

Report on

# How to Achieve the Cambodian Millennium Development Goal 3 on Eliminating Gender Disparity in Public Institutions by 2015

by

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organized by the Cambodian Parliament's Technical Coordination Secretariat (TCS).

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Inter-Parliamentary Union



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## **Summary:**

Cambodia is number 57 on the world rank order in terms of the representation of women in parliament. Ten years ago, in 2000, Cambodia ranked number 78. In recent years, measures have been taken by CSOs, the Ministry of Women's and Veteran Affairs and political parties with the purpose of enhancing women's political participation and representation. Yet, the increase has been *slow*, and there has even been a decrease.

The Royal Government of Cambodia has in a praiseworthy way established a whole set of specified and measurable goals under the Cambodian Millennium Development Goal 3 on 'eliminating gender disparities in government' by 2015.

This report analyzes the development in women's political representation in Cambodia based on available statistics. There has been improvement in most areas in recent years, although women are still grossly under-represented in Cambodian politics and men, consequently, over-represented.

The argument that women are under-represented because there are not enough qualified women in Cambodian society is rejected. Rather, the political parties, which are the real gatekeepers to elected positions, should scrutinize their own nomination practices and work much harder to make political life more open to women.

The report concludes that it is possible to achieve the CMDG 3 before 2015 if there is the political will to make changes. The report recommends long terms changes as well as the application of several temporary special measures in order to reach the CMDG 3 by 2015, that is, during the coming electoral cycle. The report presents the following 11 recommendations:

### **A. The need for further studies:**

#### *Recommendation 1*

*Public electoral statistics on women in politics should be improved.*

*The current contradictory figures on women's political representation obscure the analysis and make policy recommendations difficult.*

#### *Recommendation 2*

*More studies should be conducted about which factors have actually contributed to recent increases and declines in women's representation in Cambodia, as well as about the many barriers that still exist, preventing the elimination of gender disparity in political decision-making.*

### **B. Strategies for coming elections up to 2015:**

#### *Recommendation 3*

*Capacity-building for women community leaders and for potential and actual women candidates in all parts of the country should be continued.*

#### *Recommendation 4*

*The names of all candidates for elections should be made known to the voters before the election, including by means of posters at the polling stations, in order to make voters stakeholders in the political empowerment of women.*

*Recommendation 5*

*Parliament and the political parties in Cambodia should adopt temporary special measures for different types of elections, if the CMDG Goals 3 are to be achieved by 2015.*

*5.1 The National Assembly: CMDG 30 %*

A law is recommended, for instance as an amendment to the electoral law, requiring that the two top candidates on a party list not be of the same sex and that for every subsequent group of three candidates both sexes be represented. An alternative would be for each of the political parties to adopt formally such rules on their own.

*5.2 The Senate: CMDG 30 %*

Since the Senate is elected indirectly by the Commune Councils, a system of reserved seats might be advisable, for instance reserving one third of the seats for women, or even half. This can be done by presenting two lists to the voters, in this case the commune councillors – one with only women candidates and another with only male candidates – and asking them to cast votes on each of the lists.

*5.3 The Commune Councils. CMDG 25 %*

The alternatives suggested for the National Assembly are applicable to elections to the commune councils.

**C. Long term strategies:**

*Recommendation 6*

*The nomination process should be formalized and the process of selection and nomination made more transparent.*

*Recommendation 7*

*Not financial resources, but abilities and representativeness should determine the placement and rank order of candidates on the party tickets.*

*Recommendation 8*

*All electoral campaigns should be conducted in a peaceful, democratic manner in order not to discourage women from coming forward as candidates.*

*Recommendation 9*

*The political culture should be changed in order to make political life more attractive to women.*

*Recommendation 10*

*Women's issues should be made an integrated part of the political debate and policy making. This will make more women interested in politics. Conversely, with more women in politics, women's issues and equality issues will become a more prominent part of the political agenda.*

*Recommendation 11*

*The number of women in the leadership of the political parties should be increased. The parties should make public statistics over the gender composition of their leadership annually.*

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## 1. Introduction

It is an honour for me to be asked to present my recommendations on how to increase women's political participation and representation in Cambodia.

