, 58 associate councillors and 58 assistant judges, is currently led by a woman, **and 40 per cent of the vice-presidents and 56 per cent of the councillors are women.** The Public Prosecutor of Greece is currently a woman, and according to information received from the Government, among the 22 viceprosecutors, only six (27.3 per cent) are women.

51. **There has been a consistent increase in women judges on the Supreme Court,** from 2 per cent in 2004 to 31 per cent in 2014.

52. In public administration, women are generally well represented, including at senior levels. Some areas of public service remain male-dominated, however. **The foreign service currently has 34.3 per cent women diplomats, with the number of women increasing over the past decade. At the level of head of mission and head of directorate in the Ministry of Foreign Affairs, the rates are lower, at 27.5 per cent and 30.6 per cent, respectively.**

53. **The status of the participation of women in the country's political and public life calls for further action, including a review of the effectiveness of the quota system in the context of the current electoral system, which is focused on candidate selection rather than on elected representatives.** Recent changes to the electoral law introduced ahead of the 2019 elections include an increase in the gender quota for party lists, from 30 to 40 per cent. Additional measures should be adopted to encourage and support women to stand for election to public office and to support women candidates so that they have a better chance of success. In its concluding observations on the second periodic report of Greece, the Human Rights Committee noted that, despite the then one-third representative quota for women candidates, women in Greece remained underrepresented in decision-making positions in legislative and executive bodies.

18. Romania 2021¹⁶³

22. While women's representation in Parliament has increased since the 2012 elections, when only 11.4 per cent of those elected were women, **it is still one of the lowest in Europe.** Women represent 18.5 per cent of the Chamber of Deputies and 18.4 per cent of the Senate, whereas the European average is 30.4 per cent for both chambers combined. **These figures rank Romania in 124th place out of 188 countries worldwide. The Working Group is concerned that no appropriate steps have been taken in terms of institutionalizing measures to increase women's representation in Parliament.**

23. At the time of the visit, there were three women ministers, out of a total of 17: the Deputy Prime Minister, the Minister of Education and Research and the Minister of Labour and Social Protection. Currently, the latter is the only ministry led by a woman.

24. **Women's representation at the county and municipal levels is also low.** The national average of women elected as mayor is only 4.55 per cent, (145 out of 3,187). Women are also underrepresented on county and city councils, 14 with some exceptions, such as the County Council of Sibiu, which is a positive example, not only in terms of women's representation but also as regards the participation of women and different vulnerable groups in the creation of local policies.

25. **Generally, women in Romania are well represented in the different public institutions but their representation in senior positions is mostly low.** For example, although women hold 52 per cent of the management positions at the Central Administration of the Ministry of Foreign Affairs, only 27 per cent of the diplomatic missions and consular offices of Romania abroad are headed by women. With regard to the police, women represent 32 per cent of police officers and the police is currently headed by a woman.

26. The Working Group finds it encouraging that 73 per cent of judges are women (3,491 out of 4,753). At the High Court of Cassation, the president of which is a woman, the rate is similarly high, with over 73 per cent of women magistrates. However, at the Constitutional Court, only three out of nine judges are women. Women are also the majority of prosecutors (1,338 women out of 2,572, i.e. 52 per cent).

¹⁶³ Country Report, *Romania*, A/HRC/47/38/Add.1, 20 April 2021.

27. **Further measures are needed to ensure the equal participation of women in all spheres of public and political life, in particular to increase the participation of women who face significant challenges in occupying elected or appointed positions, such as Roma women, women with disabilities, LGBTIQ+ women, and women living in rural areas. The Working Group has found that the most significant increase in the number of women in national parliaments over the years has been witnessed in countries where special measures, such as gender quotas, have been effectively implemented.**

36. **The rate of women's participation in the labour force – 45 per cent – is lower than that of men.** In January 2019, the employment rate was recorded at 56.2 per cent for women and 74.5 per cent for men.²³ The experts were unable to identify any mandatory or voluntary special measures targeted at increasing women's participation in the labour force, or any gender audit requirements.

48. Many interlocutors, both civil servants and representatives of civil society, expressed the view that the **Romanian education system was falling short in the area of sexuality education, which is crucial for securing women's and girls' sexual and reproductive health.** Sexuality education is an optional subject, which reaches only a small minority of school pupils. The experts were informed about the limited opportunities to discuss issues of sexual and reproductive health at school, while impressive community conversation initiatives were being run by NGOs. As one girl said, "I wish we learned in school things we talk about here, in the community centre ...".

49. **Although civic education is part of the school curriculum, interlocutors assessed it as insufficient as far as gender equality and violence against women and girls were concerned. It is crucial to integrate human rights education at all levels of education and to specifically address gender equality issues.** It is also important to ensure that the school environment, curricula and textbooks are free from gender stereotypes – a problem noted specifically by our interlocutors, who said they wanted to hear about the values of women. The school environment should be child-friendly, supportive of girls and free of sexual harassment and bullying.

63. **Gender stereotypes, compounded by those based on race, and on other grounds such as class, disability and age, persist in Romanian society, including in schools and in the media, as well as in law enforcement and judicial institutions. Roma women and girls, in particular, face intersecting and multiple forms of discrimination and are often portrayed stereotypically in the media. Anti-Roma sentiment exists in the country: during the visit, the experts heard of episodes of racist and sexist treatment of Roma women and girls.**

65. According to the experts' discussions with young girls and other interlocutors, sexuality remains a taboo topic, particularly in conservative communities. The worldwide phenomenon of backlash against women's rights driven by conservative cultural, political and religious movements in recent years can be observed in Romania too, particularly with regard to sexual and reproductive rights.

67. **Measures are needed to ensure that the culture of Romanian society is inclusive of all its inhabitants, and values the contributions of all people, including women and girls of ethnic minority backgrounds, and of diverse sexualities and gender identities, as well as women and girls with disabilities.**

85. **Romania has developed a solid legal, policy and institutional framework on gender equality and women's rights.** It has also taken numerous positive measures to advance women's rights through awareness-raising and training, as well as by introducing programmes to enhance access to education, health care, employment and social services, and to combat gender-based violence. However, implementation of these measures is hampered due to different factors, of a political, socioeconomic and cultural nature. At the political level, the barriers include frequent changes of government, insufficient coordination between the different relevant authorities, and with NGOs, and limited resources of the authorities in charge of gender equality. At the socioeconomic level, the country faces a high level of poverty and a significant rural urban divide. **At the cultural level, conservative views about women, related to gender stereotypes, are still prevalent, and the concept of (substantive) equality is not fully understood. There is also a limited understanding of the structural problems that different groups of women and girls face in the enjoyment of their human rights. The implementation of an increased range of targeted measures, as well as measures to address barriers to equality, is necessary.**

86. **These factors affect women's participation in public, political, social and economic life. Women's participation in politics is low, and there seems to be no clear strategy to address the problem. On the other hand, women are relatively well represented in public administration, but efforts should be made to address the problem of the glass ceiling and targets should be set to achieve gender parity.**

19. *Kyrgyzstan, 2022*¹⁶⁴

Context: A time of opportunity and challenge

The Kyrgyz Republic has made major strides towards gender equality since its independence in 1991, particularly through the introduction of laws and policies and the establishment of key institutions. The republic takes pride in being a leader in its commitment to democracy and women's right in the Central Asia region. It ranks 82nd out of 162 countries on the Gender Inequality Index. Significant gender gaps in economic participation remain, along with persistent and deep-rooted patriarchal attitudes, stereotypes and practices around gender roles and high levels of gender-based violence. Like the rest of the world, COVID-19 has not only resulted in a devastating public health crisis but also exacerbated structural gender inequalities and led to an increase in violence against women and girls.

Rising religious extremism is having a damaging impact on the country's efforts to advance gender equality by reinforcing discriminatory norms and practices that hold women and girls back from full participation in economic, social and public life. The shrinking space for women's civil society organisations and their increased reporting requirements are a major concern.

Public and political life

Women are active in public and political life **but are significantly under-represented in decision-making positions at national and local levels.** While we wel

¹⁶⁴ End of Mission Statement, *Kyrgyzstan*, 15 April 2022.

come the various initiatives that have been implemented to increase women's representation, we note that some initiatives are not delivering results. We are concerned by this loss of female human potential.

Elected and appointed positions

Kyrgyzstan applies legislatively defined special measures which provide that when determining the list of candidates, a political party is obliged to ensure representation of not more than 70% of candidates of the same sex in the country's Parliament and that every third person on a political party's list should be of a different sex. Whilst we welcome this special measure, we are concerned that it only relates to the 54 elected seats according to the preferential system and does not relate to the 36 elected seats using a majority-based system in single mandate constituencies. This new mixed electoral system may result in a lower number of seats for women. For example, in the current Jogorku Kenesh only 21% of parliamentarians are women (19 out of 90). We are also concerned about the lack of women in the Cabinet with only 1 out of 19 Ministers being female. Further action, including reviewing the effectiveness of the quota system in the context of the current electoral system is recommended together with a pathway to 50%. Additional measures should be adopted to encourage and support women to run for public office and support women candidates to have a better chance of success.

Encouragingly, the application of the special measure in the 2021 elections to local self-government bodies (Aiyl Kenesh) resulted in the number of women parliamentarians at the local level increasing fourfold from 9% in 2012 to 37.8% in 2021.

Public Service and Judiciary

The representation of women in the national public service is decreasing with 39.9% in 2010 compared to 39.2% in 2019. There are notable differences in different regions and amongst different sectors.

Women's representation in the judiciary is higher than in the executive branch. Women account for 35% (163) of the country's 465 judges. All judges are required to undertake professional development education. Workshops on human rights have been incorporated into the judicial curriculum and we recommend that they should be delivered regularly as part of judges' professional development.

Economic, social and cultural rights

Women's economic participation

We are concerned about the gender gap in women's economic participation which is 46% for women and 76% for men and the concentration of women workers in lower-paid sectors and in middle and junior positions with less wages and limited opportunities for decision making.

