



111^{ème} ASSEMBLEE DE L'UNION INTERPARLEMENTAIRE
111th ASSEMBLY OF THE INTER-PARLIAMENTARY UNION

Genève / Geneva, 28.09 – 01.10.2004

Third Standing Committee
Democracy and Human Rights

C-III/111/2004/R-dr
28 June 2004

BEIJING + 10: AN EVALUATION FROM A PARLIAMENTARY PERSPECTIVE

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Background

1. At the UN Fourth World Conference on Women (FWCW), held in Beijing in September 1995, 189 countries endorsed the Beijing Platform for Action (PfA) calling on governments to take action on 12 critical areas of concern. These areas covered women and poverty, education and training of women, women and health, violence against women, women and armed conflict, women and the economy, women in power and decision-making, institutional mechanisms for the advancement of women, human rights of women, women and the media, women and the environment, and the rights of the girl child. Governments, the international community, as well as civil society were called upon to formulate strategic objectives and actions in the framework of a national plan of action. As of April 2000, 118 Member States had submitted a National Plan of Action.¹

2. A Special Session of the UN General Assembly was convened on 5-9 June 2000 (it has come to be known as Beijing + 5) to conduct a high-level review to appraise and assess the progress achieved in the implementation of the Nairobi Forward-Looking Strategies for Women, and the Beijing Declaration and PfA, and to consider further actions and initiatives. Since the FWCW in Beijing, the Commission on the Status of Women has been responsible for monitoring the implementation of the Beijing Platform for Action. It meets every year.

3. The present report focuses on four critical areas of concern, namely: women in power and decision-making, women and violence, women and the economy, and the girl-child. The status of parliamentary implementation of the Beijing objectives in a few select countries is examined for each area of concern, followed by recommendations for further parliamentary action.

¹ Two observer members, Palestine and Switzerland, have also submitted National Action Plans; see <http://www.un.org/womenwatch/confer/beijing/national/natplans.htm>.

I. Women in power and decision-making

A. Strategic objectives

- Gender equality in government programmes, committees, public administration, and the justice system.
- Recording, analysis, and publication of data on women and men in various decision-making positions.
- Better compatibility of family and career by sharing parental responsibility.
- Inclusion of gender-specific issues in political programmes.
- Restructuring of hiring and career advancement programmes.
- Leadership and self-esteem training programmes to strengthen women and to encourage them to assume decision-making positions.

B. Status of implementation in select countries

4. The percentage of women at the highest levels of national and international decision-making has not changed significantly since Beijing, despite an active policy on gender equality. Women remain the exception at the executive level. Even though women in industrialised countries are on a par with men in terms of educational and career training qualifications, worldwide they hold less than ten per cent of the managerial positions in industry, public service, government, and higher education.

5. Women account for 15.4 per cent of Members of Parliament worldwide.² Rwanda currently leads the world with the highest percentage of women in its national parliament (48.8 per cent). At the regional level, however, the Scandinavian countries have consistently ranked the highest with 39.7 per cent, while the Arab countries continue to be at the lower end of the spectrum, with 6.2 per cent.³ (See the Ranking of Women in National Parliaments, at Annex 1.)

6. The figures for Germany show a relatively high level of women in positions of political power and decision-making responsibility. Women currently account for 38.6 per cent of the positions of this kind in federal and state executive government, and 29.6 per cent of the German Bundestag (federal parliament). The figure varies from parliamentary group to parliamentary group as a result of the use of different quota systems.⁴

² IPU, Women in National Parliaments, <http://www.ipu.org/wmn-e/world.htm> as at 31 May 2004.

³ IPU, "Women Elected in 2003 – the Year in Perspective". It is important to note that the presence of Australia and New Zealand skews the percentage of women in the countries of the Pacific region. In fact, women represent 2.4 per cent of parliamentarians in the developing countries of this region.

⁴ The parliamentary group of Alliance90/The Greens has 55 seats, 58 per cent of which are held by women; the SPD has 250 seats, 38 per cent of which are held by women; the FDP has 47 seats, 26 per cent of which are held by women, while the CDU/CSU parliamentary group has 247 seats, 23 per cent of which are held by women. The governing parties use a principle of alternation; the political party of Alliance90/The Greens reserves every odd seat for women which effectively means that every top position is reserved for women. Within the SPD, at least 40 per cent of the functions and mandates must be held by women, within the CDU at least one third of the positions are reserved for women. The FDP disapproves of any quota system.

