



Women and Democratisation

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The achievement of genuine equality between women and men is of the first importance for the OSCE/ODIHR. In the spirit of OSCE and other international commitments, and on the basis of indivisibility and universality, the OSCE ODIHR can make a distinctive contribution to promoting, achieving and maintaining the goal of all human rights for all, without discrimination.

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This report is one of a series of papers prepared under the auspices of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe for the benefit of participants at the 1998 Implementation Meeting on Human Dimension Issues. Every effort has been taken to ensure that the information

contained in this report is accurate and impartial. We are grateful to a number of experts for their valuable contributions to this series.

These papers are intended to highlight key issues and to promote constructive discussion; the opinions and information they contain do not necessarily reflect the policy and position of the Office for Democratic Institutions and Human Rights or of the Organization for Security and Co-operation in Europe. Any comments or suggestions should be addressed to the ODIHR.

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ANNEX 1

OSCE commitments on equality between women and men

EXECUTIVE SUMMARY

The aim of this report is to re-emphasise the difference between equality in law, both international and domestic, and equality in fact. Women throughout the OSCE area, notwithstanding international legal and political commitments, constitutional clauses and domestic legislation, continue to fall behind men in the enjoyment of fundamental rights and freedoms. The OSCE, particularly through its human dimension, could make a distinctive contribution to achieving genuine equality for women who, along with men, make up the one common humanity.

The first section of the report provides a brief overview of international standards, including CSCE/OSCE commitments, the Convention on the Elimination of All Forms of Discrimination Against Women and the Beijing Declaration and Platform for Action.

The report then focuses on some of the key issues relating to women in the democratisation process. First, it looks at domestic legislation and the rule of law, and the role that a strong commitment to equality in constitutions and legal acts can play. It emphasises that such domestic legislation must conform with international standards not only on paper, but also in practice: here, the need for effective remedies is discussed briefly.

Second, the report focuses on political representation. The emphasis is on representation in national parliaments, but the need to increase the representation of women at regional and local level is also discussed. The report then discusses electoral systems and the role that different systems can play in increasing the number of women elected to parliament.

While increasing the number of female representatives is vital, it is also vital that their participation in elected bodies is effective: that is, that they have access to decision-making across the policy spectrum, that their views are taken seriously and incorporated into decisions. In other words, the mere presence of women in elected bodies is not enough. Finally in this section, the report looks at women as voters. In most participating States, women make up at least 50% of the electorate. Recent evidence, particularly from the United Kingdom, has shown that targeting women as voters, and taking their needs and aspirations into account in party policy, can and do make a significant difference to the outcome of elections.

Building democratic societies means creating and safeguarding a place for civil society. In the section focusing on the role of NGOs, the report emphasises that NGOs have an essential role in democratisation, and calls for the inclusion of and support for organisations that focus on the human rights of women. Such organisations have been successful in many countries in providing a voice for the concerns of women, in calling for greater attention to be paid to women's practical and strategic needs, and in monitoring the success of initiatives directed at the promotion and protection of human rights for women.

The report goes on to look at education and vocational training. Two areas are discussed. First, access to education and vocational training for women. Here, the evidence is that access to education for women and girls is generally good in OSCE participating States, although statistics on this area tend to combine enrolment in primary, secondary and tertiary sectors: it would be helpful if figures could be provided separately for each sector. Access to opportunities for vocational training for women is more difficult to assess, and the report includes a recommendation for participating States to provide more information on vocational training. Second, the content of education is discussed.

Equality in the economic sphere, that is, access to the labour market, follows from access to education and vocational training. The report discusses the impact of major structural economic changes in Central and Eastern Europe and assesses evidence that women are facing increasing levels of discrimination in the labour market.

Violence against women by state and non-state actors is one area that has received increased attention at international level in recent years. Physical and psychological security for women – a safe and supportive environment free from violence or the threat of violence – is vital if women are to be able to participate fully in society at all levels. In this section of the report, methods of combating violence against women are highlighted. Also of major concern is trafficking in women – another area currently receiving much-warranted attention. The report emphasises not only the need for remedial action to punish violence against women and trafficking in women, but also the need to address the root causes of these problems.

Women and women's organisations have a vital part to play in conflict prevention and conflict resolution at international, national and local level. It is emphasised that while women and children are among the most vulnerable groups in a conflict, they should not be perceived only as victims: they should be specifically targeted in capacity building projects to provide them with the concrete skills, and included in all efforts to maintain or restore peace.

The final section of the report focuses on information, feedback and monitoring. Here, the report focuses on the need not only to consult with and incorporate women's needs and aspirations into law and policy, but also the need to gather information from the ground that can be used to design and evaluate the effectiveness of measures to promote genuine equality. OSCE Missions, Ombudsmen, and national human rights institutions could all play a vital role in providing information on the situation of women, and the effectiveness of measures taken to promote genuine equality. This information can inform future initiatives and, in turn, evaluate their effectiveness.

Throughout the report, informal recommendations on specific action that could be taken by the ODIHR, the OSCE as a whole, and by participating States and NGOs have been included. Among these informal recommendations are calls for the OSCE to mainstream gender throughout its policies, programmes and activities; for participating States to provide information about access to each educational sector and to vocational training; for the appointment of a Gender Focal Point in each Mission; and for the ODIHR to work with participating States, Ombudsmen, national human rights institutions and NGOs to develop tools to monitor problems and progress in the achievement of genuine equality. The need for the ODIHR to co-operate effectively with other international organizations is also the subject of a recommendation.

The report describes the ODIHR's commitment to the principle of all human rights for all, without discrimination and on the basis of indivisibility. It concludes by emphasising that there are two different genders in the one common humanity. The promotion and achievement of genuine equality is essential to the aim that in the OSCE area, there can be no zones of lesser humanity.

1. INTRODUCTION

Democracy requires popular control over decision-making and equality of rights in the exercise of that control. All eligible members of a society - women and men - must be able to take a full part in decision making at every level according to the principle that every person should count as one, and no more or less than one. These principles also hold true for democratisation - the process through which democracy is achieved. If women and men are not equally involved in the design and implementation of policies, legislation and enforcement mechanisms at every stage, then the system that emerges will not be properly democratic.

International standards generally list a whole series of identifying factors that may be the basis for discrimination - race, language, religion, political or other opinion, property, birth or other status. In addition, discrimination on grounds of sex is prohibited. The purpose of the focus on women in democratisation is not to ignore these other vulnerable groups, nor to ignore society as a whole. Rather, it is to make the point that women, as members of all groups and of the wider society consistently face discrimination and are often ignored, sidelined or not properly taken into consideration in the formulation, implementation and evaluation of policies, projects and programmes. Even where the problems and interests of particular groups are focused upon, the concerns of women within those groups may not be addressed. The result for women in all their different roles is the perpetuation and institutionalisation, intentional or unintentional, of gender inequality.