From meetings during the MDG3 Week, September 6-10, 2010, and from reading various analyses on women's political representation in Cambodia, it is my clear impression that there is a political will in Cambodia to significantly increase women's participation and representation in political decision-making at all levels and to achieve the MDG3 goals. Many initiatives have already been taken in recent years, but some reluctance remains as to the use of more effective measures to reach these goals.

However, I found openness to discussing the experiences of other countries with different types of temporary special measures (TSM) in order to rapidly change women's under-representation in politics.

Together with my colleague, Nyambura Ngugi, program specialist, Gender & Governance, UNIFEM, New York, I attended and addressed the following meetings during the MDG3 Week:

*Sept 6<sup>th</sup>* in the Ministry for Women's Affairs (MoWA), a meeting chaired by the Minister, H.E. Dr. Ing Kantha Phavi, and attended by about 90 people from among the senior management of the ministry.

*Sept 7<sup>th</sup>* in the UNDP conference room, separate meetings with political parties (CPP, FUNCINPEC & NRDP and HRP; SRP declined participating).

*Sept 8<sup>th</sup>* at Raffles Le Royal Hotel, a conference "Workshop on Achieving MDG3 by 2015" was attended by about 200 (MPs, MoWA, CSO, political parties, UN, DPs). Key note remarks were given by Deputy Prime Minister, H.E. Men Sam An. The conference was addressed by honourable members of the National Assembly and the Senate, representatives of political parties and CSOs, scientists and politicians from Korea, Laos, Timor Leste and Vietnam, as well as Nyambura Ngugi and Drude Dahlerup.

*Sept 9<sup>th</sup>* at MoWA, a roundtable discussion with members of TWG-G, the Technical Working Group on Gender, e.g. senior civil servants responsible for gender mainstreaming and gender issues in their respective ministries and departments (30-40 participants).

*Sept 9<sup>th</sup>* at Parliament, a roundtable discussion with members of the National Assembly and the Senate, chairs of Commissions and members of Commission 8.

*Sept 10<sup>th</sup>* in the UNDP conference room, briefing to UN Agencies, DPs and CSOs.

The purpose of the MDG3 Week was to bring together all of the relevant stakeholders, including parliament, MoWA, Cambodian National Council of Women (CNCW), Technical Working Group on Gender, political parties, civil society and academia to look at methods and tools that can be utilized in order to achieve MDG3 goals, given that only one election cycle remains before 2015. Particular focus was to be given to experiences from all over the world of adopting temporary special measures (TSM).

## 2. International Commitments

“Achieving the goal of equal participation of women and men in decision-making will provide a balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning.” ....”Without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved” (The UN Beijing Platform for Action 1995, Art.181).

The Beijing Platform for Action describes the goal as ‘equal participation’ and ‘equitable distribution of power and decision-making at all levels’. Somewhat contradictory perhaps, the Platform for Action also speaks of securing a ‘critical mass’ of women, the latter often associated with 30 percent women.<sup>1</sup> However, the 30 percent can be seen as a milestone on the road towards the goal of ultimate equality<sup>2</sup>.

Ever since the adoption of the CEDAW Convention in 1979, the UN and its agencies have recommended positive action and the use of temporary special measures in order to increase women’s political participation and representation:

The CEDAW Convention from 1979, which was ratified by Cambodia in 1992, states that “State Parties shall take all appropriate measures to eliminate discrimination against women in political and public life of the country” (Art. 7).

The UN Beijing Platform for Action from 1995, signed by the governments of the world, states that *governments* should commit themselves to “Take measures, including, where appropriate, in electoral systems that encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men” (Art.190.b). It is recommended that the world’s governments use ‘specific targets and implementing measures...if necessary through positive action’ (Art. 190.a).

It also states that *political parties* should “Consider examining party structures and procedures to remove all barriers that directly or indirectly discriminate against the participation of women (Art.191.a).

