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Conference Report

Making gender equality and the empowerment of women and girls a reality: Best practices and parliamentary commitments

The Beijing Declaration and Platform for Action was adopted at the Fourth World Conference on Women in 1995 as a comprehensive and visionary agenda for achieving gender equality, the empowerment of women and the realization of human rights for women and girls. The vision of Beijing was reaffirmed in 2015, when States adopted the 2030 Agenda for Sustainable Development.

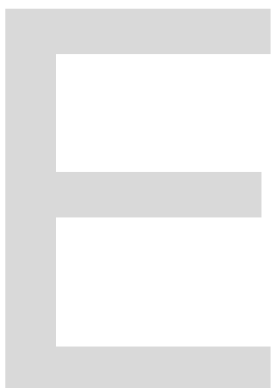
2020 is a year of taking stock of achievements and challenges for women's human rights and gender equality through the review of implementation of the Beijing Declaration and Platform for Action (Beijing +25); the 20-year review of implementation of United Nations Security Council resolution 1325 on women, peace and security; and the five-year milestone of the Sustainable Development Goals (SDGs), including Goal 5 on gender equality and women's empowerment.

The present report reviews key achievements, persisting and emerging challenges as well as good practices witnessed in recent years in advancing gender equality. It focuses on the key areas of equality of men and women in the law, gender balanced political participation and the elimination of violence against women and girls. The report ends with a series of actions recommended to parliaments and their men and women members to accelerate progress in advancing gender equality, in fulfilling the human rights of and empowering women and girls.

Where are we with elimination of discrimination in the law?

In September 2015, global leaders endorsed the 2030 Agenda for Sustainable Development and the supporting 17 Sustainable Development Goals (SDGs). The Agenda specifically recognizes the importance of promoting gender equality and women's empowerment as a key driver of change towards a more equitable, prosperous and inclusive world. Reflecting this commitment, SDG 5 specifically focuses on promoting gender equality. The first target under SDG 5 calls on States to end all forms of discrimination against all women and girls everywhere, with an indicator to track progress on "[w]hether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex". Agenda 2030 reflects prior commitments that were included in the 1979 Convention on the Elimination of Discrimination against Women (CEDAW) and the 1995 Beijing Declaration and Platform for Action, which both call on member states to remove discriminatory laws against women. Equal rights for women and men are not only the right thing to do but are also good from an economic perspective as reforms and policies that empower women boost economic growth.¹

¹ World Bank, *Women, Business and the Law* (Washington:2020).



Yet, on average, women have just three-fourths of the legal rights afforded to men.² Discriminatory laws affect more than 2.5 billion women and girls around the world. Daughters and sons are still treated unequally in more than one in five countries for which data are available; and male and female surviving spouses do not have equal rights to inherit assets from each other in one in five countries. Under the law in 29 countries, women cannot head households in the same way as men.³ Women may not obtain a divorce on the same legal grounds as men in 45 countries. In 25 countries, women are denied the right to pass their nationality on to their children on an equal basis with men.⁴ Eleven constitutions still allow exceptions to provisions on non-discrimination in matters of personal law.

On a more positive note, in the past five years, States have stepped up the reform of legislation, policies and programmes to advance gender equality, in particular in the areas of elimination of violence against women and girls; access to health care, including sexual and reproductive health care; education, training and life-long learning for women and girls and; political participation and representation.⁵ In developed regions, more attention has been paid to women's right to work and their rights in the workplace, the issues of unpaid care and domestic work, work-family conciliation, and efforts to change negative social norms and gender stereotypes.

Women, Business and the Law records 62 reforms aimed at improving gender equality in employment and entrepreneurial activity in 40 economies between 2017 and 2019. In this same period, three economies implemented four reforms widening the legal gender gap which shows that progress is not a given and constant. There must be a will and caution to avoid setbacks.

Avoiding setbacks was key in the context of the COVID-19 crisis, as women were on the front line of the pandemic, with 70 per cent of health workers being women. Women also made up the majority of carers in the home and workers in grocery stores and pharmacies. The pandemic and some of the measures to contain it put women's lives and safety at risk. Living in confinement and in times of economic stress increased the risks of sexual exploitation and violence against women. The economic downturn disproportionately affects women as workers who are more likely than men to have lower-paid and less secure jobs.