Addressing and eliminating these inequalities requires a range of actions at international, national and local level. This action is not solely the preserve of women. The danger that women are seen only to speak for women and that men only speak for men must be avoided: ultimately, both must speak for and be involved in the creation of an equal society. The evidence from societies that are most successful in working towards equality is that an holistic approach is required - gender must be taken into account in the design, implementation, monitoring and evaluation of projects, policies and legislative programmes at every level and should involve both women and men. This approach - gender mainstreaming – has been defined by the United Nations as follows:

“Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.”

Discrimination on grounds of gender is a problem of legislation, policy and projects, but also of attitude - the belief that women are not as capable, or intelligent, or as economically able as men, which leads to women and girls being socialised into certain roles. In fact, most women and girls have multiple roles - in family, in community and in their work outside the home, that lead them to work longer hours than men for less economic reward. Their contribution is largely ignored or undervalued in national statistics on productivity and by society as a whole.

The Office for Democratic Institutions and Human Rights has received financial support from the United Kingdom enabling it to appoint an Adviser on Gender Issues, to oversee the process of mainstreaming gender into the work of the ODIHR and to assist with mainstreaming in the OSCE as a whole. This report focuses on some of the issues that will be central to that work among participating States, starting with a brief overview of the relevant international standards. It will focus also on those areas where ODIHR and participating States can make a specific contribution. It must be emphasised that as well as looking outward to participating States for a genuine commitment to and implementation of action to achieve real equality, the OSCE must look inward, at its own record, policies and practice and ensure that its internal structures do not intentionally or unintentionally discriminate against women. It should also be noted that the purpose of gender mainstreaming is not to discriminate against men, but to ensure that the outcome of all activities is the achievement of genuine equality for women and men - that is, equality in *fact* as well as in *law*.

It is not the purpose of this report to raise expectations that OSCE ODIHR cannot fulfil, and tackling discrimination against women requires the effective promotion of *all* human rights for *all* people. ODIHR, like other international agencies, does not have a mandate or the resources to work effectively on all aspects of the task. Co-operation with other international agencies with complementary mandates is essential. Also essential is consistent work with the governments of participating States. Finally, it is essential for ODIHR to consult and take seriously the views of a wide range of women and men and their representatives, and with women's NGOs but also with all human rights NGOs.

It is not possible to discuss every gender issue within the scope of this report. Rather than attempt such a task, certain areas in which the OSCE ODIHR can most quickly make an impact have been highlighted. The OSCE ODIHR, within its areas of comparative advantage – election observation, building democratic institutions, and the rule of law - can make a distinctive contribution to the promotion and achievement of genuine equality. The OSCE has already achieved some success on identifying and improving the situation of national minorities and of Roma and Sinti, vulnerable groups within wider society. Yet membership of a minority is not just a matter of numbers: it is also a question of unequal individual access to power and decision-making in the economic, social, familial and political spheres. In all these areas, women continue to face discrimination, notwithstanding the promulgation of domestic and international standards that espouse equality. If genuine equality between women and men is ignored, then the rights that the OSCE and its participating States are committed to guarantee are only halfway to being human rights.

2. INTERNATIONAL STANDARDS

In principle, all international human rights standards - political, legal and moral - are founded on equality and non-discrimination. In practice, it has proved necessary to elaborate specific standards and plans of action on the human rights of women in order to keep equality on the agenda, to push for progress and to counter stereotypes. In other words, specific efforts must be made to address and change inequality - simply establishing standards will not eradicate injustice.

2.1 The CSCE: The Helsinki Final Act, Principle VII:

“The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.”

The main standards specifically on the human rights of women are found in the Moscow Concluding Document of 1991 and are reproduced in Annex I to this report.

2.2 The United Nations

The Charter of the United Nations, 1945, Article 1(3) proclaims that one of the purposes of the United Nations is..

“To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian nature, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion...”

The Universal Declaration of Human Rights, Article 2, states

“Everyone is entitled to all the rights and freedoms set forth in this Declaration without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Article 2 of the International Covenant on Civil and Political Rights broadly mirrors the UDHR, adding that

“Each state party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Article 26 of the same Covenant states that:

“All persons are equal before and law and are entitled without any discrimination to the equal protection of the law...”¹

The Human Rights Committee has stated that this right is autonomous² and that it extends to economic and social rights as well as civil and political rights.

¹ The Human Rights Committee treats Article 26 as an autonomous right, and extends its protection to economic and social as well as civil and political rights. See Tomaševski K., in Eide et al (eds), *Economic, Social and Cultural Rights: A Textbook*, Nijhoff, 1995.

² That is, applicants can claim a violation of this right on its own. In contrast, the current situation under the European Convention is that Article 14 (non-discrimination) can only be argued in conjunction with another right in the Convention – for example, discrimination on grounds of sex as a result of a violation of a media law that denied women the right to publish newspapers. The Council of Europe is currently drafting an Additional Protocol that would allow applicants to claim discrimination without also having to claim a violation of another right.

The International Covenant on Economic, Social and Cultural Rights adopts a different approach, stating in Article 3 that:

“The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.”

2.3 The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Over 160 states have ratified or acceded to CEDAW. Among OSCE participating States, almost all are now party. However, the large number of often sweeping reservations to the treaty remains a concern. Arguably, some of the reservations are so sweeping as to be incompatible with the object and purpose of the treaty. Paragraph 40.2 of the Moscow Concluding Document commits participating States that are party to CEDAW to comply with it, and urges States not party to the Convention to ratify. The same paragraph urges States party to CEDAW to consider withdrawing any reservations to the treaty, mirroring similar calls from other international organisations, from States and from NGOs.

The Convention was drafted because in spite of all the provisions on equality in international and in some domestic laws, equality in the promotion and protection of human rights and fundamental freedoms *in fact* had not been achieved. It still has not been achieved. Therefore, CEDAW re-emphasises the obligation of States party to guarantee equality in law and in fact, and to implement and monitor policies that are effective in achieving *de facto* equality, including temporary special measures to speed up the process. The Preamble of CEDAW notes that in spite of declarations, conventions, resolutions and recommendations, ‘extensive discrimination against women continues to exist’.

CEDAW makes the case for equality in terms of the social and economic advantages to be gained and it emphasises the need to change attitudes and combat stereotypes as well as the need to amend laws and policies. It also defines discrimination:

“For the purposes of the present Convention, the term ‘discrimination against women’ shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality with men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civic or any other field.” (Article 1).

In 1992, following agreement by the Committee on the Elimination of Discrimination Against Women on general recommendation no. 19, this definition was extended to include gender-based violence - ‘violence that is directed at a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.’

While CEDAW specifically obliges states to impose ‘sanctions where appropriate’ to combat discrimination at national level, scrutiny of states’ practice at international level is extremely weak. Currently, implementation of the rights in the Convention is scrutinised only under the state reporting system, a process overseen by the Committee on the Elimination of Discrimination Against Women. Added to the weak mechanism for monitoring implementation, a persistent concern is that many states are late in submitting these reports; delays of one, two, three or more years are common. The question of enforcement of the Convention has been under review for some time, and a draft optional protocol has been prepared that would allow individual complaints alleging violations of the Convention.