In today’s international discourse, the inclusion of women in public life is considered one of the key elements in processes of development and democratization. And conversely, the exclusion of women from large parts of public life is seen as a factor that may hinder development. In the 2000 seminal decision on the *Millennium Development Goals, MDG*, the United Nations recognized the central role of women in development as one of the measurable goals (MDG3), pointing especially to the number of women in national parliaments.<sup>3</sup>

In conclusion, international commitments obligate states and political parties to be pro-active in ensuring the equal inclusion of women in political life.

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<sup>1</sup> See Dahlerup 2006.

<sup>2</sup> This point of view is expressed in *Gender analysis of women’s political participation in 7 South-Asian countries: Bangladesh, Cambodia, the Philippines, Indonesia, Sri Lanka, East Timor and Vietnam. 2008-2009. Executive summary*, p.1. Goubierno de Espana et al.

<sup>3</sup> *Millennium Development Goals 3: Promote Gender Equality and Empower Women. Indicator for Monitoring Progress. Indicator 12: Proportion of seats held by women in national parliaments.*

It is neither appropriate nor realistic to expect equality to come about “by itself”. When discussing other Millennium Development Goals, the need for political actions is recognized by all stakeholders. But astonishingly, when discussing the elimination of gender disparity in political decision-making, one can still hear the argument that in this specific area we should wait for the ‘natural’ development, and it is claimed that gender parity will eventually come about by itself. This point of view is increasingly being challenged all over the world.

A more scientific approach is needed. It is important to study which factors have led to the improvements that have actually taken place in many countries, even in Cambodia in recent years, and at the same time to try to identify the many barriers that contribute to women’s continuing under-representation.

### **3. Why Are Women Under-represented in Politics? Two Discourses**

Historically, women’s under-representation was most commonly discussed as a question of women’s lack of qualifications, lack of commitment and different life choices as compared to those of men. Women themselves are seen as the problem. Two contrasting modern discourses on women’s under-representation have been identified by Dahlerup & Freidenvall<sup>4</sup>. They are presented here as two ideal types based on different perceptions of historical change, different goals, different diagnoses and different strategies. The Beijing Platform for Action is an example of the new alternative, ‘fast track’ discourse.

#### ***The incremental track discourse***

1. General perception:  
Equality will come about in due course as a country develops.
2. The goal:  
More women in politics.
3. Diagnosis - Why so few women?  
Women’s lack of resources and public commitment.
4. Strategy:  
Either no action at all or policies to increase women’s resources.

#### ***The fast track discourse***

1. General perception:  
Equality does not come about of historical necessity. Backlashes may occur.
2. The goal:  
Gender balance, parity democracy.
3. Diagnosis - Why so few women?  
Discrimination and various mechanisms of exclusion are at play.
4. Strategy:  
Active measures, such as setting up targets and adopting quotas or other temporary special measures are needed.

The incremental track discourse rests on the perception that equality – which in both discourses is stated as the goal – will come about in due time. It is based on the *time lack-theory* according to which women’s under-representation is primarily an effect of women’s lack of resources and

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<sup>4</sup> Left aside here are the positions that gender is irrelevant in politics or that politics is a man’s business. See Dahlerup & Freidenvall 2005.

of old prejudices, which will disappear in due course as society develops. Consequently, affirmative action measures, such as gender quotas, are seen as ‘unnatural’ interferences in normal political practises. Until recently, the Scandinavian countries and the Western world in general have been characterised by the incremental track model.

In contrast, the fast track discourse rests on the understanding that male-dominated societies and organizations have an embedded tendency to reproduce male-dominance. Open discrimination as well as structural barriers and mechanisms of exclusion are institutionalized in the norms and practises of political life. There are many examples: if the potential candidates have to buy a place on the party ticket or if large personal contributions are necessary for campaign financing, then men in general are favoured because of the usual uneven distribution of wealth and money at the disposal of women and men, respectively. An “old boy’s network”, where men recruit other men, is a serious hinder for women to enter politics. Consequently, active measures to break with such structures are needed in order to make political life truly inclusive for women.