Good practices of recent years

- 191 constitutions now contain provisions on equality and non-discrimination and 24 include stand-alone provisions on women's rights.
- The World Bank found that, between 2008 and 2017, 274 legal reforms on gender equality had been introduced in 131 countries. In the past 10 years, progress has been most significant in sub-Saharan Africa.
- Three quarters of countries have introduced or strengthened maternity, paternity or parental leave or other types of family leave, recognizing the need to address the disproportionate burden of responsibility placed on women for unpaid care and domestic work.
- Laws and regulations on violence against women and girls facilitated by technology have been strengthened or introduced in more than half the of States in the world. These laws and regulations focus more on tackling sexual harassment while a small yet growing number of States are addressing violence against women in politics.

Emerging and persisting challenges

The rise of extremism and conservatism results in a pushback against women's rights that threatens achievements that have been made, ranging from girls' right to education to women's access to health, and equal rights in society and within the family.

In spite of women's and girls' empowerment opportunities through the digital revolution, challenges related to fairness and inclusion, privacy and autonomy, accountability and transparency have become increasingly apparent, calling for gender-responsive legal reforms to be taken.

The gender pay gap remains a reality worldwide and across sectors. Women are underrepresented in added-value jobs and managerial positions. Women's limited access to property, inheritance and financial services further undermines their autonomy, well-being and economic opportunities. In

² Ibid.

³ World Bank, *Women, Business and the Law* (Washington: 2018).

⁴ UNHCR and others, *Gender Discrimination and Childhood Statelessness* (2019).

⁵ United Nations Secretary-General, "Review of the implementation of the Beijing Declaration and Platform for Action" (2020): E(WIMUN)/CN.6/2020/2.

addition, women's essential contribution to society as carers is most often not remunerated, and they continue to undertake most household chores. The unequal share of responsibilities within families and the lack of State contribution and financed infrastructure to care for children and the elderly are key obstacles to redressing these existing imbalances.

The COVID-19 crisis has put additional pressure on women who are more likely than men to work in the health sector (70% of the health workforce) and to occupy unstable, informal jobs that provide no social security or health coverage, while coping with increased care responsibilities.

In countries with a plural legal system in place, traditional, customary or religious law is being prioritized over civil law. For equality in the law to be delivered for women and girls, civil law should be the norm for all.

Are we anywhere close to achieving equal participation of men and women in parliament?

The IPU report *Women in parliament: 1995–2020* published in March 2020, revealed that a quarter of a century after the United Nations Fourth World Conference on Women in Beijing, expectations regarding women's participation in politics have grown in ambition, and that achieving a critical mass of 30 per cent of seats held by women in national parliaments was no longer the objective. A shift in the paradigm towards full equality emerges as the biggest achievement of the past 25 years. But despite progress in the global proportion of women in parliament, only four countries have at least 50 per cent women in their lower or single chambers, and one has over 60 per cent of seats held by women (Rwanda). The global average of women in parliament stands now at 24.9 per cent up from a mere 11.3 per cent in 1995.

Over a 25-year span, most progress in women's representation has been achieved by Rwanda, the United Arab Emirates, Andorra and Bolivia, with +57, +50, +42.7 and + 42.3 percentage points gained between 1995 and 2020, respectively, in their lower or single houses. But a majority of countries still have less than 20 per cent of seats held by women. Some 28.3 per cent of single or lower houses have at least 30 per cent. More than one in ten countries (12.6%) has 40 per cent or more of seats held by women in parliament, and 2.1 per cent of countries have reached parity.

There are countries in all regions except Europe that still have lower or single parliamentary chambers with less than 5 per cent women: three in the Pacific, three in the MENA region, one in the Americas, one in Asia and one in sub-Saharan Africa – nine in total.

Regionally, the Americas saw the greatest increase in women's participation in parliament, with +18.6 percentage points in all chambers combined; Asia recorded the slowest growth rate, having gained only +6.8 points over the past 25 years. In 2020, only the Americas have achieved more than 30 per cent women across all houses. Although Europe is no longer in the lead as a region, the Nordic countries are the only sub-region to have over 40 per cent women parliamentarians.