Women's role in unpaid work

We are concerned that the unequal distribution of unpaid care and domestic work between women and men is a significant barrier to women's equal economic participation. Due to existing stereotypes relating to women's role in the family and society, women spend 3.6 times more time than men on unpaid domestic work and two times more on childcare. According to survey data, 80% of people believe that in the

family, the woman should take care of the home and children, and the man should earn money for the family...

Family and culture

According to many studies and as confirmed by interlocutors, patriarchal views on gender roles are widely shared by men and women. Traditional norms of marriage and family behaviour affect women's enjoyment of rights and freedoms. **Despite the fact that Kyrgyzstan is a secular state, increasing religious fundamentalism is putting more pressure on women to be more obedient and submissive. We note that the Government is aware of growing religious influence, but has not yet adopted a comprehensive strategy to counter harmful gender stereotypes.**

Concluding remarks

While formal commitments have been made to advance gender equality, **the leading root causes and drivers of gender-based discrimination and violence, which in the Kyrgyz context include harmful gender stereotyping, and lack of economic opportunity and security for women and girls, are not being systematically addressed by duty-bearers. A noticeable increase in religious fundamentalism and the number of women who subscribe to oppressive religious and social norms that envision a subservient role for women in the family and in society.** This increase has been mainly due to family pressure and the absence of opportunities for women's personal and professional development which would enable them to exercise their capabilities and enhance their productivity.

20. Maldives, 2022¹⁶⁵

Public and political life Women have a right to fully participate in all aspects of public and political life. We welcome the removal of a specific provision in the Constitution prohibiting women from running for the presidency.

The 2019 amendment to the Decentralization Act established a 33 per cent electoral quota for women in local councils. However, we are concerned about the **practice by some political parties that limit women to run only for quota seats. Additionally, numerous challenges were revealed by interlocutors stemming from pervasive gender stereotyping combined with the burden of care responsibilities and absence of training opportunities to build the leadership skills of women councilors and candidates.** According to interlocutors, women local council members are either relegated to administrative roles and marginalized from policy discussions and decision-making, or their inputs are not taken seriously.

Structural barriers to women's participation and stereotypical attitudes are also evident in women's political participation at the national level. Six out of 17 ministries are headed by women and only four out of 87 seats in the Parliament are held by women, which is very low. **Prevailing negative social and cultural norms about women's roles in society are frequently employed to undermine women's political participation and can lead to them becoming targets of gendered verbal abuse, both online and offline, harassment, hate speech, political intimidation, and disinformation campaigns aimed at silencing them. Certain conservative**

¹⁶⁵ End of Mission Statement, *Maldives*, 22 September 2022.

narratives question women's competence to participate in public life and limit women's role only to serving the family and procreation. As noted by interlocutors, there are limited safeguards against the risks and reprisals that women political leaders face which are not properly addressed.

We applaud the Government for achieving gender parity in the foreign service and in the civil service. Since 2019, two women judges out of seven judges are serving at the Supreme Court. However, **we note that out of the 134 magistrates, only seven are women and merely three women judges preside over the lower and appellate courts. Across the judiciary only 20 out of 183 judges, i.e. 11 per cent are women. Notable efforts are being made in the police force to increase women's participation which is crucial for the public good.**

We are deeply concerned about the shrinking civic space and organized efforts to undermine women's participation in democracy as illustrated by many instances of hostility towards a range of women who publicly challenge stereotypical gender norms, including women human rights defenders and journalists. As expressed by one interlocutor, "Democracy, human rights, good governance work is deemed irreligious." We note with concern that they face misogynistic and sexist attacks often amplified through social media. Investigations into reprisals are not routinely and speedily conducted and there is a general environment of impunity.

Economic participation

However, there is a gender gap in women's participation in the labour force which is 42.2 per cent compared to 75.1 per cent for men. This gap reflects structural discrimination, including the persistence of gender stereotypes and gendered expectations, norms and attitudes, which remain a significant barrier to ensure women's equal economic participation. Certain sectors are highly feminized, for example 84 per cent of home-based workers are women. We note a higher percentage of women in the informal sector, with 25 per cent women versus 16 per cent men, where proper social and labour protections are lacking in comparison to the formal sector.

We also note that women bear disproportionate burden of unpaid care and household work, posing a significant barrier to women's equal participation in the economic sector. Moreover, the lack of child care and elderly care facilities limit women's time to engage in paid work. According to data from 2016, 4 women spend an average of six hours per day on household chores, including unpaid care work for their family members while men spend half that amount per day.

Although parity has been achieved in a few employment sectors, including in the civil and foreign services, a key concern is women's concentration in lower-level jobs and limited opportunities for career progression. Further, every worker has the right to equal pay for work of equal value. According to our interlocutors, women workers are frequently being denied this right based on negative assumptions about their competence. Thus, a major concern is the gender pay gap, as reflected in the average monthly salary of MVR 11,977 (775.5 USD) for men compared to MVR 7,510 (486 USD) for women. The Covid-19 pandemic has further deepened gender inequality in economic sector. More women were forced to leave the work force or take a prolonged absence. 5.1 per cent of women versus 1.8 per cent of men were impacted by pandemic.

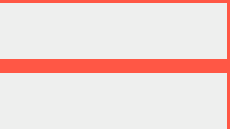
Family and culture In the Maldives, like in most countries around the globe, **there is a discriminatory cultural construction of gender. The failure to ensure the equality of women and girls within the family undermines any attempt to ensure their equality in all areas of society.**

We are deeply concerned that, in addition to a number of legal provisions that embody discriminatory gender stereotypes which are aimed at keeping women in a subordinate position, **there are persistent attempts by certain influential social and political actors to reinforce such stereotypes and regulate all aspects of women's and girls' lives, ranging from how they dress and behave to what they learn in school. This is being done by instrumentalizing a very specific and narrow interpretation of Islamic religious doctrine that we are told is not historically in line with Maldivian culture and religious practices.**

We also note that the Government **is aware of the active propagation of a fundamentalist ideology that is harmful to women but has not yet adopted a clear strategy to combat this trend.** While freedom of religion or belief must be protected as a human right, we are deeply concerned about the challenges that women and girls in the Maldives face to achieving substantive gender equality due to the political misuse and misinterpretation of religious precepts by those who present themselves as scholars and employ tactics of intimidation and fear to impose their own beliefs on society regarding women's conduct and roles, both within the family and in the public realm. Many interlocutors pointed out that such actors frequently resort to allegations of "irreligiosity" and apostasy, which is a punishable offence, to silence those who disagree with their views.

ANNEX II

**COUNTRY REPORTS EXCERPTS ON
GOOD OR PROMISING PRACTICES
TO ENSURE WOMEN PUBLIC AND
POLITICAL PARTICIPATION IN EACH
COUNTRY VISITED**



The excerpts below were taken from the Working Group DWG country reports verbatim. The sections in bold stress the policy actions that the Working Group expressly identifies as good practices or promising practices to ensure women public and political participation in each country visited.

1. Morocco 2012¹⁶⁶

15. Article 19 of the new Constitution enshrines the principle of equality between men and women in the enjoyment of all human rights. Morocco establishes that the State is responsible for achieving equality between men and women and creates a body, the *Autorité pour la parité et la lutte contre toutes les formes de discrimination*, to advance progress in these areas.

Article 19 of **the Constitution providing for the establishment of an “authority for parity and the fight against all forms of discrimination” is a significant contribution to the fight for women’s equality**. The authority is tasked with ensuring respect for article 19 and monitoring compliance with parity principles. The body could contribute to improving coordination of gender equality and women’s rights activities undertaken by the various Government offices and civil society, including women’s human rights organizations. Legislation will be introduced to define its mandate and, in accordance with article 164, the division of functions with the National Human Rights Council. Two public debates have already been held in relation to the creation of the authority, under the leadership of the Council.

52. **The Constitution renews hope of increasing women’s participation in decision-making bodies**. In response to the claims of women’s movements, and in **particular of the Movement for a third of the seats towards parity, article 30 enshrines the right of men and women to vote and stand as candidates in elections, and provides that laws will establish measures to promote equal access of men and women to elective office**. Article 146 provides for legislation to promote increased participation of women within regional councils. Two organic laws relevant to women’s political participation have been enacted.

53. Organic law No. 27-11 of 14 October 2011 on the Chamber of Representatives establishes a quota of 60 seats for women out of a total of 395 (15 per cent). According to article 23, 90 Members of Parliament are elected at the national level, and the remaining 305 are elected at the local level. The law requires that the lists of candidates presented by parties at the national level comprise 60 women and 30 men aged less than 40 years; however, there is no quota applying to lists presented at the local level. As a result, in the parliamentary elections held in November 2011, the total number of women elected was 67, or 17 per cent of the total membership. The local elections, tentatively scheduled for late 2012, will be an opportunity to redress the situation and institutionalize women’s lists.

54. Organic law No. 29-11 of 21 October 2011 on political parties provides, in article 26, **that all political parties must work to achieve a proportion of one third of women in their governing bodies at the national and regional levels**, although the law does not include sanctions for failure to respect this provision. It therefore does not recognize the role that political parties need to play in promoting equality and women’s human rights. In the 2011 elections, only 57 women were at the top of

¹⁶⁶ WGDWG, Country Report, *Morocco*, A/HRC/20/28/Add.1, 19 June 2012.

the lists at the local level out of 1,521 lists. Women accounted for only 4 per cent of candidates.

56. The new Government's program, presented to Parliament on 19 January 2012, contains many positive aspects on women, **including the adoption of affirmative action in appointments and senior positions, and provides encouragement for women to participate in political parties and civil society organizations.** In addition, the Ministry of Public Affairs and Modernization of the State established a consultative interministerial committee with the objective of attaining gender equality in the civil service.

82. The Working Group identified a number of good practices relating to the elimination of laws that discriminate against women or are discriminatory in terms of implementation or impact, and other good practices that have been important in advancing equality and women's rights in Morocco.