Old political norms and practices cannot be considered a natural order of things. If the effect of existing practises is de facto under-representation of women and other under-represented groups, then it is time for structural changes and active measures, as suggested by the Beijing Platform for Action and many subsequent international and regional declarations. The argument is that since men are favoured directly and indirectly in the present system, then affirmative action and temporary special measures do not entail discrimination of men *but compensation for the direct discrimination and the structural barriers that women meet.*

There are many different types of active measures that may help further women’s political empowerment: capacity building for potential and actual candidates; changes in the political environment and the political workplace, for instance bans on night meetings; changes in impolite political language; removal of prejudice against women candidates and MPs; improvements in the safety of female candidates and politicians. Changes are also needed in the norms of the political workplace, norms that were often established before women had the right to enter the political scene. These are all *long term changes*. However, in many countries today, a ‘*fast track politics*’ in the form of temporary special measures and electoral gender quotas are adopted in order to rapidly change women’s historical under-representation.

*Are women not qualified?*

Fast track discourse rebuffs the argument that women’s under-representation is first and foremost a result of women’s lack of qualifications. This argument has lost its validity today, with many well-educated women and many women active in civil society organizations.

All over the world women’s organizations are retorting to the women’s-lack-of-qualifications-argument with the following question: Are all current male politicians qualified? Maybe it is time to leave these types of arguments, recognizing women’s qualifications as, among other things, community leaders and leaders in many CSO, and instead discuss the need for representation of all experiences in society.

#### **4. The Cambodian MDG3 Goals**

Promoting “gender equality and empower women” is one of the United Nations Millennium Development Goals (MDG), namely MDG3.



The Royal Government of Cambodia is fully committed to achieving the Cambodian Development Goals (CMDG) which have become the cornerstones of the country's development policies and strategies.<sup>5</sup> Contextualizing the MDG3 into Cambodian Millennium Development Goals (CMDG3), three overall targets were set up: eliminating gender disparities in education; eliminating gender disparities in government; and significantly reducing all forms of violence against women and children. The targets established under the second overall target on 'eliminating gender disparities in public institutions' were the following:

### CMDG 3 : Promote Gender Equality and Empower Women

#### Overall target 7: Eliminating gender disparities in public institutions

- Target 3.8: Increasing the proportion of seats held by women in the National Assembly from 12% in 2003 to 30% by 2015
- Target 3.9: Increasing the proportion of seats held by women in the Senate from 13% in 2003 to 30% by 2015
- Target 3.10: Increasing the proportion of female ministers from 8% in 2003 to 15% by 2015
- Target 3.11: Increasing the proportion of female secretaries of state from 6% in 2003 to 18% by 2015
- Target 3.12: Increasing the proportion of female under secretaries of state from 5% in 2003 to 20% by 2015
- Target 3.13: Increasing the proportion of female provincial governors from 0% in 2003 to 10% by 2015
- Target 3.14: Increasing the proportion of female deputy provincial governors from 1% in 2003 to 15% by 2015
- Target 3.15: Increasing the proportion of seats held by women in commune councils from 8% in 2003 to 25% by 2015<sup>6</sup>

The framework for the MDG3 Week in September was *the target of 30 percent women* in the National Assembly and the Senate, a key indicator for achieving gender equality and empowerment by 2015 under MDG 3<sup>7</sup>. Using the Inter-parliamentary Union (IPU) Tool-Kit to mark the 10<sup>th</sup> anniversary of the Senate in 2009, one of the recommendations that emerged was to propose an amendment to the electoral law in order to increase the number of women senators to 30 percent<sup>8</sup>. Based on Cambodia's new experience with decentralization, reaching the MDG3 goals at the provincial and commune levels as well is part of the stated target, as shown in the CMDG 3 list above. Within the UNDP/LEAP project, and in fact at the core of all UNDP programming in Cambodia, is support for the achievement of the MDGs, and priority is given to MDG3.<sup>9</sup> The gender composition of elected positions is the focus of this report.

<sup>5</sup> Foreword by Prime Minister Hun Sen, The Cambodian Millennium Development Goals Report. November 2003. To be found on the homepage of the Ministry of Planning: *The Cambodian Millennium Development Goals (CMDG)*. [www.mop.gov.kh](http://www.mop.gov.kh)

<sup>6</sup> The Cambodian Millennium Development Goals Report. November 2003. To be found on the homepage of the Ministry of Planning: *The Cambodian Millennium Development Goals (CMDG)*. [www.mop.gov.kh](http://www.mop.gov.kh) Note that these goals were established in 2003, and consequently some of the recent developments in women's representation are not reflected in this text.