IPU research shows that gender electoral quotas have been a key determinant of progress in women's participation in parliament. Of the top 20 countries with the largest share of women in parliament in 2020, 16 apply some type of gender quota. Other key factors that help accelerate progress include policies to promote women's recruitment by political parties, strong women's movements, awareness-raising efforts and a more gender-sensitive political culture.

Women in political leadership

Despite progress in female representation in parliamentary leadership roles, women are still underrepresented among Speakers of parliament. The share of women presiding officers of parliament has nearly doubled between 1995 and 2020, rising from 10.5 per cent to 20.5 per cent. Today, women hold 57 out of 278 presiding officer posts in parliaments or parliamentary chambers in 192 countries.

Comparing progress in women's participation in parliament and government, the joint IPU-UN Women map *Women in Politics: 2020* showed that, as at 1 January 2020, just over 10 per cent of countries in the world were led by a woman. Twenty countries had women Heads of State and Government – up from 19 countries in 2019. It also showed that women accounted for 50 per cent or more ministerial positions in 14 countries, up from 9 in 2019. An additional 16 countries had 40 per cent or more women ministers. Overall, the proportion of women ministers reached 21.3 per cent (7.1 percentage points higher than in 2005, when only 14.2 per cent of ministers were women).

At the IPU level, placing gender equality in politics has been at the core of the political agenda for many decades but, in 130 years of existence, there have been only two women Presidents of the IPU. On a more positive note, women have been occupying between 30 to 50 per cent of seats in the Executive Committee, Standing Committee Bureaux and other decision-making bodies of the organization.

Good practices of recent years

- Following parliamentary elections in 2019, the greatest strides in women's participation were made in the United Arab Emirates, Dominica and Uzbekistan.
- Before 1995, only two countries – Argentina and Nepal – applied legislated gender quotas. But quotas have spread to all regions of the world in the past 25 years, driving up women's representation in parliaments in the process. Today, elections in 81 countries are held under legislation that provides for gender quotas.
- While in the 1990s gender quotas tended to aim at reaching a critical mass of 30 per cent of parliamentary seats held by women, many are now increasingly aiming at gender parity.
- Two countries have adopted new legal measures in 2019: a presidential decree mandating gender parity in the United Arab Emirates, and a new constitutional provision in Benin providing for the introduction of quotas in the electoral law.
- Also in 2019, in Guinea, the gender quota for candidate lists was revised upwards from 30 per cent to 50 per cent.
- Since 2015, parliaments in four regions have appointed their first female Speaker. Asia tops the list with five such appointments: Nepal (2015), Viet Nam (2016), Philippines (2018), and Indonesia and Kazakhstan (both 2019). Four African countries have appointed a female Speaker for the first time in their history: Namibia (2015), and the Democratic Republic of the Congo, Malawi and Togo (2019). In the MENA region, women have secured presiding officer roles for the first time in history in three countries: United Arab Emirates (2015), Syrian Arab Republic (2016) and Bahrain (2018). And in Europe, the General Council of Andorra appointed its first female Speaker in 2019.

Are we succeeding in eliminating violence against women and girls (VAWG)?

At least 144 countries have passed laws on domestic violence; 154 countries have laws on sexual harassment; and improvements in legal frameworks were conducted in more than half of the countries of the world. However, women and girls remain subject to different and intersecting forms of violence, mostly perpetrated by men, in a variety of contexts – in times of peace or conflict, or in the wake of conflict – and in diverse spheres: the family, the community, the workplace and broader society. Gender-based violence affects women in all countries and across all socioeconomic groups, locations and education levels.