83. The Working Group views the **legal reforms of the past decade, the Constitution**, which represents the supreme law of the land, its provisions on equality and women's human rights, **and the removal of reservations to the Convention on the Elimination of All Forms of Discrimination against Women to be good practices that lay a solid foundation for much greater progress.** These advances are significant because they are an expression of the leadership and political will of the Head of State and action by the Government, and the result of the work of civil society and women's rights organizations. In the opinion of the Working Group, this has contributed to the high level of gender awareness in Moroccan society, which was observed from the national to the grass-roots level in many Government agencies and civil society organizations. **Together, advocates in Government and civil society have achieved a decade of progress, proving that, with sustained political will of national leaders and the active role of civil society, formal equality is attainable, even though substantive equality takes longer.**

84. The Working Group regards the **institutionalization of the active role of civil society in the context of participatory democracy as a good practice.** In the new Constitution, **women's rights organizations, as part of civil society, have the right to present legislative motions and petition the authorities at both the national and regional levels.** A ministry in charge of relations with Parliament and civil society has been created, and no less than four articles of the Constitution (arts. 12, 13, 14 and 15) provide for the relationship between civil society, the authorities and elected institutions. There are reportedly 400,000 nongovernmental organizations in Morocco, of which many have made important contributions to Moroccan society and women's human rights, and they stand to benefit from their new constitutionally guaranteed roles.

85. The Working Group takes note of the **transformative approach adopted by the gender budgeting initiative and, on this basis, considers this a good practice in securing the redistribution of resources and power between men and women. The gender-sensitive budgeting approach permits, inter alia, systematic analyses of inequalities that hinder development and provides opportunities to take remedial actions. It anchors accountability in overall policy processes and translates policy commitments and legal obligations into outcome-focused financial allocations that contribute to the elimination of discrimination and the promotion of equality and human rights.** The Ministry of Economy and Finance prepares a **comprehensive annual gender budgeting report that assesses the impact of the budget on segments of the population, and on women.** Both the gender budgeting

report for 2012 and the organic law proposal on finances for 2012 will be presented to Parliament for discussion and adoption.

2. *Moldova 2012*¹⁶⁷

75. Formal and informal alliances and networks among women across party lines have been crucial to strengthening women's political participation in the Republic of Moldova. The vibrancy of the exchanges is commendable, and the Working Group considers these alliances and networks to be good practices.

76. Women parliamentarians have initiated cross-party alliances in order to build support for common agendas, particularly on eliminating discrimination against women and advancing women's human rights. **The creation of quotas for women in political parties is one of the results.** The cross-party lines of communication continue to be open and productive, despite the lack of approval for a formal women's caucus in Parliament.

77. Women parliamentarians also advocate together for support of their party leadership and form alliances with men to advance women's rights as a public agenda. They develop close cooperation with women leaders of political parties in other countries and take part in events organized by international and bi-lateral organizations to promote parity in politics, share women's experiences in politics and enhance their capacities, including in negotiating skills. Political party youth groups play an important role in forming future women politicians.

78. Initiatives such as the Women's Political Club – 50/50 by local civil society groups in collaboration with international organizations have been instrumental in developing the skills of women politicians and their visibility. The Congress of Local Authorities from Moldova (CALM) works to develop the capacities of local women leaders to perform job related competencies, with support from UN Women. On 10 December 2011, a Women's Network of CALM was established and has inspired greater activism of women leaders at local level.

79. Other complementary initiatives, including **United Nations and bilateral development agencies support for women's political participation, deserve mention.** For example, since April 2010, the United Nations and the Government have been organizing a series of high-level meetings entitled Women Leaders Dialogue Series to facilitate dialogue, learning and networking among Moldovan women leaders and their international partners. As a result, a program for supporting women in leadership in the Republic of Moldova and their increased participation in politics is under development by UN Women.

80. Women Ambassadors to the Republic of Moldova are taking a leadership role in supporting women's political participation with other international development partners, and maintain continuing dialogue with parliament and women parliamentarians as well as women mayors through CALM.

¹⁶⁷ WGDWG, Country Report, *Moldova*, A/HRC/23/50/Add.1, 15 March 2013.

3. Tunisia 2013¹⁶⁸

62. Throughout this report, the Working Group **has identified a number of good practices relating to the elimination of laws that discriminate against women or are discriminatory in terms of implementation or impact.** Here, it would like to highlight those in relation to women's equal opportunity for political participation and to the capacity to systematically address one of the main obstacles to women's full and active participation in political and public life, women's health.

63. For its first and free democratic election in October 2011, the High Authority for the Realization of the Goals of the Revolution, which was tasked to lead the process of legal and institutional reform, **adopted Decree N°35 of 10 May 2011 concerning elections to the NCA establishing parity on electoral lists. This law showed the Government's commitment to enhancing women's involvement in political life and their role in the transition to democracy.** Although **parties were obliged to follow the rules requiring parity of male and female candidates on electoral lists,** as provided for in article 16, **few placed women at the top of lists,** thereby limiting the effects of this legislation. According to official statistics, women only composed 7 per cent of those at the top of candidate lists. **On paper, this was a strong affirmative measure, but in practice, most of the more than 80 parties competing in the elections (with more than 1,500 lists registered) won only one seat in any one constituency, which went to the male candidate invariably heading the list, showing the gap** in this field between the law and the practice. As a result, fewer women were elected in 2011 than in the previous election in 2009, with 57 women (26.3 per cent) elected among the 217 members of the NCA. 46 However Tunisia remains the country in the region with the highest proportion of women in parliament.

4. Iceland 2013¹⁶⁹

As noted above, the Working Group appreciates the adoption of the **Act on Gender Quotas in Corporations, which extended the 40 per cent gender quota already in force in public committees and bodies to the corporate world for companies with 50 employees and above.** The adoption of the Act was unanimously reported to the Group as being a direct consequence of the financial crisis. However, the Group notes that the minimum number of employees required is rather high for the Icelandic context. The Group was encouraged to hear that, while the law was not to enter into effect until 1 September 2013, private corporations had received it well and had already, during the visit of the Group, started to increase the representation of women on their boards, so as to be fully compliant at the date of its entry into force. **The introduction of the quotas in public boards was unanimously reported to have been effective in changing the working spirit of public companies and making them more family friendly.** The Group is therefore confident that the measure, applied in a corporate context, will have a transformative impact on women's leadership in the private sector.

¹⁶⁸ WGDWG, Country Report, *Tunisia*, A/HRC/23/50/Add.2, 30 May 2013.

¹⁶⁹ WGDWG, Country Report, *Iceland*, A/HRC/ 26/39/Add.1, 16 September 2014.

Promoting gender equality is a specific objective of the parliamentary resolution on the Strategy for Iceland's International Development Cooperation (2013–2016). The **Strategy underlines the importance of equal opportunities for women and men, so that they may participate in and enjoy the benefits of projects supported by Iceland.**

93. **Gender equality is also an important aspect of the international work of Iceland on human rights.** In recent years, increased emphasis has been placed on human rights in the foreign policy of Iceland. Special attention is dedicated to women's empowerment and their participation in peace negotiation and post-war reconstruction. **In that regard, the active support of Iceland to the Arms Trade Treaty is worth highlighting. The Treaty recognizes gender-based violence and prohibits arms sales where there is a risk that weapons could be used to violate international humanitarian or human rights law.** Iceland is the first country to have ratified the treaty.

5. *China 2013*¹⁷⁰

38. The Group notes the sharp rise in women holding senior management positions from 25 per cent in 2012 to 51 per cent in 2013. However, it observes that this rapid rise, particularly of women chief executives, does not apply to State-owned companies and is of the opinion that the reason for this discrepancy should be researched and reviewed. It notes the commitment of the Communist Party under article 33 of the Constitution to the training of women cadres and cadres from ethnic minorities. It also acknowledges the work done in Shanghai by the women's cadre school, which provides a platform to connect women entrepreneurs with each other and promote an exchange of knowledge on a range of issues linked to establishing and managing a business.

100. **Gender equality is affirmed in the Constitution, national policy documents and the political, economic, social and cultural spheres, including family life, and significant efforts have been made to put in place a framework of law and policy to eliminate discrimination against women. China has made remarkable progress in achieving many of the Millennium Development Goals, most notably increasing the level of education for girls** and making significant strides in reducing maternal mortality rates. However, there is insufficient evidence on gender equality on the agenda of the Third Plenary Session of the 18th Central Committee.

6. *Chile 2014*¹⁷¹

19. The Working Group welcomes the **recent adoption by Congress of the reform replacing the binominal electoral system with an inclusive proportional system, with 60/40 gender quotas for nominations on lists of candidates.** The reform includes an affirmative action mechanism that requires parties to **present gender-balanced lists; neither men nor women may represent less than 40 per cent or more than 60 per cent of any party's lists. Additionally, it includes economic incentives for the election of women, promoting their nomination for competitive positions, and establishes penalties for non-compliance.**

¹⁷⁰ WGDWG, Country Report, *China*, A/HRC/26/39/Add.2, 12 June 2014.

¹⁷¹ WGDWG, Country Report, *Chile*, A/HRC/29/40/Add.1, 20 May 2015.

28. The current Government is committed to intensifying its efforts to combat socio-economic inequality in Chile. It has **also recognized that gender inequality is the most pronounced form of inequality**. Its **political will is reflected in several draft reforms, including constitutional reform; reform of the binominal electoral system, with a gender quota for candidates of political parties; tax reform; measures to implement equal pay; and an end to for-profit education, thus providing access to quality education, strengthening public education and moving towards free, quality higher education**. The tax reform adopted in September 2014 aims to bring about inclusive development, increasing public spending by 3 per cent and ensuring fiscal sustainability with the aim of, among other things, funding the increase in education spending.

29. **The New Gender and Equity Agenda** addresses women's rights, equality and autonomy, tackling issues such as:

i. **The participation of women in politics, through electoral reform.**

ii. Inequalities in women's participation in the world of work, by **increasing their representation on the boards of public companies, establishing programs to train and assist them in finding employment, increasing the number of nurseries and kindergartens and setting up a national care system for children, family members with disabilities and older adults**.