<sup>7</sup> See *Draft Terms of Reference for the MGD3 Week*, Technical Coordination Secretariat, June 2010. The second point reformulated. The goal of 30 % is also stated in the brochure *Key Gender Statistics in Cambodia (as of August 2008)*. Issued by the Ministry of Women's Affairs.

<sup>8</sup> *Achieving MDG3 by 2015. Concept note for MDG3 Week*, August 2010.

<sup>9</sup> *Achieving MDG3 by 2015. Concept note for MDG3 Week*, August 2010.

## **5. Temporary Special Measures/Gender Quotas in Use in Cambodia Today.**

The use of different types of temporary special measures to increase women's political participation and representation has been under discussion for some time in Cambodia, as it has globally. The use of such affirmative action measures was also a central part of the deliberations during the MDG3 Week.

Some temporary special measures (TSM) are already in place in Cambodia, including:

- One out of three members of a village commission should be a woman
- At least one woman among the provincial deputy governor
- Women shall be between 20 and 50 percent of new recruits in the civil service

To evaluate where special measures are needed in order to achieve the CMDG3, we will now analyse recent developments in women's political representation in Cambodia.

*Is Cambodia 'on track'?*

*Are the 2015 goals realizable?*

*Are special temporary measures needed?*

## **6. Women's Political Representation in Cambodia**

Some important improvements have taken place in women's political participation and representation in Cambodia during the past decade, although the level is still low. Unfortunately, reports on women's political representation present contradictory figures. Consequently, one of the recommendations of this report is that the electoral authorities should provide relevant statistics on the gender composition of all candidates nominated and all elected representatives at all levels by party and constituency. The lack of sufficient electoral statistics makes adequate analysis problematic.

*Recommendation 1*

*Public electoral statistics on women in politics should be improved.*

*The current contradictory figures on women's political representation obscure the analysis and make policy recommendations difficult.*

One of the arguments heard by this rapporteur in Cambodia against the adoption of temporary special measures was that the country is on the right track, using the language of 'on track', 'slow' and 'off track' of the UNDP Status report on the CMDG from September 2010.<sup>10</sup> But is Cambodia on track in this issue?

The Status report provides a varied response, depending on the political institution concerned. In relation to deputy provincial governors, under-secretaries of state and the National Assembly, the report gives the mark 'on track'. As for the Senate and the Commune Councils the mark is 'Slow'. However, in relation to provincial governors, secretaries of state and ministers, the verdict is 'off track'. Here we will look closer at the elected assemblies.

### **6.1. The National Assembly**

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<sup>10</sup> *Current Status of Cambodian Millennium Development Goals (CMDG)*, UNDP, Phnom Penh September 19, 2010.

**Table 1. The Representation of Women in the National Assembly of Cambodia. Contradictory Statistics.**

	<b>W. Candidates</b>	<b>No of Women elected/all elected</b>	<b>Women in %</b>
1993a	5 % b	5/83 b	6.0 % c (5.8 a)
1998a	NA	NA	11.5 %
2003a	11.2 % b	24 /123	19.5 %
2003d		15/123	12.2 %
2008a	14.9 % e	27/123	22.0 %
2008f		25/123	20.3 %
2008d		18/123	14.6 %

Sources:

a. The main source used in table 1 is *Key Gender Statistics in Cambodia (as of August 2010)*, issued by the Ministry of Women’s Affairs, however with some modifications and additions, showing contradictory figures, see b-f.

b. *A Fair Share for Women*. Ministry of Women’s Affairs, April 2004, p.125.

c. *A Fair Share for Women. Cambodia Gender Assessment*. Ministry of Women’s Affairs, April 2008, p.152

d. *Women’s Participation in Politics and 2008 National Assembly Elections*. Published by Committee for Free and Fair Elections in Cambodia, COMFREL, Feb. 2009, p.4.

e. National Election Committee. No 05.079/08 NEC.SG.PIB, May 27, 2008

[www.necelect.org.kh](http://www.necelect.org.kh). Number of titular candidates. Among all candidates (titular + alternate), women’s share is 16.1%.

f. Liste de nominative des députés de la législation Année 2008-2013 suivant les circonscriptions des partis politiques. Home page of the National Assembly, [www.national-assembly.org.kh](http://www.national-assembly.org.kh), accessed 10.10.2010.