C. Further action

7. Despite the progress, it is clear that more needs to be done. Only 14 countries have at least 30 per cent representation of women in parliament, this being the benchmark set in the Beijing Platform for Action (paragraph 182). In most of the countries where the 30 per cent target has been reached (namely, Rwanda, Sweden, Denmark, the Netherlands, Norway, Belgium, Costa Rica, Austria, Germany, Argentina, Iceland and Mozambique), some kind of affirmative action measure has been instituted, such as reserved seats in Parliament, or electoral candidate quotas endorsed by political parties.

8. Affirmative action measures may not be sufficient by themselves. The electorate can also benefit from sensitisation campaigns, organised by the government or non-governmental groups focused on promoting the participation of women. Workshops can also be organised for women running for election, covering a variety of issues, including campaign strategies and constituency representation.

9. Institutions like the parliament need to become more gender-sensitive so as to ensure women's equal political participation with men and the introduction of gender-sensitive policies. A parliament's structure and rules, and the attitude of its members, can all have an impact on the capacity of women parliamentarians to contribute and participate fully.

10. In several parliaments changes and mechanisms have been introduced to create a work environment respectful of gender equality. In the United Kingdom for example, "family-friendly" sitting hours were introduced in 2000, allowing Members to return earlier to their constituencies and families. In addition to a change in sitting hours, women in South Africa were able to institute a crèche in the parliamentary building, and alter the rules governing Members' attire. In several countries, including India and Uganda, a parliamentary committee dedicated to women has been established, often with mandates to examine the gendered impact of all legislation.

11. In 1999, the German government recognised gender mainstreaming as an integral part of its work. This policy, also in place at the European level, means that the different life situations and interests of women and men need to be taken into account from the outset in any project planning, on the understanding that there is no such thing as gender neutrality in real life. Since 1999, federal ministries have been under obligation to take this policy into account in all executive, legislative, and administrative projects carried out by the federal government. Government-funded pilot projects have been carried out on ministry personnel development, on the conception, tendering, awarding, and realisation of research projects, as well as on the development of practical instruments for concept implementation in child and youth work. The ministries are called upon to assess gender-specific impact potentials when formulating draft legislation and to outline possible alternatives.

II. Women and violence

A. Strategic objectives

- Take integrated measures to prevent and eliminate violence against women.

- Study the causes and consequences of violence against women and the effectiveness of preventive measures.
- Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking.

B. Status of implementation in select countries

12. Eliminating violence against women remains a major priority and responsibility for all governments, particularly as violence against women and children is the most widespread of all human rights abuses.

13. Acts of violence against women most often occur within the family or at the community level. Violence in the family can take such forms as threat, intimidation, battery and sexual abuse of children, forced marriages, female genital mutilation and traditional practices harmful to women. In the community, violence takes the form of threats, rape, sexual abuse, sexual harassment, negative portrayal of women in the media, intimidation, trafficking in women and children, forced prostitution and violence against women in armed conflict. Domestic violence, for example, is not spoken openly about in Africa, as in other parts of the world, because it is regarded as a private matter.

14. Since the Beijing Conference, important steps have been taken at the international level towards eliminating violence against women:

- An Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the UN General Assembly on 6 October 1999, gives women the right to seek redress for violations of their human rights, including gender-based violence.
- Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice were adopted by the General Assembly in 1997.
- The Statute of the International Criminal Court, adopted in June 1998, specifically addresses gender-based crimes, as do the Criminal Tribunals for the Former Yugoslavia and Rwanda.
- A draft protocol to a new treaty — the proposed United Nations Convention against Transnational Organised Crime — focuses on trafficking in human beings, especially women and children.
- The Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa was adopted by the 2nd Ordinary Session of the Assembly of the African Union on 11 July 2003.

15. Governments have also been forthcoming by enacting legislation to protect women against violence. In Nigeria, for example, the Prevention, Protection and Prohibition Act (2002) outlaws violence against women. The Nigerian Government also provides funding for the support services for women victims of violence through free legal services, payment of medical bills, and facilitates the provision of alternate shelters or safe homes.

16. Namibia has passed the Combating of Rape Act (Act No. 8 of 2000) which gives protection against rape to young girls and boys as well as the Combating of Domestic Violence Act (Act No. 4 of 2003) which makes domestic violence a crime, and the Vulnerable Witnesses Bill. Women and Child Protection Units have also been established to provide temporary safety and shelter, counselling services and legal advice. A Plan of Action on combating gender-based violence was also developed.

17. Egypt has taken measures to prevent and eliminate violence against women through the establishment of the Ombudsman Office in the National Council for Women (NCW). It has also created equal opportunity units in line ministries as well as the National Criminal Social Research Centre, which conducts studies on violence against women. The country has developed a Gender Equality Measured through Statistics (GEMS) Project aimed at developing gender sensitive statistics for the Arab region in the area of violence against women.