56. **The 60 per cent/40 per cent gender quota for candidates to parliament is a much-needed measure**. Chile is one of two countries in Latin America not to have such a measure in place for elections to the legislature. The binominal electoral system has hindered women's chances of being chosen as candidates in such elections, as have the policies followed by the traditional parties and the lack of affirmative action plans at the national level to encourage the participation of women.

7. Peru 2014¹⁷²

7. **The Working Group recognizes the considerable efforts made by the State in recent years to strengthen its legal framework in relation to the promotion and protection of women's human rights and gender equality**. The Peruvian Constitution enshrines the right to equality and non-discrimination on the grounds of sex.

8. **The Act on Equal Opportunities for Women and Men of 2007** was a significant legislative development. **That Act adopts definitions of equality and discrimination consistent with those of the Convention on the Elimination of All Forms of Discrimination against Women**. It states that the legislature should adopt rules that ensure the equal rights of men and women in the employment, economic, cultural, social, political and other spheres and provides for oversight of the implementation and enforcement of those rules and policies.

38. **The State has made significant efforts in terms of the political participation of women. Their participation has increased as a result of the acts on gender quotas, which call for women to make up at least 30 per cent of the candidates on electoral lists** (the Congress, the Andean Parliament, the regional councils of regional governments and the councils of provincial and district municipalities). This

¹⁷² WGDWG, Country Report, Peru, A/HRC/29/40/Add.2, 26 June 2015.

quota has led to some progress but has not managed to remedy a situation in which women clearly lag behind, as it fails ensure that women are elected to the offices for which they stand.

42. The Working Group notes with satisfaction that there has been an **increase in the number of women holding senior positions in the various branches of government**, including the President of Congress, the President of the Council of Ministers and other ministers and deputy ministers. The presence of women in the executive branch remains limited, however, only 6 of 19 ministries are headed by women (31.5 per cent).

8. Spain 2014¹⁷³

16. Spain **has established impressive and wide-ranging legislative, policy and institutional frameworks for equality and non-discrimination**. This is all the more impressive when considering the relatively short time taken to establish them following the State's transition to democracy.

22. **Organic Law 3/2007 on effective equality for men and women provides for a legal framework for achieving equality and eliminating discrimination. The law begins with the recognition that gender violence, wage discrimination, discrimination in widows' pensions, the higher rate of female unemployment, the still scant presence of women in positions of political, social, cultural and economic responsibility, and the problems posed when reconciling personal, working and family life stand as evidence that the attainment of full, effective equality between women and men is an unfinished task.**

23. **The law aims at the elimination of discrimination against women in all circumstances and in all areas of life, and specifically in the political, civil, occupational, economic, social and cultural domains. It lays down measures to eliminate and correct all forms of discrimination on the grounds of sex in the public and private sectors. It establishes public programmes requiring gender impact studies, the development of strategic plans and gender balanced appointments. It establishes institutional mechanisms and requires government action in a range of areas.**

24. Importantly, the law contains detailed **provisions for the right to equal work opportunities**, including the prohibition of direct and indirect discrimination, equal access to employment and career development, the reconciliation of personal, family and working life, training, gender balance in selection and evaluation committees, and equal pay for work of equal value. It also mandates the formulation of corporate positive action equality plans for enterprises with more than 250 employees.

43. The law on equality of 2007 recommends that the State endeavour to reach **gender balance in the boards of directors of large companies**. According to article 75 of the law, regarding the participation of women in the boards of directors of mercantile companies, companies that are required to present unabridged financial statements of income should endeavour to reach a balanced presence of women and men on their boards of directors within eight years of the entry of the law into effect. According to information provided by the Government, in the top 35 companies quoted on

¹⁷³ WGDWG, Country Report, *Spain*, A/HRC/29/40/Add.3, 17 June 2015.

the Spanish stock exchange (IBEX 35), in 2014, 18.2 per cent of corporate board members were women, up from the 12.1 per cent recorded three years earlier. The Working Group was, however, informed that since the commitment to achieve the goal of 40 per cent of women on corporate boards is voluntary, some companies do not take any particular measures to increase the number of women on their boards. Law 31/2014 of 3 December 2014 amending the Corporations Act does not address this issue.

84. According to the Inter-Parliamentary Union, regarding the number of women in the national parliament, Spain is above both regional and world averages. **The law of 2007 on equality established a quota of 40 per cent for political representation of each sex, resulting in a significant increase in women's participation in parliament at both the central and local levels.** In the national parliament, 36 per cent are women. Total parity was achieved at one stage in the Council of Ministers when, **for the first time in Spanish history, women occupied the posts of deputy Prime Minister and Minister for Defence. The proportion of women ministers in the Government has since dropped to only 28.6 per cent (four out of 14 members, including a deputy Prime Minister).**

97. **A quota system of gender balance has contributed to the maintenance of a high degree of representation of women in the national parliament.**

9. Senegal 2015¹⁷⁴

15. **Act No. 2010-11 on Parity, which instituted full gender parity in all partially or totally elected offices, represented a significant step forward and propelled Senegal to the top of the subregion in terms of women's representation in parliament.**

31. **The National Observatory on Gender Parity, which was established in 2011, demonstrates the State's determination to strengthen the institutional apparatus for the promotion of gender equality.** Its mandate is to monitor, assess and formulate proposals on the promotion of gender parity in public policies. The Working Group was disappointed to learn that the meager budget allocated to the Observatory did not enable it to fulfil its mandate. The Working Group encourages Senegal to strengthen the National Human Rights Committee with a view to bringing it into line with the Principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and strongly recommends the establishment within it of a subcommittee on women's rights.

54. Senegal has made significant progress in recent years in terms of access to primary and secondary education. **The Working Group notes with satisfaction that the country has reached gender parity in access to primary education.** The gross enrolment rate of girls rose from 62.3 per cent in 2000 to 99.8 per cent in 2012, as compared with 71.9 per cent in 2000 and 88.9 per cent in 2012 for boys. The rate of completion of primary education among girls has also risen, having increased from 40.2 per cent in 2002 to 63.1 per cent in 2012.

60. Accordingly, the Working Group welcomes the decisions of the Dakar Court of Appeal and the Supreme Court to **declare null and void the election of the mayor and deputies of the municipalities of Keur Massar and Kaolack on grounds of**

¹⁷⁴ WGDWG, Country Report, *Senegal*, A/HRC/32/44/Add.1, 7 April 2016.

non-compliance with the Parity Act, and it encourages the relevant authorities to implement these decisions as soon as possible. At the same time, it is concerned that a non-balanced list was approved during local elections in Touba and that no appeal was lodged against this decision.

10. USA 2015¹⁷⁵

44. In this regard, the Working Group welcomes the initiatives undertaken by states and cities that have started **programmes for public financing of campaigns.** One method, which its supporters call “Clean Money, Clean Elections”, gives each candidate who chooses to participate a fixed amount of money. Some interlocutors have pointed out that, in order to effectively give women an equal chance, competing private funding would have to be restricted. The Working Group **encourages the efforts deployed by voluntary organizations, such as Emily’s List, which promote women candidates.** The Working Group recalls that, in accordance with international human rights standards, **temporary special measures have been adopted in many democratic countries to ensure more adequate representation of women in politics.**

11. Hungary 2016¹⁷⁶

11. Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities, which established an anti-discrimination framework, was considered by interlocutors to be a good instrument to ensure equal rights for all persons in Hungary. The Act introduced the **concept of “positive discrimination”, aimed at the elimination of inequality of opportunities of an expressly identified social group. It includes both direct and indirect discrimination as punishable. In accordance with European Union directives, the Act established an equal treatment authority to monitor the implementation of the law.**

13. The State’s gender equality policy was outlined in the National Strategy for the Promotion of Gender Equality, adopted in 2010 by the previous Government and financed by European Union structural funds and the national budget. **The strategy mirrors the European Union road map for gender equality 2006-2010, including objectives that can form a solid basis for the promotion of gender equality. The strategy is based on the priorities of achieving equal economic independence for women and men, eliminating the gender pay gap, considering the issues of poverty and health in relation to women; stronger support for the reconciliation of work, private and family life; increasing the participation of women in political and economic decision-making, and in the field of sciences; taking the measures necessary to eradicate and efficiently prevent gender-based violence; eliminating gender stereotypes; and laying the professional foundations for the changes required to achieve the targets set by gender mainstreaming.** The Government committed to the formulation of biennial plans of action that would include measures related to long-term targets and the methods of implementation (CEDAW/C/HUN/7-8). After an initial 2-year plan, which covered a range of priority areas, including paid work, care, family and political life, health and education, the only measures that were further introduced were in 2014, for family support.

¹⁷⁵ WGDWG, Country Report, USA, A/ HRC/32/44/Add.2, 4 August 2016.

¹⁷⁶ WGDWG, Country Report, Hungary, A/HRC/35/29/Add.1, 21 April 2017.

12. Kuwait 2016¹⁷⁷

64. The experts note that many countries in the world, including high-income countries, **have adopted some form of temporary special measures in order to compensate for women's late start in national electoral processes.** In the opinion of the Committee on the Elimination of Discrimination against Women, **temporary special measures are part of a necessary strategy by States parties directed towards the achievement of substantive equality of women with men in the enjoyment of their human rights. Some States have even enacted laws on parity, which are not temporary measures but permanent electoral reforms that have proven instrumental in achieving equality in women's political representation.**

68. The diplomatic service has remained relatively closed to women's entry and advancement until recently. Of 84 ambassadors, only 2 are women. Until a 2014 policy reform within the Ministry of Foreign Affairs, **women who had gone through the same diplomatic training could only be "political researchers". Women now have the possibility to be appointed as diplomats following success in an entry exam, which all applicants must undertake.** The experts were pleased to learn that in 2014, of the five candidates accepted, two were women.