Table 1 shows the gradual increase in women’s representation in the National Assembly of Cambodia in the elections in 1993, 1998, 2003 and 2008, from 6 to over 15 or even 20 percent. Today, Cambodia is number 57 on the world rank order in terms of women’s political representation, higher than the Republic of Korea (14.7) but considerably lower than Vietnam (25.8) and East Timor (29.2).<sup>11</sup>

There is no doubt about the increase in women’s representation in the Cambodian National Assembly, but the figures and percentages differ considerably from source to source, as shown in Table 1. To give some examples from publications from the Ministry of Women’s Affairs: *A Fair Share for Women* published April 2008 presents the percentages as 1993: 6 %, 1998: 11.5 % and 2003: 19 %, while the same publication in its 2004 edition presents the percentages as 1993: 5 %, 1998: 11.5, 2003 12.2 %; and the brochure *Key Gender Statistics in Cambodia as of August 2010* presents the figures 1993: 5.8 %, 1998: 12.?, 2003: 19.5 % and 2008: 22 %. The figures published by COMFREL are much lower (see below). The homepage of the National Election Committee does not provide the necessary statistics on women’s representation in national politics, even if such information is vital for the discussion of how to improve women’s political representation.

<sup>11</sup> [www.ipu.org](http://www.ipu.org)

### *The many substitutes*

It is important to note that replacements of members of parliament are quite common, either just after the election when the government is formed or during the term. Replacements can be the result of elected MPs leaving the assembly to become ministers, even if such a withdrawal is not legally required. This may be one of the sources of confusion over the actual number of women in parliament, since these replacements after election-day sometimes affect the gender balance of parliament. The lowest reported figures in Table 1, that of 18 equalling only 14.6 percent women elected, is reported by COMFREL as referring to the “immediately” elected female candidates before the government was formed (p. 4). This confusion as to how many women were actually elected to the National Assembly obscures the analysis.

If the COMFREL figures are correct, then the increase is very modest, from 12.2 in 2003 to 14.6 percent in 2008. Other sources report an increase in women’s representation that took place after the 2008 election from 22.0 % (20.3%) to 24 % women MPs in 2010.<sup>12</sup> For the evaluation of the development and the likelihood of achieving the CMDG 3 before 2015, it is necessary to focus on the results of the direct elections and not rely on after-election replacements as the main method for increasing women’s political representation.

In fact, if women’s representation in parliament increases through the replacement of new (male) ministers with (female) substitutes, then the number of women in the cabinet will tend to decrease and the CMDG goal of moving from the present 8 percent to 15 percent female ministers (target 3.10) will be even farther away. Accordingly, in the Status report the mark given in relation to female ministers is ‘off track’.

### *Is the development for the National Assembly ‘on track’?*

It is, however, also interesting to study whether these substitutions during the term have become an avenue for more women to attain a position in politics. In general, studies are needed on the turnover of female and male MPs and on the extent to which women who enter parliaments as substitutes eventually gain a foothold in parliament. The COMFREL paper gives a negative evaluation, arguing that with only one or two years left of their term, “inadequate time and opportunities to execute tasks not only causes women difficulties, but also decreased the value of their job performance and confidence in women”.<sup>13</sup>

The UNDP Status paper on the CMDG labels the achievement in gender parity in the National Assembly as “*on track*”. During the MDG3 Week this positive development was mentioned by several politicians, in some cases even as an argument against the adoption of temporary special measures.