18. In addition to laws on domestic violence, anti-stalking legislation and (in most States and Territories) legislation expressly banning female genital mutilation, Australia has introduced a number of initiatives aimed at violence prevention. For example, the Partnerships Against Domestic Violence campaign aims to develop knowledge about what actually works best, such as testing and researching new ways of addressing domestic violence, enhancing and sharing knowledge, developing and documenting good practice and educating the community. In 2001, the National Initiative to Combat Sexual Assault (NICSA) was introduced, and focused on making better use of existing sexual assault data; collecting new national data; and establishing a research body to explore issues relating to sexual assault.

19. Malaysia has taken several measures to prevent and eliminate violence against women such as awareness programmes and campaigns through out the country; introduced early education at home campaigns promoting gender awareness and the non-violation of women; provided support to the victims and their family; and empowered certain bodies to exercise auxiliary powers with respect to perpetrators.

20. The UK has prioritised eradicating violence against women in all its forms and bringing perpetrators to justice. In addition to the Crime and Disorder Act (1998), which statutorily requires local authorities to monitor the level of domestic violence, the UK Parliament has recently introduced the Domestic Violence Crime and Victim Bill focussing on prevention, protection and justice, the White Paper (Safety and Justice: the Government's proposal on domestic violence) 2003, as well as the Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations 2001.

21. Men's support for gender equality has taken a variety of forms, including advocacy, alliances and campaigns, and educational programmes for young men. Projects and programmes related to working with men and boys have been implemented by institutions ranging from Governments and large international organisations to small community-based groups. Networks of men against gender-based violence have, for example, been developed in many countries and men's groups and networks are challenging existing stereotypes and addressing men's roles and responsibilities in sexual relationships, as well as in the promotion of gender equality.

C. Further action

22. Combating and eradicating violence against women require enhanced and concerted efforts to protect women at the local, national and international levels. Parliaments should ensure that the laws they pass protect victims and punish perpetrators, and thereby redefine the limits of acceptable behaviour. Codes of conduct should also be established criminalizing sexual harassment.

23. Once adopted, parliaments should monitor the implementation and enforcement of such legislation. Sufficient resources must be allocated to programmes targeted at eradicating violence against women. Training programmes should be instituted for members of the legal profession. Women should be encouraged to enter those professions which have direct contact with victims of violence, such as the police, the law, and medicine. Research into the causes, extent, effects and prevention of violence perpetuated against women should also be conducted. Data must be systematically collected and analysed.

24. A comprehensive and multi-faceted approach to combating violence should both address the root causes of the problem and treat its manifestations. Society at large, including legal professionals and police officers, must be educated to change the social attitudes and beliefs that encourage male violence. Men themselves have a critical role to play in this. Combating violence against women requires challenging the way that gender roles and power relations are articulated in society, particularly where women have a low status, or are considered inferior. Sensitisation campaigns must be organised on the issue of violence against women, educating boys and men to view women as valuable partners in life, in the development of a society and in the attainment of peace. The media should also be discouraged in portraying sensational images of crimes of violence, especially against women.

III. Women and the economy

A. Strategic objectives

- Increase in the number of women in employment;
- Equal status in the work process and equal pay;
- Equal access to resources (economic services, educational opportunities, access to markets, information, technology);
- Elimination on the labour market of gender-related job categories corresponding to traditional women's and men's professions;
- Improvement of the compatibility of career and family.

B. Status of implementation in select countries

25. A United Nations report on the situation of women in the economic sphere shows contradictory trends.⁵ Since the World Conference on Women in Beijing, many countries have taken measures to increase the percentage of women in employment, to afford housewives and women without steady employment access to social security protection, to create opportunities for rural women to purchase land and other property, as well as to make it easier for women to start their own businesses through low-interest loan schemes and targeted financial assistance. A number of countries have passed laws aimed at ensuring gender equality and preventing sexual harassment in the workplace.

26. Yet despite these measures, the economic situation of women around the world has not improved. The process of globalisation has continued to accelerate. This has been accompanied by further deregulation of the labour, services, and financial markets. Poor women, particularly rural women and immigrants, have been the hardest hit by the economic crises that have taken place in Latin America, Southern Asia, and Eastern Europe.

27. According to UN findings, this has led to an increase in gender inequality with regard to job quality, working conditions, and pay for women. The work done by women in the services sector and in part-time jobs continues to be undervalued. The will of women to start their own businesses is growing around the world. At the same time, more and more women are being forced into the informal sector, where they are trapped in jobs that provide fluctuating income at subsistence levels and with insufficient or non-existent social security.