13. Samoa 2017¹⁷⁸

84. The Working Group was pleased to note that the Strategy for the Development of Samoa 2016/17–2019/20 contains a key outcome on social institutions, which aims at **strengthening village governance so as to achieve greater participation of individuals in planning and implementation of village by-laws, with a specific focus on increasing the participation of women in the development and governance of communities.**

88. Samoa has made important strides in **developing a legal framework that abides by its own Constitution and complies with its international human rights obligations, particularly, over the past decade, regarding the elimination of discrimination against women. The criminalization of domestic violence, the legal guarantee of equality between men and women in employment and the constitutional amendment to ensure 10 per cent of women in the Legislative Assembly are important milestones.** Samoa is fortunate to have committed and effective individuals in strategically placed institutions as important assets in implementation and further advancement.

¹⁷⁷ WGDWG, Country Report, *Kuwait*, A/HRC/35/29/Add. 2, 24 May 2017.

¹⁷⁸ WGDWG, Country Report, *Samoa*, A/HRC/38/46/Add.1, 14 May 2018.

14. Chad 2017¹⁷⁹

9. The Working Group notes that Chad has **a solid legislative basis for ensuring gender equality and welcomes the efforts it has made to strengthen its legal framework.**

10. Article 14 of the **Constitution provides that the State has a duty to ensure that all forms of discrimination against women are eliminated and that women's rights are protected in all spheres of private and public life. With that article, Chad acknowledges that gender equality cannot be achieved simply by declaring it to exist and that the State has obligations in terms of eliminating all forms of discrimination. In addition, the Constitution recognizes the primacy of international law over domestic law** (art. 221).

15. Honduras 2018¹⁸⁰

29. In 2012, Decree 54 **raised the women candidate quota to 40% for positions of authority and within parties, as well as candidates to popularly elected positions. It established that the principle of parity (50% of women) will be applied beginning with the 2015 electoral period.** The parity pact signed by Honduran political parties indicates that ballots should alternate in displaying the names of women and men candidates. However, we regret to learn that recent regulations for implementation of these principles, which indicated that the names only had to alternate further down the list of candidates, resulted in women being listed a number of places below men. This likely contributed to decreased numbers of women in office. We encourage the Government to insure effective implementation of the law.

16. Poland 2018¹⁸¹

6. The Working Group welcomes the improvements in the political representation of women resulting from the adoption of the Electoral Code in 2011, which requires that **at least 35 per cent of candidates of either sex are represented in political party lists in proportional elections at the European, national and local levels. Significantly, the Act contains enforcement measures, namely, electoral lists not meeting the requirement will not be registered.**

19. At 69.7 per cent, women are systematically well represented in the public administration and institutions across sectors, with the exception of the Foreign Service. According to data provided by the Government, an overwhelming majority of supporting positions are occupied by women, though women also occupy half of the senior positions.

34. The Working Group welcomes the fact that the proportion of women managers in Poland (36 per cent) is one of the highest among Organization for Economic Cooperation and Development (OECD) countries (the average is 32 per cent). However, at 7 per cent, the proportion of women on boards is below the OECD average of 10 per cent. The Working Group is also pleased to learn that the **Government has introduced temporary special measures to achieve equal participation of women in**

¹⁷⁹ WGDWG, Country Report, *Chad*, A/HRC/38/46/Add.2, 8 May 2018.

¹⁸⁰ WGDWG, Country Report, *Honduras*, A/HRC/41/33/Add.1, 8 May 2019.

¹⁸¹ WGDWG, Country Report, *Poland*, A/HRC/41/33/Add.2, 25 June 2019.

the supervisory boards of State-owned companies. The 30 per cent quota has already been met, and a 35 per cent quota is set for 2020. The Working Group encourages the adoption of measures for publicly listed companies. This would place Poland in a leading position in this field, as one of the few countries that have adopted effective temporary special measures specifically directed at accelerating de facto equality for women in corporate leadership, entrepreneurship and trade.

17. Greece 2020¹⁸²

9. Furthermore, a legislative framework on equal treatment, covering a range of areas, has been established, aimed at implementing European Union directives. The Working Group welcomes the adoption on 26 March 2019 of Law No. 4604/2019 on promoting substantive gender equality and preventing and combating gender-based violence. **The Working Group also welcomes the comprehensive legal framework on substantive gender equality, which goes beyond the concept of equal treatment to focus on equality of outcomes across all spheres of women's lives. The framework is focused on multiple and intersecting forms of discrimination, including on the grounds of sexual orientation and gender identity.** Addressing gender-based violence and mainstreaming a gender perspective across the public administration through the establishment of equality bodies at the regional and local levels are integral parts of Law No. 4604/2019. **Importantly, the law also includes provisions on combating gender stereotypes in the education system and in the media. There is also a provision for a quota of 40 per cent women candidates standing for election to be put forth from each political party, an increase from the current quota of 33 per cent.**

43. **Promising practices observed in other countries include a whole-school approach, in which gender equality is embedded into the main curriculum, throughout all subjects. Gender equality is prioritized as a core value of the educational institution, and guidance is provided to teachers on the mandatory teaching of gender equality issues.** The objectives of the coursework are to present a realistic picture of the status of women and men in society, demonstrate that gender stereotypes are damaging to everyone, help children to critically analyse cultural gender constructs, foster positive norms of respectful and equal relationships and, importantly, raise awareness of and encourage action on promoting women's rights. Gender equality education, as a part of human rights education, is indispensable for shifting problematic gender stereotypes, which hold back both women and men, and also for addressing the problem of gender-based violence, including harassment and sexual harassment.

44. In 2016, the Ministry of Digital Policy, Telecommunications and Information concluded a memorandum of cooperation with the General Secretariat for Gender Equality to identify and eliminate gender stereotypes in the media. In a study consisting of the review of 1,500 print articles, some 31 per cent were identified to have reproduced gender stereotypes. In only 9.5 per cent of all articles considered were women presented as experts. **Recognizing that problem, the new law on substantive gender equality (Law No. 4604/2019) requires mass media (print, electronic and advertising media) to promote gender equality by not reinforcing harmful gender stereotypes. That requirement is implemented through the codes of conduct and self-regulation mechanisms for public communications entities, and data**

¹⁸² WGDWG, Country Report, Greece, A/HRC/44/51/Add.1, 29 June 2020.

will be collected by the General Secretariat. The experts welcome that positive development, given the prevalence of gender stereotyping in the media and the influential role of the media. The National Council for Radio and Television plays an important role in issuing guidelines, including on eliminating gender stereotypes and monitoring compliance. To be truly effective, the Council should undertake proactive measures and be adequately resourced.

18. Romania 2021¹⁸³

37. The Working Group is pleased to note that Romania **has a relatively low gender pay gap – the lowest in the European Union in 2018 (at 3.0 per cent) and almost three times lower than the European Union average (of 14.8 per cent)**. Nevertheless, continued efforts should be made to fully close the gap. The strategy developed by the National Agency for Equal Opportunities between Women and Men to promote the representation of women in decisionmaking positions and advance policies to reduce employment inequalities and the gender pay gap is a positive step.

19. Kyrgyzstan, 2022¹⁸⁴

We are encouraged **by the high levels of literacy for women and men in the country which provides a strong basis for economic participation**. We note that patriarchal attitudes and stereotypical images of women and girls have been evident in educational materials in the primary and secondary schools. **We welcome the Government’s recent review of all text books and teaching materials to remove discriminatory content and pictures. We also welcome the development of a new initiative called “Girls in Science”** which has reached 3,000 girls and is designed to lift the extremely low proportion of women in the National Academy of Sciences of the Kyrgyz Republic currently at only 8%.

20. Maldives, 2022¹⁸⁵

We applaud the Government for achieving gender parity in the foreign service and in the civil service. Since 2019, two women judges out of seven judges are serving at the Supreme Court. However, we note that out of the 134 magistrates, only seven are women and merely three women judges preside over the lower and appellate courts. Across the judiciary only 20 out of 183 judges, i.e. 11 per cent are women. Notable efforts are being made in the police force to increase women’s participation which is crucial for the public good.

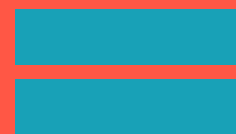
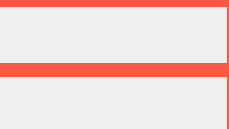
¹⁸³ Country Report, *Romania*, A/HRC/47/38/Add.1, 20 April 2021.

¹⁸⁴ End of Mission Statement, *Kyrgyzstan*, 15 April 2022.

¹⁸⁵ End of Mission Statement, *Maldives*, 22 September 2022.

ANNEX III

THEMATIC AND COUNTRY REPORTS EXCERPTS ON RECOMMENDATIONS TOWARDS ENSURING FORMAL AND SUBSTANTIVE EQUALITY FOR WOMEN IN PUBLIC AND POLITICAL LIFE



The excerpts below were taken from the Working Group DWG thematic and country reports verbatim. The sections in bold stress the sections where the Working Group expressly makes recommendations towards ensuring formal and substantive equality for women in public and political life.

1. 2013 Thematic analysis on eliminating discrimination against women in political and public life with a focus on political transition¹⁸⁶

97. The Working Group recommends that States:

(a) **Take concrete steps towards achieving parity in political decision making and leadership at all levels through a multifaceted approach that is responsive to the different obstacles faced by women, including in dealing with multiple discrimination.** States should:

(i) **Strengthen the legislative foundation towards parity**, including through constitutional provisions and other legislative measures for positive action, such as quotas, to overcome structural barriers to women's political participation.

(ii) Provide **effective policy measures to increase women's electability** for public office and in key institutions of political and public life, including political parties.

(iii) Address any indication of stagnation and segregation in the progress towards parity by **designing and implementing innovative strategies to overcome specific barriers.**

(iv) Develop strategies to support **capacity development for women in public office, including through national and international cooperation among peers.**

(v) Enhance the capacity to **consistently and regularly monitor progress** at all levels of decision-making across the whole spectrum of institutions of public and political life.

(b) **Create the enabling conditions for public recognition and acceptance for women in positions of leadership and decision-making through public campaigns and educational programmes which are responsive to multicultural settings**, including by:

(i) Giving **recognition to the diversity of women's engagements in political and public life.**

(ii) **Providing a positive image of diverse women**, including minority women, indigenous women, women with disabilities, and other historically marginalized women, in leadership and decision-making positions.