2.4 The Beijing Declaration and Platform for Action

All OSCE participating States have participated in and supported the adoption of the Beijing Declaration and Platform for Action - the result of the 1995 Fourth World Conference on Women.³ The Platform calls on all states to produce and to implement plans covering key areas of concern:

- The persistent and increasing burden of poverty on women (on global figures, women constitute 70% of the world's poor)
- Inequalities and inadequacies in and unequal access to education and training
- Inequalities and inadequacies in and unequal access to health care and related services
- Violence against women
- The effects of armed or other kinds of conflict on women, including those living under foreign occupation
- Inequality in economic structures and policies, in all forms of productive activities and in access to resources
- Inequality between men and women in the sharing of power and decision-making at all levels
- Insufficient mechanisms at all levels to promote the advancement of women
- Lack of respect for and inadequate promotion and protection of the human rights of women
- Stereotyping of women and inequality in women's access to and participation in all communication systems, especially the media
- Gender inequalities in the management of natural resources and in the safeguarding of the environment
- Persistent discrimination against and violation of the rights of the girl-child

The Platform builds on the Vienna Declaration adopted at the World Conference on Human Rights of 1993, in which the commitment to indivisibility of rights was affirmed:

“The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community.”⁴

There is still confusion about what treatment to improve the status of women will count as discrimination against men. The UN Human Rights Committee provides the following definition:

“Not every differentiation of treatment will constitute discrimination, if the criteria for such differentiation are reasonable and objective and if the aim is to achieve a purpose which is legitimate under the Covenant”.⁵

Further, the Committee has identified a positive obligation upon states to take “affirmative action designed to ensure the positive enjoyment of rights”.⁶

³ Some states announced reservations to certain provisions of the Beijing document.

⁴ Vienna Declaration and Programme of Action, part 1, para 1, adopted by the World Conference on Human Rights, Vienna, 25 June 1993 (A/CONF.157/24).

⁵ General Comment no 18 para 13 (UN doc.A/45/40), 1989.

⁶ General Comment no 4, para 2 (UN doc A/36/40), 1981.

SELECTED KEY ISSUES

The following section draws on evidence and concerns from a range of OSCE participating States, as well as from the specific issues raised at the two seminars on women held by the OSCE ODIHR.⁷ Copies of both reports are available from the Conference Secretariat. We have also drawn on information from other OSCE ODIHR seminars and we would emphasise that every subject covered by these seminars and by the Organisation's work as a whole is vital to the promotion and protection of the human rights of women.

3. THE LEGISLATIVE FRAMEWORK and the RULE OF LAW

A strong legislative and constitutional framework that is supportive of equality in law is a vital component of democracy. For States party to the conventions outlined above, and others, there is a legal obligation to ensure that their domestic law complies with international standards. OSCE commitments also require compatibility. The state reporting requirement under Article 18 of CEDAW is one obvious way of testing compatibility of domestic with international law, though as we have seen, many states are falling behind in submitting their reports. The General Comments to the International Covenant on Civil and Political Rights also provide guidance to states party on the scope of Article 26 (non-discrimination) and the issues on which the Human Rights Committee seeks information.

For States party that have recently acceded to international conventions, assistance may be required in bringing domestic law into conformity with these international obligations. Through its existing and future rule of law projects, this is one area that the OSCE ODIHR could tackle effectively, assisting participating States to review their domestic legislation to ensure its conformity with international commitments.

3.1 Effective remedies

Legislation alone cannot tackle discrimination. If the application of the legislation is not monitored, and if enforcement mechanisms are not clear and accessible, then the law cannot be regarded as providing an effective remedy. Where new laws or decrees are promulgated, it is essential that their provisions are widely known – paragraph 13.9 of the CSCE Vienna Concluding Document requires that “[e]ffective remedies as well as full information about them are available to those who claim that their human rights and fundamental freedoms have been violated...” and that legal literacy training is provided in using the enforcement mechanisms. One target of legal literacy training must be women, based on consultation with them about their needs. This is one area in which the ODIHR could provide assistance, focusing on building capacity at national level. Further, it is necessary to complement the legal framework with the creation of a culture in which women's contributions, opinions, needs and aspirations are taken seriously. Essential to this work is increasing the numbers of women in national, regional and local government and ensuring that, once elected, they have access to decision-making at all levels.

4. POLITICAL REPRESENTATION

4.1 Representation at national, regional and local level

Ensuring full political representation for women involves not only finding ways to increase the number of women elected to national parliaments, but also ensuring that they are properly represented at regional and local level. A high percentage of women in elected positions, however, is not the full story. Their views must be taken seriously and incorporated into effective legislation, policies and activities.

⁷ ‘The Promotion of Women's Participation in Society: Consolidated Summary of the Warsaw Human Dimension Seminar, 14-17 October 1997’, and ‘Women in Public Life: Regional Consultation in Central Asia, Tashkent 16-18 June 1998 - Final Report’.

Information on representation at national level is widely available. The figures reproduced here are taken from the Inter-Parliamentary Union database.⁸ The average percentage of women in the lower house⁹ of parliament for the OSCE area as a whole is 15.2%, against a world average 13.1%. While the average figure for OSCE participating States is higher than the world average, it includes the high-ranking Nordic states, where average percentage of women in the lower house is 36.7%. If the Nordic countries are taken out of the OSCE equation, the average percentage of women in the lower house of parliament for OSCE participating States falls below the world average, to 12.9%.

Increasing the numbers of women in national parliaments is one of the key issues that emerged from the Tashkent consultation, and is raised consistently by the Committee on the Elimination of Discrimination against Women in its consideration of state reports. The issue is of concern because while there is no reason why male representatives should not promote and ensure gender equality, continuing discrimination against women indicates that women themselves must have access to power at the national level in order to be effective. The Nordic countries and the Netherlands, with the highest percentage of women in parliament, are among the most successful in the world at promoting gender equality throughout society.¹⁰ The link between higher numbers of women in parliament and increased action on gender issues is clear.

One controversial way to increase the number of female elected representatives is the use of quotas. Quotas may take several forms: statutory quotas where a set proportion of elected representatives must be women; quotas requiring parties to put forward a certain proportion of female candidates;¹¹ and informal quotas, where political parties choose to reserve a certain number of places on a party list for women. The issue of quotas remains hotly debated, though 'temporary special measures aimed at accelerating de facto equality' are specifically envisaged in Article 4 (1) of CEDAW. Debates on the introduction of thresholds in political parties could provoke the latter into rethinking their appointment procedures.