If, however, one takes as the point of departure the COMFREL figure of only 14.6 percent women elected during the 2008 election (election day figures) and if the role as substitute does not lead to a political career for women, *then the mark ‘on track’ would have to be modified to ‘slow’ for the National Assembly.*

At any rate, reaching the CMDG 3 of 30 percent for the National Assembly no doubt requires deliberate action by various stakeholders around the nominations processes in the political parties, since neither 30 percent women nor gender parity will come about by itself.

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<sup>12</sup> See *Key Gender Statistics in Cambodia (as of August 2010)*. Issued by the Ministry of Women’s Affairs.

<sup>13</sup> *Women’s participation in Politics and 008 National Assembly Elections*. Published by Committee for Free and Fair Elections in Cambodia, COMFREL, Feb. 2009, p. 4.

## 6.2. The Senate

**Table 2. Women's Representation in the Cambodian Senate**

<i>Year:</i>	<b>Women elected/ all elected</b>	<b>Women in %</b>
1999	NA	13 %
2004	13/61	21.3 %
2006	9/61	14.8 %

*Source: A Fair Share for Women. Cambodia Gender Assessment. Ministry of Women's Affairs, April 2008, pp. 151-52.*

The new law of 2005, which mandated that the Senate would be indirectly elected by commune councillors, resulted in a drop in women's representation from 21.3 to 14.8 percent. This indicates that women's political representation is not increasing with some historical necessity. Structural changes, such as new electoral systems, may alter the opportunities for women. The UNDP Status report rightly put the mark 'slow' for the Senate. No doubt temporary special measures are required for the Senate if the CMDG 3 goals of 30 percent women in the Senate are to be achieved.

## 6.3. The Commune Councils

**Table 3. Women's Representation in Commune Councils**

<i>Year:</i>	<b>Women candidates</b>	<b>Women elected</b>	<b>Women Commune Chiefs</b>
2002	16 %	8 %	2 %
2007	21 %	14.6 %	4 %

*Sources: The National Election Committee on [www.necelect.org.kh](http://www.necelect.org.kh) and A Fair Share for Women. Cambodia Gender Assessment. Ministry of Women's Affairs, April 2008, pp.153-56.*

Table 3 shows that commune politics in Cambodia is still heavily male dominated, since 85.4 percent of all commune councillors are men. This implies that the CMDG 3 target of 25 percent is far away. Accordingly, the local development of empowering women in politics is correctly marked 'slow' by the UNDP Status report. It is the conclusion of this report that in order to reach the goal of 25 percent women elected by 2015, temporary special measures are necessary.

It should, however, be noted that a considerable increase in women's representation in Cambodian commune councils occurred between 2002 and 2007, albeit from a very low level. Variations between provinces/municipalities are considerable, from a minimum of 9.4 to a maximum of 22.0 percent.<sup>14</sup> However, as many as 385 communes/sangkats (23 %) have no women representative.<sup>15</sup> In absolute numbers 1,662 women were elected in 2007, as compared to 9,691 men, so the commune councils are still substantively non-representative of the Cambodian population, of which 52 percent are women.

<sup>14</sup> National Election Committee, no 5.78/7 NEC.SG.PIB May 4, 2007.

<sup>15</sup> *A Fair Share for Women. Cambodia Gender Assessment. Ministry of Women's Affairs, April 2008, p.154.* In the 2002 election, as many as 66 % of the communes had no female councillors.

The number of women *commune chiefs* has increased from 2 to 4 percent (from 34 to 69 out of 1,621), which is still remarkably low. The number of female first and second deputy commune chiefs is somewhat higher (161 and 110, respectively), though still very low.

*Table 3* also shows that at the commune level female candidates have a lower ‘success rate’ than male candidates, since women’s share of the candidates are lower than their share of those elected, indicating that women candidates are generally placed in lower positions on the party lists than their male colleagues. It should be noted that the electoral statistics on women’s representation issued by the National Election Committee for the 2007 commune elections is of high quality and is more comprehensive than for the national elections and that further studies are both possible and needed.