(iii) Providing youth and children with a wide range of relevant **role models and career paths for women**, including through mentoring programmes for young women's participation in political and public life.

¹⁸⁶ Report of the Working Group on the issue of discrimination against women in law and in practice, *Eliminating discrimination against women in political and public life with a focus on political transition*, A/HRC/23/50, 19 April 2013.

(c) **Develop a bottom-up approach to building democratic and accountable relations** between State and society, including **in local governance and governance in the sectoral fields**, with the active participation of institutions and organizations in which women's leadership is located and growing.

(d) **Support and ensure women's equal participation in and benefit from all areas of political decision-making during times of political transition.** States should:

(i) **Apply special measures** to ensure the equal and full participation of women in all transitional authorities and mechanisms.

(ii) **Ensure, including through constitutional provisions, a coherent systemwide framework for equality** between men and women in all fields of life.

(iii) **Engage women in meaningful and sustainable ways in the development and implementation of policies to achieve lasting peace and security**, including by promoting a culture of peace through formal and informal education in a multicultural setting.

(iv) **Ensure women's effective participation in all initiatives to secure accountability for past abuses**, including transitional justice processes, and ensure that the guarantee for non-recurrence incorporates overcoming the root causes of gender-based violations in everyday life and institutions.

(e) **Create a coherent institutional architecture for women's human rights and gender equality**, including by:

(i) **Securing the gender balance and gender-responsive capacity of national human rights institutions (NHRIs)** and other independent monitoring bodies.

(ii) Institutionalizing **gender responsiveness as part of the international standards** for effective NHRIs.

(iii) Establishing **well-resourced specialized national mechanisms for women's rights and gender equality.**

(f) **Support the sustainability and growth of autonomous women's movements in their multifaceted efforts to ground universal standards of equality and human rights in diverse contexts**, including by providing non-binding funding at the national and international levels and by supporting the development of independent women's funds.

(g) **Overcome the knowledge gap regarding women's participation in political and public life, at the national and global levels, by generating robust sex disaggregated statistics and multidisciplinary research reflecting the whole spectrum of women's engagements**, including through innovative documentation produced by the women themselves.

(h) **Support women's equal participation in political and public life through information and communications technology (ICTs)**, including by:

(i) Increasing women's digital literacy, particularly among marginalized women.

(ii) Ensuring gender-responsiveness in the promotion and protection of human rights on the Internet.

(iii) Improving women's access to the global governance of ICTs;

(i) **Accelerate efforts to eliminate all forms of violence against women**, including through a comprehensive legal framework to combat impunity, in order to fulfil women's human rights and to improve the enabling conditions for women's participation in political and public life.

(j) **Guarantee women's equal access to decision-making positions and processes in all institutions of global governance, including the United Nations.**

2. 2017 Compendium of good practices in the elimination of discrimination against women¹⁸⁷

General recommendations

109. There are multiple entry points to change the law and ensure effective implementation of laws guaranteeing women's right to equality, including through the initiative of women rights holders and autonomous women's organizations in civil society. The Working Group recommends that States:

(a) **Take every measure to ratify the Convention on the Elimination of All Forms of Discrimination Against Women and its Optional Protocol, withdraw reservations thereto, incorporate its provisions into national constitutions and all hierarchies of domestic law, and actively seek to implement recommendations made by the Committee on the Elimination of Discrimination against Women, the Working Group and other relevant human rights mechanisms** in view of improving the realization of women's human rights;

(b) **Repeal all laws that directly discriminate against women, and review all new and existing legislation through a rights-based, gender-sensitive lens**, involving independent experts, including autonomous women's organizations;

(c) **Improve the knowledge-base on good practices by providing the ways and means to support initiatives that apply a living-law approach to evaluating outcomes and impact of laws**, and record detailed results for the sharing of promising and good practices.

Specific recommendations

Social change

110. The cultivation of a culture of human rights is needed for social change and requires specific measures that draw from the richness and complexity of particular contexts and histories, and that involve all sectors of society, including autonomous women's movements. As exemplified by the cases in the present report, good practices result from sustained processes that benefit from the dynamic interaction brought by a diverse range of actors and involve responsibility to changing situations in order to ensure ongoing fulfilment of equal rights.

111. The Working Group recommends that States: (a) Invest in long-term and multi-dimensional strategies to promote social change, including **extensive training, educational and awareness-raising measures** to promote a culture of human rights

¹⁸⁷ Report of the Working Group on the issue of discrimination against women in law and in practice, Compendium of good practices in the elimination of discrimination against women, A/HRC/35/29, 19 April 2017.

among right and duty holders alike; **(b) Ensure the active participation of women of all sectors of society in monitoring and implementing human rights.**
Sustainability

112. It is essential to ensure that a robust constitutional and legal framework is in place to support long-term rights implementation and to weather challenges that may come from regressive political or ideological forces that threaten to undermine progress. The Working Group recommends that States:

(a) Recognize the crucial role of autonomous women’s organizing in the development of good practices, and endeavour to create a legal, policy and budgetary framework to support autonomous civil society organizations, women’s movements, and citizen participation in legal development, reform and implementation;

(b) Apply the good practices framework for the creation and maintenance of a safe and enabling environment for civil society developed in the report of the High Commissioner (A/HRC/32/20), with a gender-sensitive lens that takes into account the unique position and challenges faced by women’s human rights defenders;

(c) Prioritize the allocation of funds, both internationally and domestically, to support active and sustained measures to promote good practices in the eradication of discrimination and the promotion of women’s empowerment.

3. 2018 Thematic report, Reasserting equality, countering rollbacks¹⁸⁸

Recommendations

90. The Working Group recommends that States:

(a) Give the issue of women’s right to equality high visibility and top political priority;

(b) Systematically integrate into legislation and policy the recommendations contained in the Working Group’s thematic and country reports and its communications in order to ensure that obligations to eliminate discrimination against women are met;

(c) Repeal all discriminatory laws and practices, including those that discriminate against women on traditional, cultural or religious grounds and laws that exclusively or disproportionately criminalize action or behaviour by women and girls, taking into account the multiple and intersecting forms of discrimination faced by many women and girls;

(d) Give priority to establishing, strengthening and investing in institutions devoted to the advancement of women’s rights and gender equality;

(e) Create an enabling, supportive environment for civil society and other stakeholders to combat the backlash against women’s human rights and to resist all

¹⁸⁸ Report of the Working Group on the issue of discrimination against women in law and in practice, Reasserting equality, countering rollbacks, A/HRC/38/46, 14 May 2018.

anti-rights trends and movements with a definitive response grounded in binding human rights obligations, with women's and girls' rights at the centre;

(f) **Counter the narratives around gender ideology used by conservative lobbies to misinform societies and undermine the advancement of women's rights and gender equality;**

(g) Promote **recognition of the fact that cultural, religious and family values are not incompatible with women's and girls' human rights**, and recognize the equality of women and girls as a fundamental tenet of international human rights law that must be protected, respected and fulfilled in all States and at all levels of society, **including within the family;**

(h) Continue **promoting and protecting the fundamental principle** that all rights are universal, indivisible, interdependent and interrelated;

(j) **Establish parity, including through temporary special measures, to ensure equal representation of women in public, political and economic decision-making and leadership;**

92. **The Working Group recommends that the United Nations system:**

(a) **Maintain existing international law guarantees of women's human rights**, their right to equality in all fields of life and their right not to be discriminated against, and resist all attempts to derogate from them, including by conservative or religious lobbies;

(b) **Reassert the validity of the terminology relating to gender issues and counter its misuse;**

(c) **Develop an integrated policy framework that reflects the indivisibility of all rights and the interdependency of ending discrimination in all fields of women's life;**

(d) **Ensure that women human rights defenders and grass-roots organizations have effective protection and proper access to United Nations forums in the context of shrinking space for civil society;**

(f) **Continue working towards gender parity at the United Nations and make commitments to mainstream gender a reality**

94. The Working Group recommends that national human rights institutions **leverage their unique position in the national human rights machinery and act as a bridge between Members States and international human rights mechanisms.**

4. 2019 Thematic report, *Women deprived of liberty*¹⁸⁹

80. International human rights law has long required that States take appropriate action to modify social and cultural practices based on ideas of the inferiority or superiority of either sex or on stereotyped gender roles. In order to ensure that such stereotypes are not embodied in law, policy and practice or institutionalized, resulting in women's deprivation of liberty, States should:

(i) Support and protect women's engagement in public and political life, including the work of women human rights defenders, and eliminate any laws or policy measures designed to criminalize the public roles of women. Put in place quotas or similar measures for the meaningful participation of women in the political and public sphere.

5. 2020, *Thematic report, Women's human rights in the changing world of work*¹⁹⁰

66. **In order to disrupt structural patterns of "women's" and "men's" work**, the Working Group recommends that States:

(a) Establish temporary special measures (quotas and targets) to ensure that women benefit from employment in high-growth areas (such as renewable energy and technology), with specific measures to ensure that women are equally represented in technical and leadership roles;

(b) Establish temporary special measures (quotas and targets) to increase women and girls' participation in education in the areas of science, technology, engineering and mathematics;

(c) Establish targeted programmes for women's training and reskilling for occupations and industries that are at risk of automation;

(d) Ensure equal access to ICTs for women;

(e) Strengthen legal frameworks to introduce minimum wages for all workers and the legal obligation of equal pay for equal work or work of equal value;

(f) Introduce regulations requiring employers to regularly report on their efforts towards and progress made in closing the gender pay gap, with disaggregated data on multiple grounds, including race, ethnicity and age, and on women's representation in different roles and levels of leadership.

68. With a view to creating enabling conditions for women's collective action and organizing, the Working Group recommends that:

(a) Trade unions introduce specific measures to ensure women's equal representation in decision-making and the incorporation of women's specific concerns

¹⁸⁹ *Report of the Working Group on the issue of discrimination against women in law and in practice, Women deprived of liberty*, A/HRC/41/33, 15 May 2019.

¹⁹⁰ *Report of the Working Group on discrimination against women and girls, Women's human rights in the changing world of work*, A/HRC/44/51, 16 April 2020.

in organizing priorities and collective agreements, and establish policies to prevent and eliminate violence and harassment within unions.