28. Around the world, the desire of women to have careers and income levels that provide them financial security is in conflict with prevailing attitudes regarding gender roles, according to which women are the ones who are responsible for raising children and taking care of the family. The compatibility of career and family is one of the keys to gender equality in the economic sphere. The reform of statutory social security and health insurance systems as a result of the demographic changes taking place in the industrial countries will mean women will again inherit the role of primary caregivers, given their "traditional" responsibility in this sphere.

29. Despite an increase from 5 to 8 per cent since 1999, the share of women in top managerial positions in industry continues to be very low. By comparison with other countries, women in Germany are strongly underrepresented in managerial positions in small and medium-sized enterprises, accounting for only 16 per cent of the total. The leading countries in this economic sector are Russia (42 per cent) and the Philippines (39 per cent). The international average is around 20 per cent.

30. At the same time, the share of women in part-time employment is 30 per cent for the enlarged EU, well above the figure of 7 per cent for men.⁶ There is a gender-related pay differential of 16 per cent in the average in the EU, which is of 30 per cent within Germany. Based

⁵ UN ECOSOC, Review and appraisal of the implementation of the Beijing Platform for Action. Report of the Secretary General. 19.1.2000, E/CN.6/2000/PC/2.

⁶ "Report on equality between women and men, 2004", European Commission, 19 February 2004, COM(2004) 115.

on information from the United Nations Statistics Division, this figure is considerably higher in many non-European countries.⁷

31. The percentage of women who are employed has increased in Germany. Today women account for 43 per cent of the total workforce. However, there are opposing trends in the east and the west of the country. In the east – the former GDR – the employment rate for women, i.e. the percentage of women of working age who are employed, was more than 90 per cent in the early 1990s. Since then it has declined to a present level of 72 per cent. In the west the employment rate for women has risen to 62 per cent. The overall amount of time worked by women declined between 1997 and 2000. This is a result of women's increasing tendency to be employed part-time, whether this be by choice or economic necessity.⁸

32. The rules on parental leave have been reformed to improve the work and family balance for mothers and fathers. The Law on Part-Time Work and Time-Limited Work Contracts of December 2000 for the first time created a general right to part-time employment in the job market. The availability of child care facilities continues to be insufficient.

33. Tax incentives, mainly in northern European countries, for employers who provide child-care facilities, and parenting regulations that create obligations for both parents, have also improved the compatibility of work and family. In Sweden for example, specific incentive structures made it possible for the number of fathers who also take family leave to increase from 2.8 per cent in 1974 to 36.2 per cent in 1999.

34. In Canada, the national contributory pension plan has been changed to ensure that women are not penalised if they leave the labour force for a period to raise their children. This plan effectively means that fewer women will become burdens on the State because of poverty in their old age.

C. Further action

35. Many of the measures governments have taken since Beijing have not been effective as a result of their not being sufficiently financed or systematically implemented. Furthermore, many women are not always aware of their economic rights and the opportunities available to them for financial assistance.

36. A number of funding programmes and projects have been created to help implement the Platform for Action in Germany. They include agreements between the federal government and private industry, and regularly published federal government reports and statistics on the advancement of women showing the percentages of women employed in different areas. However, the agreement between the federal government and the private sector on the advancement of women in the corporate sphere has not yet had the desired effect.

⁷ "Report on equality between women and men, 2004", European Commission, 19 February 2004, COM(2004) 115. UN statistics: "The World's Women 2000", <http://unstats.un.org/unsd/demographic/ww2000/table5g.htm>.

⁸ Some 42 per cent of women are employed in part-time jobs in the west of the country, as opposed to 23 per cent in the east. Only five per cent of men work part-time.

37. Projects aimed at promoting the rise of women to positions of leadership were created in the framework of the medium-term Community action programme on equal opportunities for women and men (1996-2000), e.g. a mentoring project by Deutscher Jugendbund e.V and a project entitled "Preparing Women to Lead" by the Technical University of Berlin. The federal government and a number of state governments created programmes to promote business start-ups by women.

38. Globally, more needs to be done to fully value and assess women's input, be it paid or unpaid, to the economy. This can be done by encouraging and developing research on women's input to the economy, by developing appropriate statistical tools and by obliging government departments to disaggregate by sex all the data they collect.

39. Parliamentarians must also ensure that economic policies are gender-sensitive. Gender should be considered a cross-cutting issue, and women must be involved in the elaboration of all public policies. More women should be appointed to those parliamentary committees dealing with finance and the economy. Women must be encouraged to enter the economic decision-making arena, and training should be provided so as to enable women to reach positions of seniority.