In many former socialist countries, quotas mandated that at least one third of government representatives should be women. The abolition of the quota system following transition has led to a drastic drop in the number of female representatives in the national parliaments and governments in all the Central and Eastern European countries. For instance in Hungary, the highest number of female deputies was reached in 1980 with 30%. In the first election after 1989 the figure dropped to 7%.¹² This has now increased to 11%.¹³ In Russia, the number dropped from 30% to 5% in the first post-communist election,¹⁴ but has now increased to 10.2%.¹⁵ The numbers have been slowly inching upwards, but this is in some cases related to the success of a particular party, as some parties have more female candidates¹⁶, and can not yet be said to constitute a general trend. The highest percentage is found in Lithuania (17.5), whereas, for instance, Moldova still has only 5%, Albania 6% and Romania 7.3%. While it must be said that such low representation is not only found in the Central and Eastern European countries, Greece also has only 6.3%, and Turkey 2%, but on average, female representation is lower in Central and Eastern Europe than in Western Europe.

Electoral Systems

⁸ Available at '<http://www.ipu.org/parline-e/parline.htm>'. By mail, information can be obtained from the Inter-Parliamentary Union, C.P. 438, 1211 Geneva 19, Switzerland.

⁹ That is, the lower house in a bi-cameral system or the single house in a uni-cameral system.

¹⁰ See the section on good practice below.

¹¹ In an electoral system with party lists, it is important not only that women are on the ballot, but that they are placed in winnable positions: placing all female candidates at the bottom of the list may not lead to their being elected.

¹² 'The Underrepresented Sex' Druker, J., *Transitions* Vol.5 No.1 January 1998 pp.62-63.

¹³ Inter-Parliamentary Union PARLINE database.

¹⁴ 'Illusions perdues pour les femmes de l'est' Heinen, J., *Le Monde Diplomatique* December 1996, pp.12-13.

¹⁵ Inter-Parliamentary Union PARLINE database.

¹⁶ The Hungarian Socialist Party, which won the 1994 election, had a large number of women on its candidate list, as a result, 22 of the 43 female deputies elected came from the Socialist Party. Druker, J., *Transitions* Vol.5 No.1, January 1998.

A number of the democracies in Central and Eastern Europe, as elsewhere in the OSCE area, use the list system of proportional representation. Although there is strong evidence to suggest that proportional representation systems tend to benefit women candidates, there is still a clear trend of segregating female and male candidates on party lists. For majority representation system, evidence suggests that women had little chance of being elected unless they already figured among the political elite of the larger parties.¹⁷

One means of achieving progress is the creation of and concerted pressure from women's lobbies within the parties and for women to form cross-party coalitions. It is also important to increase political participation on local and regional level, not only for policy formulation, but also because it serves as a training ground. Experience in Western Europe has shown that a significant proportion of women in politics had first acquired their political skills in trade unions.¹⁸

Information on the representation of women at regional and local level is harder to come by than national statistics, not least because of the wide range of regional and local structures throughout the OSCE area. Participation in local and regional government, as well as in other institutional structures such as trade unions and NGOs, can prove an effective training ground for women. OSCE participating States might consider providing information on the numbers of women elected to local and regional bodies in order to assist the ODIHR in assessing the situation and seeking ways to promote and achieve greater gender balance.

4.2 Effectiveness

While increasing the numbers of women in parliament and at regional and local level would represent progress, it is only half the story. It is essential to guard against 'tokenism.' Simply increasing the numbers of women representatives is not enough if their views and concerns are ignored when decisions are taken. The Soviet quota system is widely regarded as having included women only as a cosmetic change – in terms of genuine access to power, and the backgrounds of the female representatives, the system was ineffective. At the Tashkent consultation, it was reported that in Kazakhstan today, 20% of deputy governors are women and in Turkmenistan all deputy mayors are women: in both cases, these women are generally put in charge of health and social affairs, roles often associated with women. In Kyrgyzstan, the body with primary responsibility for the status of women is titled 'State Commission on Women, Family and Youth Policy'. While it is encouraging that such bodies are being set up, there is a danger that women will be marginalised into certain socially or family-oriented areas. The consistent identification of women with certain policy areas is indicative of the type of gender stereotyping that sidelines women into so-called 'soft' roles such as culture and social affairs, and keeps them out of other key policy areas, such as trade, industry, transport and economic affairs.

First, then, women representatives must have access to decision-making bodies across the policy spectrum. Second, their views must be taken seriously and incorporated into decisions. There is no easy way to ensure that women's views are taken into account, particularly because it is often attitude that presents the greatest barrier to genuine participation. Generally, it is believed that women must make up, at a minimum, 30% of elected representatives – the critical mass that must be reached if women's needs and aspirations are to be translated into action. In the absence of such a critical mass, a range of factors may prevent women's voices from being heard. One such factor is stereotypical attitudes towards women – the belief that they have no place in government or, indeed, no place outside the home and family. How can attitudes be changed? Evidence from Denmark suggest that specific campaigns, such as the 'vote for a women' campaign, can be effective in encouraging people – not just women – to vote women into office, and in creating pressure on political parties to field female candidates.

It is also vital to work with women to provide training in key areas, such as leadership training, lobbying and networking skills. Women at the Tashkent consultation called for such training, and women in Central and

¹⁷ Council of Europe 'National machinery to promote equality between women and men in central and eastern European countries' 1994.

¹⁸ Council of Europe 1994.

Eastern Europe have already begun to benefit from projects aimed at strengthening political skills.¹⁹ Cross-party coalitions have also proved a useful tool for women in national parliaments, as has ‘mentoring’ of younger colleagues by experienced female decision-makers.²⁰ Similarly, it is vital to assist all elected representatives to create closer links with the electorate, to keep in touch with local needs and aspirations, and to create a continuing dialogue that feeds upwards into decisions taken at national level.

The ODIHR and the OSCE as a whole could contribute to efforts at national, regional and local level through its work in training and education. The effectiveness of action must be monitored and the results incorporated into further programmes to ensure that progress continues and that gains are not wiped out by the premature removal of measures aimed at achieving equality. Changes in law must be backed by a full range of measures that empower women and seek in the long term to change the attitudes that block or marginalise their participation.

4.3 Women as voters

In most countries, women make up at least 50% of the electorate. Consulting women and addressing their needs and aspirations effectively pays political dividends, as recent experience from the United Kingdom general election demonstrates. The lesson from this experience is that political parties should consult with women, design policies that take their needs and aspirations into account, run effective media campaigns that target women, and make efforts to mobilise female voters.

In order to influence the political process, women must actually register and use their votes, as well as making their voices heard when decisions are being taken on party policies. A range of measures is needed. These measures apply, generally, to all voters and to existing good electoral practice. However, it cannot be assumed that measures aimed at registering, educating and encouraging people to vote will automatically be effective for women. Some of the areas in which discrimination can and does occur are outlined briefly below. For all these areas, political parties, international organisations and NGOs as well as the media can make a contribution.