Recent data shows that:

- More than half of the women intentionally killed worldwide are killed by their partners or family members. This represents more than 50,000 women every year and 137 women every day.
- 17.8 per cent of women and girls aged 15 to 49 years who have ever been married or in a union have experienced physical or sexual violence by a current or former intimate partner in the previous 12 months. The figure rises to 30 per cent when considering violence by a partner experienced during women's lifetime.
- Less than 40 per cent of the women who experience violence seek help of any sort. Among women who do, most look to family and friends and less than 10 per cent sought help by appealing to the police.
- 15 million adolescent girls (aged 15 to 19) worldwide have experienced forced sex (forced sexual intercourse or other sexual acts) at some point in their life.
- 650 million women and girls in the world today are married before age 18.
- At least 200 million women and girls aged 15 to 49 have undergone female genital mutilation in the 30 countries with representative data on prevalence. In most of these countries, the majority of girls were cut before age five.
- Displaced, migrant and refugee women are at particular risk of gender-based violence, including sexual abuse, transactional sex, forced marriage and trafficking.

Effective change requires both a strong institutional framework and national bodies with the capacity and legitimacy to take action: long-term investment is required to implement laws and policies, comprehensive and coordinated services for women and girls, and tackle gender inequality as the root cause of violence.

Good parliamentary practices supported by the IPU

In recent years, the IPU provided support to several parliaments in their action to eliminate VAWG:

- Awareness-raising and capacity building activities have triggered parliamentary action in Albania, Azerbaijan, Romania, Tajikistan, and Turkey. In Romania, the Parliament made substantial legislative improvements to the law on preventing and combating domestic violence. Sixty-eight Romanian senators and deputies from all political parties submitted a legislative initiative to amend the Penal Code. The amendment eliminates the possibility for aggressors to be exempt from criminal responsibility when the victims withdraw their complaints.
- Support brought to the caucus of women MPs in Mauritania during the examination of a government bill on gender-based violence and a bill on reproductive health, helped include the prohibition of female genital mutilation (FGM) in both bills. The law on reproductive health was passed with the amendment on FGM as proposed by the caucus of women MPs.
- Training for members of the parliamentary network against violence against women in Mali helped the MPs to carry out outreach missions to raise awareness among the population on ending VAWG, FGM and child marriage.
- In Burkina Faso, a law on all forms of violence against women and girls was drafted with IPU support and adopted in 2015. In 2018, the revision of the country's Criminal Code took into account the provisions of the 2015 law while penalties and sanctions for the various forms of VAWG set out in the Criminal Code and the law on VAWG were harmonized.

Emerging challenges

The United Nations Human Rights Council's Special Rapporteur on violence against women, its causes and consequences has shed light on violence against women in politics and violence facilitated by technology as emerging issues to be addressed.

The persistence of gender stereotypes and negative portrayals of women in the media are a factor contributing to violence against women and girls and gender inequality more broadly. Rapid changes in technology and media are creating new spaces for the perpetration of violence against women and girls.

The ILO Violence and Harassment Convention, 2019 (No. 190), has shed light on women's experiences of violence and harassment in the world of work. It is important to advance ratification and implementation of the Convention.

The IPU study *Sexism, harassment and violence against women in parliament* provided evidence of the prevalence of gender-based violence in parliament as a workplace. In 2019, the IPU issued guidelines⁶ to support action by parliaments to eliminate sexism, harassment and violence against women.

The recent COVID-19 outbreak has become an additional risk factor for gender-based violence against women. Data shows that, since the adoption of confinement measures, there has been an increase in the occurrence of domestic violence. Isolation, stress, disruption of social contacts and reduction of certain services, including health services for survivors of violence, and judicial proceedings, may all lead to further victimization, a sense of impunity and, in some instances, escalation of violence leading to femicide.

Special focus on violence against women in parliament

Two IPU studies, published in 2016 and 2018,⁷ provided evidence that sexism, harassment and violence against women in parliaments were extremely widespread and that they were present to different degrees in every region of the world. Sexism, harassment and violence against women in

⁶ IPU, *Guidelines for the elimination of sexism, harassment and violence against women in parliament* (2019).