6. 2021 Thematic report, Women's and girl's sexual and reproductive health rights in crisis¹⁹¹

4. Ensure the participation of women and girls and promote male accountability

79. The Working Group recommends that States:

(a) Increase the representation and effective participation of women and girls in decision-making processes at all levels and ensure gender parity, including in crisis prevention, management and recovery processes;

(d) Integrate gender, age, disability and intercultural perspectives into all policies and practices and promote leadership by women and young people.

7. Thematic report, Girls' and young women's activism¹⁹²

69. The right of girls and young women to participate in political and public life is guaranteed under international human rights law. That gives rise to binding legal obligations for States to enable their activism and to remove the structural barriers that inhibit or endanger their participation. Girls and young women are also entitled to special measures to ensure the realization of their rights in consideration of their age, gender and other characteristics.

70. Girl activists **face particular challenges owing to common misperceptions around children's right to participation in political and public life, restrictions on their autonomy, disregard for their best interests, paternalistic control and superficial, tokenistic involvement in diverse processes.** Additional barriers include deep-rooted structural gender- and age-based discrimination, which is frequently exacerbated by other forms of discrimination including, but not limited to, race, ethnicity, health status, sexual orientation, gender identity and disability, combined with marginalization and exclusion, poverty, lack of access to education, lack of safety and security, hostile environments in the private and public spheres and a lack of resources.

75. States **should take all appropriate measures to create safe and enabling spaces for girl and young women activists, where they can exercise their activism and express their views freely, equally, fully and meaningfully on all matters of relevance to them.** In order to achieve this, States should:

(d) Ensure that the national legal framework recognizes and enables girl and young women activists to act freely and safely without discrimination. That in particular includes:

¹⁹¹ Report of the Working Group on Discrimination against women and girls, *Women's and girls' sexual and reproductive health rights in crisis*, 2021.

¹⁹² Report of the Working Group on discrimination against women and girls, *Girls' and young women's activism*, A/HRC/50/25, 10 May 2022.

(iii) **Adopting comprehensive national laws and policies that respect, protect and fulfil girls' and young women's rights to participate in public and political life, to freedom of expression, association and assembly, and to access to information, integrating gender- and age-sensitive and intersectional approaches that address all their diversity.**

B. Country report excerpts

1. Morocco 2012¹⁹³

91. The Working Group recommends that the Government:

(a) **Accelerate the drafting of the organic laws** delineating the conditions and modalities for all citizens, women and men, to exercise their right to present motions in legislative matters and petitions to public powers; these laws should aim to include special measures to increase effective access to these rights of poor and marginalized women, including resources for building the capacities of local women's groups;

(b) **Institutionalize, by amending the laws on elections, special measures to increase the numbers of women in elected positions at the national and local levels so that they meet international standards;** national lists that reserve a certain number of seats for women should be preserved and quotas increased. Women should be able to present themselves for re-election on national lists. Increased quotas that meet international standards should be applied in local elections;

(c) **Review the representation of women in the national cabinet** in order to ensure that the goals of formal and substantive equality between men and women are achieved.

(d) **Review the rules of procedure for decision-making** in the top echelons of executive, legislative and judicial bodies to ensure that they are gender sensitive.

(e) **Facilitate access for female and male parliamentarians, especially first timers, to capacity-building to increase their knowledge of the State's international human rights legal obligations and all aspects of women's human rights,** as well as of legal drafting and other legislative work; in male-dominated settings, women would benefit from leadership and confidence-building training;

(f) Ensure follow-up to the recommendations of the consultative commission on regionalization on gender equality in the implementation of the governance system of the regions and other territorial collectives envisaged in the Constitution; constitutionally mandated funds for social development and interregional solidarity should incorporate principles of gender-responsive budgeting.

92. **The Working Group recommends that political parties institute diversity of ways and means to guarantee inclusion of women on electoral lists.**

¹⁹³ WGDWG, Country Report, *Morocco*, A/HRC/20/28/Add.1, 19 June 2012.

2. Moldova 2012¹⁹⁴

86. The Working Group wishes to make the following recommendations to improve equality and non-discrimination and greater protection and promotion of women's human rights in the Republic of Moldova.

1. Measures to improve the legal framework and implementation of legislation, policy and institutional commitments

87. The Working Group recommends that the Government:

(a) **Ensure coherent and gender-responsive implementation of nondiscrimination laws without delay**, and undertake further efforts to incorporate the international human rights legal obligations of the Republic of Moldova into the domestic legal framework.

(b) **Ensure allocation of resources to facilitate implementation of the National Program on Ensuring Gender Equality and Action Plan** and ensure that policies and programs comprehensively address equality and women's human rights concerns.

2. Measures to strengthen the effective protection of women's human rights and empowerment of women

89. The Working Group recommends that the Government:

(a) **Establish and sustain a process of dialogue with women in political and public life on ways and means to reconcile work and family life**, including by learning from best practices in other countries, with a view to developing special measures.

b) Support the establishment and development of independent think tanks which would improve evidence-based policy discussions and public discourse to address persistent barriers in equality and non-discrimination, including on controversial issues such as reproductive health and sexual orientation and gender identity, as well as to address blind spots in understanding such as on the situation of Romani women, women migrant workers and other women in positions of vulnerability.

91. The Working Group recommends to the international community:

(a) **Support the sustainable development of national and international networks and skills building among the diversity of women active in political and public life, including among women human rights defenders.**

¹⁹⁴ WGDWG, Country Report, *Moldova*, A/HRC/23/50/Add.1, 15 March 2013.

3. Tunisia 2013¹⁹⁵

69. Recommendations put forward are meant to ensure the equal and full political participation of women in a time of political transition, to secure existing gains and continue forward movement in legal guarantees of non-discrimination between men and women, and to eliminate persistent barriers to gender equality, including in the context of multiple discrimination.

70. In order to ensure the equal and full political participation of women at a time of political transition, the Working Group recommends that the Government:

- i. **Ensure that the parity principle is incorporated in the Constitution and elections laws and that legal and policy measures, for example “zipper rules” and requirements that parties top half of their lists with a women, are put in place for its effective implementation;**
- ii. **Facilitate access for female and male parliamentarians to capacity building opportunities** to increase their knowledge of the State’s international human rights legal obligations and all aspects of women’s human rights.

4. Iceland 2013¹⁹⁶

99. For some time, Iceland has been considered a world leader on gender equality and women’s rights. It also took appropriate measures to ensure that the effects of the financial and economic crisis did not result in undermining past achievements. However, serious gaps still persist despite the clear evidence of political will, high levels of women’s participation in government and parliament, legislation to prohibit discrimination, a progressive system of gender-balanced parental leave and child-care, and a gender equality component of the core syllabus for schools. Access to justice for women victims of domestic violence and gender-based violence is alarmingly low and there are significant problems in legal definition, effective prevention, prosecution, conviction and punishment for sexual violence; protection orders to remove perpetrators of domestic violence from the home are ineffective, and there is a lack of capacity-building for law enforcement agents, including the police, prosecutors and the judiciary. Although they outnumber men as university graduates, women still lag men in the economic arena, facing a segregated labor market, a persistent gender pay-gap and low representation in the judiciary.

5. China 2013¹⁹⁷

108. In order to advance women’s equal participation in political and public life, including in the management of the State and of social affairs, in accordance with the National Human Rights Action Plan, the Working Group recommends that the Government:

- (a) **Apply special measures, including temporary special measures, such as the establishment of adequate numerical goals, for women’s equal, meaningful and**

¹⁹⁵ WGDWG, Country Report, *Tunisia*, A/HRC/23/50/Add.2, 30 May 2013

¹⁹⁶ WGDWG, Country Report, *Iceland*, A/HRC/26/39/Add.1, 16 September 2014.

¹⁹⁷ WGDWG, Country Report, *China*, A/HRC/26/39/Add.2, 12 June 2014.

effective participation in high decision-making positions at the national, provincial and local levels and throughout the legislative, executive, administrative and judicial bodies, and provide a designated seat for the All-China Women's Federation in the top decision-making bodies of the Communist Party, including the Standing Committee of the Central Politburo; in the top decision-making bodies of the Communist Party, including the Standing Committee of the Central Politburo.

6. Chile 2014¹⁹⁸

81. In a spirit of cooperation and collaboration, the Working Group makes the following recommendations to the Government of Chile in order to bolster initiatives aimed at ensuring gender equality and the protection and promotion of the human rights of women.

82. Regarding legislation, the Working Group recommends that Chile:

(a) Adopt a system of quotas in the corporate governance of firms in the public and private sectors.

7. Peru 2014¹⁹⁹

85. In a spirit of cooperation and collaboration, the Working Group makes the following recommendations to the Government of Peru with a view to strengthening measures designed to guarantee gender equality, and the protection and promotion of women's human rights.

86. With regard to legislation, the Working Group recommends that the Government should:

(a) Adopt bills to increase the scant participation of women in public life, including the bill amending quota requirements through the rotation of candidates on electoral lists based on gender and the bill on the prevention and penalization of political harassment. Reconsider new bills on quotas for the membership of the Constitutional Court and the appointment of judges and magistrates.

8. Spain 2014²⁰⁰

107. With regard to women's participation in economic and social life, the Working Group recommends that the State:

(a) Increase women's participation in entrepreneurship and economic decision-making by setting quotas for boards of directors in large companies and establishing credit facilities and procurement quotas for businesses run by women.

¹⁹⁸ WGDWG, Country Report, *Chile*, A/HRC/29/40/Add.1, 20 May 2015.

¹⁹⁹ WGDWG, Country Report, *Peru*, A/HRC/29/40/Add.2, 26 June 2015.

²⁰⁰ WGDWG, Country Report, *Spain*, A/HRC/29/40/Add.3, 17 June 2015.

111. Regarding participation in political and public life, the Working Group recommends that the State apply **temporary special measures to bring a gender balance in public administration, including in the highest levels of the judiciary and in the foreign services.**

9. Senegal 2015²⁰¹

92. At the institutional level, the Working Group recommends that the Government: (a) Strengthen the leadership of the Ministry of Women, the Family and Children; (b) Strengthen the National Observatory on Gender Parity and assign it an adequate budget.