First, registration systems and laws must ensure that the maximum number of women voters are registered. Voter registration campaigns must target women specifically to ensure that they do register to vote. This is particularly important in situations where refugees or internally-displaced persons are being registered to vote. Where a high proportion of refugees and IDP’s of voting age are women, difficulties in registering members of these groups will tend to impact disproportionately on women. Third, voter education must be designed in such a way as to reach women as well as men, in urban and rural areas. Fourth, voting must be facilitated for women by ensuring that polling stations are accessible to them and open for long enough to allow them to vote. Sixth, evidence of intimidation at polling stations must be monitored. Sixth, the prevalence of family voting must be greatly reduced. Seventh, the secrecy of the ballot for all must be assured. Where people enter the voting booth together, or where no private polling booths are available, pressure can be brought to bear to vote in a certain way.

All the above areas are essential components of free and fair elections that apply equally to all voters. However, unless gender is taken into account throughout the process, it cannot be assumed that the process is free from discrimination.

The OSCE ODIHR, in its work on drafting and assessing electoral laws, should ensure that these laws do not discriminate against women candidates either directly or indirectly. The OSCE ODIHR’s Election Observation programme is also a key area in which the position and political participation of women can be observed and

¹⁹ Among other NGOs, Project Parity has run a range of courses for women in central and eastern Europe building leadership and political skills.

²⁰ See Ashworth, G., “Gendered Governance: An Agenda for Change”, from the UNDP gender resources website at ‘<http://www.undp.org>’.

evaluated. Much can be achieved without creating new areas for observers to monitor, but by ensuring that existing areas are monitored with gender firmly in mind. The information collected can be used both to form the basis of recommendations to governments and to design projects that address the needs and aspirations of women both as candidates and as voters. Both long-term and short-term observers can be provided with tools to monitor key areas in respect of women as well as of men so that gender-disaggregated information can be produced and analysed, and recommendations made and followed up.

5. CIVIL SOCIETY

Building a democratic society means creating and safeguarding space for civil society, including non-governmental organisations. NGOs are often regarded as merely a source of opposition and criticism by governments and indeed, it is an important function of non-governmental organisations to monitor, analyse and lobby for changes to government policies. Yet this is only one function of NGOs, and it can be seen in a positive as well as a negative light. A positive view is that NGOs provide essential focal points and mediators between government and the population as a whole or particular groups within that population, seeking to draw the government's attention to areas of special need or particular concern. NGOs can also meet needs that government's are unable to meet, for example in the provision of social welfare to vulnerable groups such as refugee populations, the elderly or victims of violence.

Non-governmental organisations that focus on women are present throughout the OSCE area and have been instrumental both in pushing for progress towards equality and for ensuring that those gains are safeguarded. By conducting research, monitoring the implementation of commitments, providing training and by providing support for women and women's organisations, NGOs have a vital role to play in achieving genuine equality. Where the number of elected women representatives is low, NGOs provide an essential voice for women's needs and aspirations.

In those countries represented at the Tashkent consultation, there were strong calls for support for networks of women's organisations at national and regional level. The OSCE ODIHR could assist in facilitating such networks, and in linking NGOs with long experience in the promotion of gender issues with NGOs new to this area. At the legislative level, it is essential to ensure that NGO registration laws do not discriminate against women's organisations either directly or indirectly. Further, the OSCE ODIHR could provide training directed at women's organisations to provide them with skills training in management, campaigning, media work, lobbying, legal literacy and in collecting and disseminating reliably attested information. The OSCE ODIHR would welcome information from NGOs and NGO networks on their existing and future programmes.

6. EDUCATION and VOCATIONAL TRAINING

Access to education and vocational training is a key issue in democratisation. While much emphasis has rightly been placed on human rights education, ensuring equality of access to education for girls and boys, women and men, is a prior and vital question. Equality of access to vocational training is also vital. Particularly in times of economic hardship, families may favour education for boys rather than girls. Girls may be expected to take on duties in the home that make it difficult or impossible for them to benefit fully from education. At tertiary level, it is essential to monitor the relative proportions and numbers of women and men studying at university or equivalent level - again, where education must be paid for, families may pay to educate male rather than female children at university, so that the number of women enrolling shows a decline.

Access to education also links to access to economic opportunities, and in particular, to access to certain careers. The denial of or restrictions on access to education can materially affect the enjoyment of other human rights, such as the right to vote, the right to stand for public office, the right to freedom of expression and to receive and impart information, the right to work and access to the right to an effective remedy.

Not only access to, but the content of education must be monitored. The materials and the teaching methods used in schools may discriminate against girls by showing women confined to certain roles, such as in the home, and thus perpetuating gender stereotypes. Just as education is an effective and essential means of instilling the values of tolerance, respect for the other, and critical evaluation of information, it can be effective in promoting positive images of a more equal society.

Outside the formal sector, it is vital that women enjoy access to vocational training on equal terms with men, or that specific training is provided for women. In social terms, the concept of 'lifelong learning', intended to allow those who have left formal education to continue to develop skills and expertise, to undertake further study, or to learn new skills, can assist in the creation of a more productive and effective workforce. For the individual, acquiring new skills can open opportunities for a new career, or to progression within a career.

While the latest figures available from the UNDP Human Development Report indicate that enrolment of women in primary, secondary and tertiary education in many cases exceeds that of men, the figures are not broken down to show the proportion of women in each sector. It would be useful to see these statistics disaggregated by sector as well as by gender. Participating states might consider providing such information to the OSCE ODIHR. The UNDP figures also show that women's earnings and their representation at senior level in private and public enterprises and in government still lags well-behind that of men.²¹ The obvious inference is that even where women are highly educated, they do not enjoy equality of access to economic opportunities. The following section covers this area in more detail.

7. EQUALITY IN THE ECONOMIC SPHERE

The fall of socialism has had a profound impact on all layers of society in Central and Eastern Europe, and has in some cases particularly affected the situation of women. The problem is not confined to the newly independent states - disparities in pay for women and men and in access to senior positions are evident throughout the OSCE area.

With the transition to a market economy, discriminatory practices in employment have increased, especially in the private sector.²² Occupational segregation, relating both to type of work and level of responsibility, as well as differences in wages, is evident, as in Western Europe. Women are often the first victims of recession, although this depends on the industrial structure of the country.²³ In Hungary, the restructuring hit mainly the industrial sector which was male-dominated. Light industry was not so severely hit. More women were employed following the development of the banking and insurance sector in Hungary, contrary to the pattern in the other Central and Eastern European countries.

The formerly extensive child-care systems in Central and Eastern Europe are being circumscribed by the closure of centres and the charging of high fees. For instance, in Lithuania, the number of children (ages 3-6) in public day care facilities has gone down from 76.4% in 1990 to 36.4% in 1993.²⁴ A sociological study also showed there has been a return to "traditional values" encouraging many women to stay at home to look after their children. Support for single mothers has been reduced, and at the same time the number of single parent families increased.