⁷ IPU, *Sexism, harassment and violence against women parliamentarians* (2016): https://agora-parl.org/sites/default/files/en_issues_brief-women-23nov.pdf; IPU-PACE, *Sexism, harassment and violence against women in parliaments in Europe* (2018): <https://ipu.org/resources/publications/reports/2018-10/sexism-harassment-and-violence-against-women-in-parliaments-in-europe>.

parliaments are major obstacles to the full contribution of women to political processes and a prejudice to democratic institutions and to democracy itself. The IPU encourages and supports parliaments to implement the *Guidelines* by:

- Adopting a policy to make it perfectly clear that sexism, harassment and VAW are totally illegal, intolerable and unacceptable; clearly stating what remedies are available to MPs and parliamentary staff.
- Carrying out an exhaustive evaluation of the situation, including through surveys.
- Ensuring that those who believe they are victims can have access to assistance and advice services in full confidentiality.
- Putting in place a complaints and investigation mechanism which is confidential, fair and responsive to victims' concerns.
- Introducing and applying disciplinary sanctions against the perpetrators.
- Raising awareness and running training for all persons working in parliament on respect at work and the fight against sexism, harassment and VAW.

Parliamentary commitments to making gender equality and the empowerment of women and girls a reality

2020 is a crucial year for reviving commitments, deepening engagement and accelerating action to fulfil women's rights both de jure and de facto, achieve equality between men and women at all levels and in all sectors, and deliver on development promises for all, both nationally and globally.

Accelerated global and national action to advance gender equality, fulfil the human rights of women and girls and empower them is needed now. With this objective, the Fifth World Conference of Speakers of Parliament needs to place gender equality high on its agenda. The Conference can revive the commitment by parliaments and their members and spur accelerated action to:

- Reaffirm – in the spirit of multilateralism – global commitments such as the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Declaration and Platform for Action, Security Council resolution 1325 and Sustainable Development Goal 5, as well as IPU commitments on women's political empowerment⁸ and financial inclusion.⁹
- Review implementation of these commitments and accelerate action towards their fulfilment in the context of the SDG Decade of Action.
- Build or enhance political will to support women's rights and gender equality, including in the context of the COVID-19 pandemic and its parliamentary response.
- Track de jure inequalities and repeal discrimination against women and girls in legislation.
- Tackle all forms of violence against women and girls through legislation and policymaking.
- Ensure that all parliamentary action in legislation, oversight and representation take into account and is responsive to the needs and interests of the most marginalized groups of women and girls.
- Adopt ambitious, well-designed and strictly enforceable legal measures such as gender electoral quotas to advance women's equal participation with men in parliament and other political decision-making positions, including if necessary through constitutional reforms.
- Encourage gender parity commitments by political parties.
- Review and adopt comprehensive legislation and policies on all forms of VAWG, including child marriage and female genital mutilation, that include provisions on prevention, protection and support for the survivors and prosecution and punishment of the perpetrators.
- Ensure strong implementation of such legislation and policies, including by scrutinizing budgets, effective oversight, and by participating in monitoring and evaluation processes together with civil society organizations and governments.
- Oversee government action to ensure proper enforcement of all gender-equality-related laws and policies.

⁸ Resolution entitled *The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective*, adopted unanimously by the 135th IPU Assembly (Geneva, October 2016). <http://archive.ipu.org/conf-e/135/item4.pdf>.

⁹ Resolution entitled *Promoting enhanced international cooperation on the SDGs, in particular on the financial inclusion of women as a driver of development*, adopted unanimously by the 136th IPU Assembly (Dhaka, April 2017): <http://archive.ipu.org/conf-e/136/item5.pdf>.

- Allocate sufficient resources nationally and through official development assistance to advance gender equality.
- Build partnerships between men and women parliamentarians and with stakeholders from government, civil society, academia, the media and the private sector.
- Condemn all forms of violence against women in politics and enforce a zero-tolerance policy towards any act of sexism, harassment and violence against women in parliament.
- Raise awareness on zero tolerance against VAWG and contribute to transforming mentalities and challenging the unbalanced power relations between men and women, addressing stereotypes and discrimination, and building a culture of equality and respect.
- Promote personal commitment by political leaders to concrete action for gender equality, the rights of all women and girls and their empowerment.
- Ensure that parliamentary institutions are gender-sensitive, that is, that they are able to respond to the needs and interests of both men and women in their structures, methods and work, and that they promote women's leadership.