94. Regarding policy implementation, the Working Group recommends that the Government:

(a) **Introduce temporary special measures, such as quotas, in order to address the problem of discrimination against women in employment, not only in elected positions, but also in the civil service (including at high levels of public administration, such as prefect or governor, and in private companies, in order to ensure that Senegalese women have that same opportunities as men.**

10. USA 2015²⁰²

93. Regarding public and political life, the Working Group recommends:

(a) **Applying temporary special measures** to ensure gender equality in public and political representation, at both the executive and legislative branches, as well as in the judiciary.

(b) Introducing initiatives to encourage the participation of women in elected positions, including by provision of public funding for election campaigns.

11. Hungary 2016²⁰³

92. Women are significantly disempowered in Hungarian political life. Underlying this situation is the pervasive and flagrant stereotyping of women, with repeated statements by some public figures that women are unsuited to political power and the insistence on a woman's role as primarily a wife and a mother. This is aggravated by multiple forms of discrimination and xenophobia regarding Roma women, who are virtually invisible in the political system. **Significant measures should be taken to eliminate these forms of stereotyping and discrimination, including by censuring the sexist rhetoric of public figures.**

²⁰¹ WGDWG, Country Report, *Senegal*, A/HRC/32/44/Add.1, 7 April 2016.

²⁰² WGDWG, Country Report, *USA*, A/HRC/32/44/Add.2, 4 August 2016.

²⁰³ WGDWG, Country Report, *Hungary*, A/HRC/35/29/Add.1, 21 April 2017.

98. The Working Group recommends that the Government:

- (a) **Take special measures, as provided for in the Fundamental Law, to increase women's representation in the country's political life and in senior positions in the public administration, including in the foreign service.**
- (b) **Ensure a better gender balance in the process of making new appointments to the Constitutional Court.**
- (c) **Empower the major transformative women's non-governmental human rights organizations to play a vital role** by allotting a fair share of the funding for civil society organizations and including them fully in government consultations.

99. The Working Group recommends that the Government:

- (a) **Take measures to increase the number of women in economic decision-making positions**, including by introducing a quota system to increase the number of women on public and private corporate boards, and to provide special financial assistance or government procurement contracts to women-owned businesses to incite women's leadership in business.

12. Kuwait 2016²⁰⁴

103. With respect to political and public life, the experts recommend that the State:

- (a) **Apply temporary special measures to ensure parity in public and political representation, in the executive and legislative branches, and in the judiciary.**
- (b) Provide special support, including training and assistance for campaigning, to help raise the profiles and visibility of women candidates and facilitate their outreach capacity.
- (c) **Implement a comprehensive and effective strategy and plan of action for gender equality and the empowerment of women that includes a full range of temporary special measures, such as quotas.**
- (d) Enable the establishment of political parties in the country in place of the dominant bloc/coalition system, and ensure that women are adequately represented in parties by adopting quota or parity laws or enforcing noncompliance sanctions

13. Samoa 2017²⁰⁵

98. The Working Group recommends that the Government:

- (a) **Improve women's representation in the Cabinet and in diplomatic services through the adoption of affirmative action measures and transparent processes.**
- (b) Consider further measures for increasing women's representation in the Legislative Assembly, **including by revising the quota system in accordance with international standards and supporting women candidates.**
- (c) Expand the Ministry of Women, Community and Social Development's pi-

²⁰⁴ WGDWG, Country Report, *Kuwait*, A/ HRC/35/29/Add.2, 24 May 2017.

²⁰⁵ WGDWG, Country Report, *Samoa*, A/ HRC/38/46/Add.1, 14 May 2018.

lot district planning initiative with a view to reaching the rest of the country.
(d) Support the participation of professional women who hold chiefly titles in village councils, including through flexible working arrangements and ensuring equal pay for women and men village representatives.

14. Chad 2017²⁰⁶

75. Regarding policies, the Working Group recommends that the Government:

- (a) **Implement temporary special measures to foster the recruitment of more women in the public and private sectors.**
- (b) **Consult with organizations working for gender equality with a view to ensuring that qualified female candidates apply for civil service positions and to establishing a roster of female candidates in support of this process.**
- (c) Take steps to encourage women's leadership, including by revitalizing the Network of Women Ministers and Parliamentarians of Chad.

15. Honduras 2018²⁰⁷

75. With respect to political and public life, the Working Group recommends that the State:

- (a) **Ensure the effective implementation of the law on quotas.**
- (b) **Provide the necessary support to women candidates, address political violence against women and promote women's participation in political life.**

16. Poland 2018²⁰⁸

83. Regarding political and public life, the Working Group recommends that the Government:

- (a) **Adopt further effective measures to improve women's political participation, such as the zipper system, and provide training and support to women candidates.**
- (b) **Increase the representation of women at the highest level of the Government and State institutions with a view to achieving gender parity.**
- (c) Secure an enabling environment for women human rights defenders, who should receive a fair share of public funding, and protect them from any intimidation.

²⁰⁶ WGDWG, Country Report, *Chad*, A/HRC/38/46/Add.2, 8 May 2018.

²⁰⁷ WGDWG, Country Report, *Honduras*, A/HRC/41/33/Add.1, 8 May 2019.

²⁰⁸ WGDWG, Country Report, *Poland*, A/HRC/41/33/Add.2, 25 June 2019.

17. Greece 2020²⁰⁹

87. Greece now has a significant opportunity to ensure that women's right to equality in all spheres of life is central to the country's economic and social renewal. To harness that opportunity, the General Secretariat for Gender **Equality must play a pivotal and transformative role under the new Law No. 4604/2019 on substantive gender equality, ensuring its position as a significantly strengthened, centrally placed governmental body for gender equality.**

90. With regard to the participation of women in economic and social life, the Working Group recommends that the Government:

(a) **Remove barriers to the full and equal participation of women in the labour force by adopting specific policy measures to address discrimination in the workplace and the fact that the responsibility for unpaid care work disproportionately falls on women;**

(b) **Implement measures to close the gender pay gap**, including through research on the most significant factors contributing to the gender pay gap;

(c) **Increase the participation of women in entrepreneurship and economic decision-making by establishing quotas for boards of directors in large companies and regularly report and monitor progress in that regard;**

(j) **Ensure that the education system plays its essential role in combating the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the role and responsibilities of women and men in the family and society and in eliminating gender-based violence**, including domestic violence;

(k) **Review and reform school textbooks and curricula in all schools, public and private, to eliminate gender stereotypes and ensure that non-discrimination and gender equality are an integral part of the values underpinning the core curriculum;**

(n) **Take steps to implement measures to ensure equal access for girls and women to all levels of education in all regions**, in particular for girls belonging to all minority groups, including through temporary special measures in accordance with article 4 (1) of the Convention on the Elimination of All Forms of Discrimination against Women and general recommendation No. 25 (2004) on temporary special measures of the Committee on the Elimination of Discrimination against Women;

91. With regard to the participation of women in political and public life, the Working Group recommends that the Government **apply temporary special measures to bring a gender balance to public administration, including at the highest levels, at the national, regional and municipal levels.**

²⁰⁹ WGDWG, Country Report, Greece, A/HRC/44/51/Add.1, 29 June 2020.

18. Romania 2021²¹⁰

92. With regard to legal, policy and institutional frameworks, the Working Group recommends that the Government of Romania:

(b) Ensure effective implementation of relevant laws, policies and strategies, and introduce further measures that are focused on achieving substantive equality and addressing the specific needs of women facing multiple and intersecting forms of discrimination, such as Roma women and girls, and women with disabilities;

(c) Ensure participation of women at all levels in the design and implementation of such laws and policies;

93. With regard to public and political life, the Working Group recommends that the Government:

(a) Increase the representation of women at all levels of government, including the municipal, county and State levels, particularly in managerial positions, with a view to achieving gender parity;

(b) Increase women's participation in elected positions, through the introduction of temporary special measures and measures to support the empowerment of women candidates;

(c) Encourage the participation of women and girls from different groups in society, in particular women with disabilities, LGBTIQ+ women, and Roma women, in public and political life.

19. Kyrgyzstan, 2022²¹¹

In recent decades, Kyrgyzstan has made progress in introducing new laws and institutional measures focusing on gender equality. The conceptual framing of key legal concepts such as “discrimination,” “gender-based violence” and “structural-inequality” should be expanded to respond to the realities of women's lives.

We encourage the collection of gender disaggregated data to support evidence-based policy. The current legal, policy, and institutional framework needs to shift and be more centred on women and girls who are systematically disadvantaged due to a range of factors including persistent gender stereotyping, increasing poverty, pervasive violence and extremist religious views on women's role in society.

We encourage the Government to urgently prioritize the operationalization of all relevant laws, institutions, and mechanisms created for the advancement of gender equality **by strengthening the capacity of public officials in all branches of government and law enforcement, from national to local, by improving transparency and coordination and by providing adequate state financing.** In order to accelerate progress towards achieving gender equality, **we urge the adoption of additional tem-**

²¹⁰ Country Report, *Romania*, A/HRC/47/38/Add.1, 20 April 2021.

²¹¹ End of Mission Statement, *Kyrgyzstan*, 15 April 2022.

porary special measures with a strong focus on achieving economic equality for women and establishing a system of education that promotes respect for human rights, gender equality and civic responsibility.

20. Maldives, 2022²¹²

The Maldives is at a tipping point as a fragile democracy in the face of rising religious fundamentalism that is holding back women and girls and impeding the achievement of gender equality. If the Maldives is to develop and prosper as a nation, it must harness the potential of women and girls rather than bound them by societal perceptions and rules that relegate them to subordinate roles. They have a right to be free and to be heard, to live with dignity and enjoy their human rights without fear. Above all, they are entitled to be equal partners in development and to contribute to the Maldives' future through active participation in all spheres of life.

²¹² End of Mission Statement, *Maldives*, 22 September 2022.