40. Ensuring that budgets are gender-sensitive has proven effective in a number of countries, but many more should be institutionalising this practice in parliament. Gender budgeting requires political will, adequate resources and capacity, and a high level of budget 'literacy' amongst civil society partners and within women's policy-making machinery. Partnerships between parliamentarians, civil society groups, researchers and budget analysts can increase and sustain pressure for the introduction of policy changes in support of gender equality goals.

IV. The Girl-Child

A. Strategic objectives

- Eliminate all forms of discrimination against the girl-child.
- Eliminate negative cultural attitudes and practices against girls.
- Promote and protect the rights of the girl-child and increase awareness of her needs and potential.
- Eliminate discrimination against girls in education, skills development and training.
- Eliminate discrimination against girls in health and nutrition.
- Eliminate the economic exploitation of child labour and protect young girls at work.
- Eradicate violence against the girl-child.
- Promote the girl-child's awareness of and participation in social, economic and political life.
- Strengthen the role of the family in improving the status of the girl-child.

B. Status of implementation in select countries

41. The girl-child faces discrimination through various phases of her life. Her low status is reflected in the denial of fundamental needs and rights and in such harmful attitudes and practices as a preference for sons, early marriage, female genital mutilation, domestic abuse, incest, sexual exploitation, discrimination, less food and less access to education. Due to the HIV/AIDS pandemic, children have become parents caring for their young brothers and sisters after the death of their parents and have become forced to look for any means of survival, including carrying out sexual favours. Girls are especially vulnerable in this regard.

42. At the Beijing Conference in 1995, African nations joined forces to push for the inclusion of the girl-child as one of the Platform's critical areas. Six countries in the Southern Africa Development Community (SADC) region, namely, Angola, Botswana, Malawi, Namibia, Swaziland and Zambia, declared their commitment to making the welfare of the girl-child a priority in their respective countries.

43. Since that time, various efforts have been made by governments, parliaments and NGOs, to safeguard and improve the situation of the girl-child. An increasing number of countries have introduced legislation to ban female genital mutilation and imposed heavy penalties on offenders.

44. In Nigeria, while not yet enacted at the State level, draft bills have been introduced, such as Criminal Code (Amendment) Law (2000), prohibiting the discriminatory and exploitative practices of trafficking in women and girls for prostitution and other immoral acts. Another is the Girl-Child Marriages and Female Circumcision (Prohibition) Law (2000) that prohibits child marriage and impregnating of a girl-child as well as circumcision or mutilation of her genital organ whether or not her consent is obtained. The Nigerian Parliament has passed a Child's Rights Act (2003), which sets out the rights and responsibilities of a child and provides for a system of child justice administration.

45. Egypt has passed a Personal Status Law (2000) ensuring women's rights, including the right to terminate marriage under certain conditions.

46. In Malaysia, the Child Act (2001) was designed to provide care and protection to all children. The Ministry of National Unity and Social Development established the National Advisory and Consultative Council on children, in addition to the Coordinating Council for the Protection of Children.

47. Namibia has passed a Children's Act aimed at protecting the rights of all children. The Namibian Women's Association (NAWA), an NGO, has a Girl-Child Project aimed at preparing girls to take up positions of leadership and to narrow the existing discrepancy between men and women in key positions. The Girl-Child Association of Namibia also provides skills to the girl-child.

48. Senegal and Tanzania have passed legislation that prohibit female genital mutilation. Tanzania has the Sexual Offences Special Provisions Act (1998) that makes female genital mutilation a criminal offence.

49. The United Kingdom has passed the Female Genital Mutilation Act (2003). The Act makes it an offence to carry out female genital mutilation and anyone convicted of doing so could face a maximum penalty of 14 years imprisonment. The country also passed the Sexual Offences Act (2003) creating a new range of offences specifically designed to offer children less than 13 years, the maximum protection the law can offer.

C. Further action

50. Despite these important steps, there remains a continued cultural discriminatory attitude towards girls, as well as a lack of financial resources, which prevents them from completing their education and training. In addition, there are few established national mechanisms to implement policies and programmes for the girl-child. Throughout the southern African region, for example, there is a lack of services available to children who have been sexually exploited for commercial purposes. Shelters and services for abused children have been established in some countries in the southern Africa region but overall they are not especially adequate for the girl-child.

51. This is clearly the case, for example, with respect to the issue of female genital mutilation. Governments have a tendency to leave the matter to the community concerned, on the grounds that the decision is a tribal/cultural one. Public campaigns to sensitise, educate and mobilise people against FGM must be organised, and substantial funds need to be committed to these projects.

Sources:

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