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19 September 2006

## **Mechanisms to ensure women's participation in decision-making**

Recommendation 1738 (2006)

Reply from the Committee of Ministers  
adopted at the 973<sup>rd</sup> meeting of the Ministers' Deputies (13 September 2006)

1. The Committee of Ministers has taken due note of Parliamentary Assembly Recommendation 1738 (2006) on mechanisms to ensure women's participation in decision-making. It welcomes this initiative of the Assembly and is pleased to be able to inform it that the Steering Committee for Equality between Women and Men (CDEG) has embarked on work concerning follow-up to Recommendation Rec(2003)3 of the Committee of Ministers on balanced participation of women and men in political and public decision-making.
2. Indeed, pursuant to the recommendation, the CDEG decided to set up an information system based on the indicators set out in the appendix thereto in order to measure the progress made in women's and men's participation in political and public decision-making in the Council of Europe member states.
3. This information system will initially concern the collection of statistics supplied by the member states on women's and men's participation in parliaments at national and regional level, in national governments and in supreme courts, and the collection of data on local authorities (mayors and local councillors). This collection will be supplemented by data on the types of electoral system and the use of quotas. Analysis of the data is in progress. It will permit the drawing-up of a comparative table of women's and men's participation in the above-mentioned areas, the identification of possible obstacles and proposals for improving the situation in order to achieve balanced participation by women and men.
4. As to the Assembly's reiterated proposal to draw up a "charter for electoral equality", the Committee of Ministers recalls its reply to Recommendation 1676 (2004) and the request it made in this context to the Venice Commission concerning possible reinforcement of the relevant provisions of the Code of Good Practice in Electoral Matters.<sup>1</sup> It invites the Assembly to acquaint itself with the "Declaration on women's participation in elections" adopted by the Venice Commission at its 67th session held on 9 and 10 June 2006 (appended to this reply), in response to the aforementioned request.
5. The Committee of Ministers considers that, amplified accordingly, the Code of Good Practice in Electoral Matters lays down the necessary principles for pursuing the goal stated by the Assembly aimed "at giving women a genuine opportunity to accede to posts in political and public life and at combating family voting". The Committee of Ministers supports the promotion of the further achievement of this goal and therefore draws the attention of the member states to the importance of fully applying these principles.
6. The Committee of Ministers is also aware that efforts should be stepped up to pursue and develop the equal opportunities policy instituted within the Secretariat of the Organisation and to achieve the minimum percentage of 40% women, advocated in its own recommendations, in the steering committees and other working structures of the Organisation. It recalls in this respect Recommendation R (81) 6 on the participation of women and men in an equitable proportion in committees and other bodies set up in the Council of Europe and urges the member states to take account of it particularly when appointing their representative to the CDEG where men are significantly under-represented. In general, it stresses the need to promote balanced participation by men and women in the bodies dealing with equality.

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<sup>1</sup> See document CM/AS(2005)Rec1676 final, paragraphs 5 and 6.

7. Regarding the Assembly's proposal to appoint a Council of Europe gender equality ombudsperson, the Committee of Ministers considers that gender equality should be central to Council of Europe action in line with the Organisation's values, and ought not to depend on the institution of a separate ombudsperson. In this context it stresses the importance of the work done by the CDEG to further the member states' European co-operation towards true gender equality as an essential precondition of genuine democracy.

8. The Committee of Ministers further recalls the undertaking of the Heads of State and Government at the Third Summit of the Council of Europe to achieve real equality between women and men. In accordance with the decisions taken on that occasion, it will continue to promote gender mainstreaming in the policies instituted in the Organisation and the member states.

*Appendix to the reply*

**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION<sup>o</sup>)**

**DECLARATION ON WOMEN'S PARTICIPATION IN ELECTIONS**

**Adopted by the Venice Commission  
at its 67th plenary session  
(Venice, 9-10 June 2006)**

**on the basis of contributions by**

**Mr François LUCHAIRE (Member, Andorra)  
Ms Hanna SUCHOCKA (Member, Poland)**

Item I.2.5 of the Code of the Code of Good Practice in Electoral Matters provides as follows:

"Legal rules requiring a minimum percentage of persons of each gender among candidates should not be considered as contrary to the principle of equal suffrage if they have a constitutional basis."

The following completes this principle:

"a. Implementation of the parity principle may lead to admit:

1. Elections by a list system

- The obligation to ensure a composition of the candidates' lists alternating men and women

- The refusal to register lists which do not respect such an alternating composition

2. Elections in single-member constituencies

- The obligation to ensure a balanced percentage of women and men amongst candidates of the same party

- Dissuasive sanctions in case of non-respect of this obligation

b. Suffrage should be individual and secret, which excludes any form of "family voting", whether committed in the form of group voting (where a [male] family member accompanies one or more [women] relatives into a polling booth), in the form of open voting (when family groups vote together in the open), or in the form of proxy voting (where a [male] family member collects ballot papers belonging to one or more [women] relatives and marks those papers as he sees fit).