²¹ *Human Development Report*, 1997, United Nations Development Programme, OUP 1997. The figures referred to are in the Gender Empowerment Measure tables. However, the figures available date back to the 'latest available year'.

²² *Le Monde Diplomatique* Heinen, J., December 1996, pp.12-13.

²³ Countries with higher percentage of light industry, like Bulgaria and Hungary, experienced higher unemployment for men than for women, as the light industry was not so severely hit by restructuring.

²⁴ *ibid.*

Following economic restructuring, Eastern and Central European Countries have cut back on maternity benefits, particularly cash payments to mothers. Many women in Eastern Europe have lost their jobs, and hence no longer fulfil qualifying conditions for cash maternity benefits, following the deregulation of the labour markets, and the erosion of social security and employment protection. Officials in Russia say violations of women's labour rights have soared in recent years. The illegal firing of women during maternity leave or during nursing "has become a common fact, particularly when enterprises are restructured or change ownership".²⁵ Loss of continuity in employment is a major handicap for women's career advancement and is costly in terms of lost seniority and reduced pensions, paid annual leave and other employment-related benefits. Wage differentials between women and men continue to be a cause of concern.

8. PHYSICAL AND PSYCHOLOGICAL SECURITY

Violence against women by state and non-state actors, and the failure to provide mechanisms to punish the perpetrators, are a continuing cause for concern. The issue is both high on the international agenda and of primary importance to women. Creating social conditions in which women feel physically and psychologically secure is fundamental to women's ability to participate fully and equally in family life, economic life and political life. Physical and psychological security is part of the social and international order in which rights and freedoms can be fully realised.²⁶

The OSCE participating States committed themselves in the Moscow Concluding Document 'to seek to eliminate all forms of violence against women, all forms of traffic in women and exploitation of prostitution of women including by ensuring adequate legal prohibitions against such acts and other appropriate measures'.

The first stage in ensuring compliance with this commitment is to acknowledge the existence and the scale of violence against women. If no data are available, the governments of participating States and NGOs could take swift action to identify the scale of the problem. Collection of such data must feed directly into the creation of a legislative framework that provides redress for the victims of violence. The OSCE ODIHR could act as a clearing house for information from governments and NGOs on the scale of violence against women and for information on the measures that governments have taken to comply with their commitments to minimise and redress such violence.

Mechanisms set up to hear complaints must be accessible to women, and information about the mechanisms must be disseminated widely. Where domestic remedies are available, law enforcement officers must be trained to treat complaints seriously – sensitisation to the issue must be included in training programmes. The evidence is that many women are deterred from registering complaints because they are not taken seriously by law enforcement officers.²⁷ Beyond creating a legal and psychological climate in which women are able to make their initial complaint to the state authorities, the courts must also take such complaints seriously, implementing domestic laws consistently and effectively to indicate that violence against women is unacceptable, that it is punishable and that it will be punished.

Efforts to combat violence need not and should not be confined to the criminal justice system. The wishes of women who do not want to resort to legal remedies must be respected, and measures taken to secure their safety and to prevent further incidence of violence. A wide range of measures, directed both at women and at men, should be taken.

Support for the victims of violence is vital. Such support should address women's practical and their strategic needs, both by providing initial support in the form of shelters, social services, and counselling, and by

²⁵ RFE/RL 24 February 1998.

²⁶ See, for example, Article 28 of the Universal Declaration of Human Rights.

²⁷ See, for example, 'The Human Rights Watch Global Report on Women's Rights'.

providing opportunities for women to learn skills that will enable them to generate income and redress the economic inequalities that trap many women in violent situations.

Trafficking in women and girls is also of the utmost concern. Again, recognising the problem is the first step. The development and effective implementation of national, bi-lateral and multi-lateral legal and other initiatives to combat the problem is essential. NGOs can make a significant contribution to this work, in co-operation with governments and state agencies, by identifying the victims of trafficking, drawing attention to the problem, and working to support the victims of trafficking.

With both violence against women and trafficking in women, it is vital to address the root causes of the problem. The lack of economic opportunities for women, lack of effective legal and other remedies, and the social and cultural conditions that condone violence must be assessed and tackled effectively.

9. WOMEN IN CONFLICT PREVENTION AND RESOLUTION²⁸

In the field of political decision-making related to peace, security and conflict resolution, at national and international level, women are largely under-represented.

9.1 Capacity building

Capacity building within communities is a key element for building lasting democratic structures. Therefore it is essential to empower women who live or have lived in a situation of armed conflict to take action in resolving the conflict. Supporting women to become agents for peace contributes to the process of non-violent solutions of a given conflict or to conflict prevention on all levels.

Substantial consideration should be given to training programs in the different areas of conflict prevention and conflict resolution in all stages of conflict:

- analysis of the conflict;
- forecast and early warning;
- monitoring human rights;
- facilitating communication between potential enemies;
- building communication needs to outside the area;
- providing mediation and communication facilities;
- setting up stand-off peace negotiations;
- setting up round table peace conferences and carrying negotiations through;
- monitoring peace agreements;
- liaising with agencies involved in reconstruction;
- liaising with the International Court of Justice on war crimes and arranging investigations.

Training facilities for all of these tasks have to be provided to institutions and organisation involved in a conflict. In all these areas, women's experience in prevention and conflict resolution should be integrated.

After a cease-fire and a formal peace agreement, peaceful conflict settlement measures are of vital importance for ensuring sustainable peace. The root causes of the conflict often remain unresolved during the fighting and they need to be addressed and removed, if a stable peace and balanced social and political structures are to be set up. The immediate post-conflict period is also a time for profound change and reform. Political and economical institutions are created in response to the requirements of post-war recovery and long-term development. This is a good time to address existing gender inequalities and improve or introduce gender awareness in policy making. Gender awareness in this situation means that women's particular needs and

²⁸ This Section was contributed by Barbara Lochbihler, Director of the Women's International League for Peace and Freedom, Geneva.

vulnerabilities are addressed and their capacities, resources and rights are recognised, including their full participation in setting the political agenda. Women's role in post-conflict rehabilitation and rebuilding war torn societies can be also seen as part of long term conflict prevention work.

Women should participate at the decision making level in public life. The OSCE conference on women and peace in Tajikistan, February 1998, and the ODIHR consultations on Women in Public Life in Central Asia, in Tashkent June 1998, are successful examples to promote participation of women in the political process to the agenda of governments, international organisations and the media. Such conferences are developing concrete recommendation and strategies and serve to start or improve the co-ordination amongst women's initiatives and networks.

9.2 The role of the OSCE

The OSCE has an enormous amount of experience in conflict prevention and resolution, particularly through its field missions in various areas, different kind of conflicts at different times. This experience could be thoroughly evaluated in order to develop further the work and to integrate gender awareness. Until now, none of the long-term Mission mandates contain any specific reference to gender issues, apparently on the premise that this subject is efficiently covered in the general context of the Missions' democratisation and human rights efforts. It would be to the benefit of the OSCE – and in particular to its efforts at conflict prevention and resolution - to raise the profile of gender issues in Mission mandates. A number of high-level bodies and world conferences have recently adopted agreements committing international institutions and governments to take steps to ensure that gender awareness is integrated into their work. The OSCE should not fall behind other international organisations in this regard.

The issue of gender difference in political decision-making and conflict prevention and resolution is part of the broader problem of gender equality in all spheres of political participation and decision making. The OSCE needs to incorporate a gender-sensitive perspective in all of its activities and methods of work so as to be on the leading edge of those working for gender equality.

10. GOOD PRACTICE

While it is true that no country has achieved *de jure* and *de facto* equality between women and men, it is also true that much evidence of good practice is available. In the Nordic countries, for example, an holistic approach has been adopted with the provision of a legislative framework and enforcement mechanisms that extend from national level into private enterprise. In Norway, Finland and Sweden, for example, Gender Equality Ombudsmen have been set up to hear and investigate complaints and to conduct research and education campaigns under the auspices of gender equality legislation. In Denmark and Iceland, a Gender Equality Council is responsible both for drafting and implementing legislation.

In the economic sphere, women's access to the labour market has been facilitated. In Norway, for example, discrimination against women seeking work or promotion is prohibited by law. Public day care facilities have been provided for children whose parents work and efforts have been made to redefine responsibilities within the family to ensure that men share these responsibilities equally with women.

Governmental measures, and a high percentage of women in national parliaments, have been complemented by a strong civil society, that has worked with government to promote equality, identify problems and suggest solutions. In particular, women's organisations have worked to bring gender inequality onto the agenda, and to keep the issues in the public eye.

The OSCE ODIHR could act as a focal point for the compilation of information from participating States on the measures they have taken to achieve genuine equality, and information on the effectiveness of those measures.

11. INFORMATION, FEEDBACK AND MONITORING

It is not enough to put legislation or policies in place and hope that they work: any measure taken to promote genuine equality must be monitored and evaluated. The information gained from such monitoring and evaluation can be used both to adjust the legislation or policy to make it more effective (or, indeed, to start from scratch with new laws or policies) and to identify future needs and inform the design of new projects. The collection of such data is often regarded as a substitute for action. In fact, it can be a progressive action in itself and can inform the design and implementation of effective projects.

11.1 National human rights institutions and Ombudsmen

Working with planned and existing national human rights institutions, OSCE ODIHR could provide training and support to staff members with special responsibility for gender issues. The work would have two strands. First, Ombudsmen's Offices could be trained in the collection and analysis of gender-disaggregated information based on the complaints they receive. The ODIHR could work on producing effective tools to collect this information to ensure that it identifies not only the sex of the applicant, but also their locality and economic status. This information can be used to highlight areas where discrimination is particularly prevalent, and also to determine whether the complaints mechanism is being used by people in rural areas, and people from a variety of backgrounds. If only political élites based in major cities are using the mechanism, it must be adjusted to take into account the needs of a broad spectrum of society.

Information about the mechanisms available must be disseminated widely and, where appropriate, NGOs can act as intermediaries between Ombudsmen and potential complainants. In the design and dissemination of such materials, care must be taken that women as well as men receive the information and it must be clear that the mechanism is available to all.

With National Human Rights Commissions, ODIHR could implement other types of monitoring, focusing on issues identified either by participating States themselves or by information collected from NGOs on the ground and OSCE Missions. Many National Commissions have an existing mandate to conduct research, and they can be encouraged to ensure that this research in general includes a gender perspective and that specific research on women is conducted. For this to be a reality, plans to implement training programmes for national human rights institutions should include a gender perspective. Ideally, one or more members of staff in the institution (not necessarily female staff) would be given specific responsibility for gender issues, and additional training in this area.

11.2 OSCE Missions appointment of Gender Focal Points (GFPs)

Missions could make an important contribution to monitoring gender issues, particularly where they are located in areas of conflict or potential conflict. The appointment of gender focal points within each Mission, giving one person a specific mandate to follow gender issues and concerns, would be an important means of collecting information, identifying problems, creating links with governments and non-governmental organisations, and suggesting projects to address those problems. Staff in some Missions have already included gender in their programmes, and designed projects based on their experience of local needs and on consultation with local women. The OSCE ODIHR could facilitate Missions' work on gender issues by providing training and handbooks designed to meet the needs of Missions.

12. CONCLUSION and INFORMAL RECOMMENDATIONS

The evidence and arguments presented in this report in many cases restate what has long been known. The fact that genuine equality between women and men has not been achieved indicates that this evidence bears restating.

The Office for Democratic Institutions and Human Rights should make its own distinctive contribution to the promotion and achievement of genuine equality between women and men. While, as has been said, it does not have the resources to tackle every area, it can take effective measures, alone and in co-operation with other agencies, with governments, and with NGOs, to identify discrimination and propose projects and policies to eliminate such discrimination. Beyond the human dimension, in its work on security and conflict prevention, the OSCE as a whole and its participating States, can also make distinctive contributions.

Broadly, the ODIHR should aim to monitor its progress on achieving genuine equality through the creation of an effective feedback cycle developed from existing projects and programmes. That is, to work with OSCE bodies, governments and NGOs to collect and analyse data on the situation of women, providing training where necessary. On the basis of this information, and in consultation with the intended beneficiaries, the ODIHR should aim to use the information to identify key areas of need and design projects to address those needs. In turn, the impact and effectiveness of these projects should be evaluated: the ODIHR should seek advice and assistance in developing and disseminating evaluation methodologies. Project evaluation can be used both to amend existing projects and to inform the design of future projects. For this work to be effective, it is essential that the OSCE as a whole contributes to the process of identifying and addressing needs and transmitting information to the ODIHR.

The OSCE ODIHR should maintain and strengthen its commitment to working with women and with men to promote and achieve equality and retain its fundamental commitment to promoting and protecting all human rights, democracy and the rule of law, for all. In conclusion, therefore, it is emphasised that there are two different genders in the one common humanity. The promotion and achievement of genuine equality in the enjoyment of human rights is essential to the fundamental aim that in the OSCE area, there can be no zones of lesser humanity.

INFORMAL RECOMMENDATIONS

For the OSCE:

The OSCE should mainstream gender throughout the policies, programmes and activities of the Organization as a whole.

OSCE delegations in Vienna should inform the OSCE ODIHR of members of delegations with expertise on or an interest in gender issues to act as Gender Focal Points and to provide support and expertise to the gender expert of the OSCE Secretariat and the ODIHR Adviser.

The OSCE should continue to broaden its recognition of the important role NGOs, particularly women's NGOs, can play in advancing conflict prevention and resolution. In particular, the OSCE should intensify capacity building at the local, national and international levels by conducting training and workshops on conflict prevention and early warning systems and should strengthen co-ordination of women's initiatives in conflict resolution.

For participating States:

Participating States of the OSCE should develop and implement national plans for programmes to advance the status of women and promote empowerment.

Participating States should ensure that women are adequately represented in their delegations to OSCE meetings and conferences.

Participating States should be encouraged to second senior women to serve as Heads of OSCE Missions and in other senior positions.

Participating States should continue to monitor access to education and vocational training for women and should make this information available to the ODIHR with a view to identifying problems and co-operating in providing solutions. Such information should be disaggregated to show enrolment levels in each educational sector.

Participating States and NGOs:

Participating States, non-governmental organisations and trade unions should provide information on opportunities for vocational training, and the numbers of women able to access such training.

Participating States and NGOs should be encouraged to provide information on gender issues, including on specific problems and on examples of good practice, to the OSCE ODIHR to facilitate its role in monitoring compliance with OSCE commitments.

For OSCE Missions:

Working with the Conflict Prevention Centre, the OSCE should ensure that Gender Focal Points are appointed in each Mission, and that training and support for the Focal Points is provided as an integral part of training for Mission members. Information on gender issues should be included in the regular Mission reports.

For the ODIHR:

Bearing in mind the renewed international commitment to indivisibility, a review of OSCE commitments on equality between women and men should be conducted with a view to expanding their scope and providing guidance to participating States on their specific content.

The OSCE ODIHR should assist the governments of participating States by providing international expertise to build national capacity that will enable those governments to ensure that their domestic legislation complies, in law and in practice, with international standards and obligations.

In consultation with a wide range of NGOs and in particular with women's organisations, the OSCE ODIHR should identify needs and provide legal literacy training to facilitate the understanding and use of enforcement mechanisms at national and international level.

The OSCE ODIHR and the OSCE Parliamentary Assembly should develop their co-operation and draw on the experience and resources of national parliaments to promote the inclusion of women at national and international level.

The OSCE ODIHR should call on participating States to provide information on the numbers of women on regional and local governmental bodies, and should work with governments to develop ways to promote and achieve greater gender balance at national, regional and local levels.

In the course of the continued development of its efforts to review and recommend changes to electoral laws, the OSCE ODIHR should work with national bodies to ensure that these laws do not discriminate against women, directly or indirectly, either as candidates or as voters, and to monitor the effects of changes to electoral laws.

Building on its existing comparative advantage in election monitoring, both in the long and the short term, the ODIHR should further develop its election observation methodology to include the collection and analysis of information on equality between women and men in the electoral process. Such changes in approach should be reflected in the Election Observation Manual.

The OSCE ODIHR should assist in facilitating networking among women's organisations.

Reviews of NGO registration laws should ensure that these laws do not discriminate against women directly or indirectly.

In consultation with women's organisations, NGOs in general, and with relevant national authorities, the OSCE ODIHR should provide training and information on training in such areas as leadership skills, cross-party networking, advocacy and conflict prevention and resolution.

The OSCE ODIHR should build upon successful initiatives such as the 'Civil Diplomacy Project' to encourage and develop dialogue between women from different sides of conflicts.

The OSCE ODIHR should ensure that gender issues are an integral component of internal training courses and of courses provided for specific groups in participating States.

The OSCE ODIHR should act as a clearing-house for information on violence against women and trafficking in women, including measures taken to monitor and improve the situation.

In order to assess the impact of existing projects, and to inform the design of future projects, the OSCE ODIHR should work with participating States to develop tools to monitor the situation and should evaluate initiatives aimed at achieving genuine equality, working with existing national machineries, including Ombudsmen, wherever possible.

In its work to mainstream gender, the OSCE ODIHR should seek co-operation with other international organisations and should share information with these organisations.

ANNEX I

OSCE COMMITMENTS REFERRING TO EQUALITY BETWEEN WOMEN AND MEN

CONCLUDING DOCUMENT OF VIENNA THE THIRD FOLLOW-UP MEETING

(Vienna, 19 January 1989)

Questions relating to security in Europe

Principles

(15) The participating States confirm their determination to ensure equal rights of men and women. Accordingly, they will take all measures necessary, including legislative measures, to promote equally effective participation of men and women in political, economic, social and cultural life. They will consider the possibility of acceding to the Convention on the Elimination of All Forms of Discrimination Against Women, if they have not yet done so.

DOCUMENT OF THE MOSCOW MEETING OF THE CONFERENCE ON THE HUMAN DIMENSION OF THE CSCE

(Moscow, 3 October 1991)

III.

((40) The participating States recognise that full and true equality between men and women is a fundamental aspect of a just and democratic society based on the rule of law. They recognise that the full development of society and welfare of all its members require equal opportunity for full and equal participation for men and women. In this context they will

((40.1) – ensure that all CSCE commitments relating to the protection and promotion of human rights and fundamental freedoms are applied fully and without discrimination with regard to sex;

((40.2) – comply with the Convention on Elimination of All Forms of Discrimination against Women (CEDAW), if they are parties, and, if they have not already done so, consider ratifying or acceding to this Convention; States that have ratified or acceded to this Convention with reservations will consider withdrawing them;

((40.3) – effectively implement the obligations in international instruments to which they are parties and take appropriate measures to implement the United Nations Nairobi Forward-looking Strategies for the Advancement of Women (FLS);

((40.4) – affirm that it is their goal to achieve not only de jure but de facto equality of opportunity between men and women and to promote effective measures to that end;

((40.5) – establish or strengthen national machinery, as appropriate, for the advancement of women in order to ensure that programmes and policies are assessed for their impact on women;

((40.6) – encourage measures effectively to ensure full economic opportunities for women, including non-discriminatory employment policies and practices, equal access to education and training, and measures to facilitate combining employment with family responsibilities for female and male workers; and will seek to ensure that any structural adjustment policies or programmes do not have an adversely discriminatory effect on women;

((40.7) – seek to eliminate all forms of violence against women, and all forms of traffic in women and exploitation of prostitution of women including by ensuring adequate legal prohibitions against such acts and other appropriate measures;

((40.8) – encourage and promote equal opportunity for full participation by women in all aspects of political and public life, in decision-making processes and in international co-operation in general;

((40.9) – recognise the vital role women and women's organisations play in national and international efforts to promote and enhance women's rights by providing, inter alia, direct services and support to women and encouraging a meaningful partnership between governments and these organisations for the purpose of advancing equality between men and women;

((40.10) – recognise the rich contribution of women to all aspects of political, cultural social and economic life and promote a broad understanding of these contributions, including those made in the informal and unpaid sectors;

((40.11) – take measures to encourage that information regarding women and women's rights under international and domestic law is easily accessible;

((40.12) – develop educational policies, consistent with their constitutional systems, to support the participation of women in all areas of study and work, including non-traditional areas, and encourage and promote greater understanding of issues relating to equality between men and women;

((40.13) – ensure the collection and analysis of data to assess adequately, monitor and improve the situation of women; these data should not contain any personal information.