#### *Recommendation 2*

*More studies should be conducted about which factors have actually contributed to recent increases and declines in women’s representation in Cambodia, as well as about the many barriers that still exist, preventing the elimination of gender disparity in political decision-making.*

## **7. The Political Parties as Gatekeepers to Elected Positions**

Electoral research points to the gatekeeper role of the political parties when it comes to the representation of women and other under-represented groups, such as ethnic minorities. In most political systems, as in Cambodia, it is the political parties that control the nomination of candidates. However in many countries, this process is non-transparent and may be even totally informal, hence the concept of “the secret garden of nominations”.

It is the parties that place individual candidates in ‘good’ or ‘bad’ districts according to the geographical strength of the party, and it is the parties that rank the candidates on the electoral lists. Thus, studying the process of selecting and nominating candidates for public elections is crucial for our understanding of why women are under-represented

In an electoral system based on proportional representation (PR) with closed lists, as in Cambodia, voters only vote for a party and cannot change the order of the candidates. Consequently, the voters decide the size of the various parties, but it is the political parties that decide which candidates actually get elected. It follows from this that it is the political parties that are able to increase the political representation of women – or block the election of women.

Thus, the key questions are: Who has the power within the political parties? How democratic and open are the proceedings within the political parties at different levels? Who decides over the nominations?

*“Negotiations for placement on party lists are a complicated and difficult process and not all women would have the political connections or means to influence these decisions”.*<sup>16</sup>

As the dominant party, the Cambodian People’s Party, CPP, has a special responsibility for the overall participation and representation of women in political assemblies. How is the CPP doing compared to other Cambodian political parties in this respect?

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<sup>16</sup> *A Fair Share for Women. Cambodia Gender Assessment.* Ministry of Women’s Affairs, April 2008, p.154

*Variations in women's candidacy and representation by assembly and party*

Because of their position as gatekeepers to elected positions, it is crucial to analyse the efforts of the political parties when it comes to nominating women for election. Only the largest parties are included in the following analysis.

**Table 4. Variations among Cambodian Parties**

**Percentage of Women among Senators, Candidates for National Assembly, Elected to National Assembly, Candidates for Commune Councils and Elected to Commune Councils by Party.**

	Women elected to the Senate (g)	Women candidates National Assembly 2008 (e)	Women elected National Assembly 2008 (d)	Women candidates Commune Councils 2007 (e)	Women elected Commune Councils 2007 (c)
CPP	14 %	16 %	23 %	20 %	17 %
SRP	0	14 %	23 %	16 %	9 %
FUN	22 %	8 %	0	24 %	3 %
NRP	-	9 %	0	22 %	3 %
HRP	-	9 %	0	NA	0
Others	-	19 %	0	37 %	0
<i>Total</i>	<i>14.8 %</i>	<i>14.9 %</i>	<i>22.0 %</i>	<i>21 %</i>	<i>14.6 %</i>

*Sources:* Number of women in the National Assembly is here taken from the figures in source d. The sources (c, d, e and g) used here refer to the sources for Table 1. One additional source is used for the Senate: g., accessed Oct. 20, 2010:

[www.senate.gov.kh/senator/english/ListSenatorEng.htm](http://www.senate.gov.kh/senator/english/ListSenatorEng.htm).

*Note:* HRP included under others in source e. The sign – indicates that the party has no representation in this arena.

Table 4 shows that all major political parties in all arenas operate below the 25 percent threshold for women. But the table also shows some variations between the political parties, with the dominant party, CPP, having the highest percentage of women in 3 out of the 5 levels. In their party groups in the National Assembly, CPP and SRP have the same share of female MPs, and in the Senate FUNCINPEC scores highest. It is interesting to note that for the dominant party, the CPP, the percentage of women candidates is lower than the number of women elected to the National Assembly, while the reverse is the case for the commune councils.

*Only the top candidates will be elected*

We must dig a little deeper if we want to understand why Cambodian women are so heavily under-represented. In general, attaining a top position on the list is decisive for getting elected. In closed list systems, like the Cambodian, it is the political parties, not the voters, that decide which individual candidates get elected.

With a National Assembly of only 123 members elected in 24 constituencies, the average number of candidates elected from each district is only a little over 5. In reality, the size of the districts in Cambodia varies considerably, from the six single member districts to the Kampong Cham and Phnom Penh districts with 18 and 12 seats in parliament, respectively. In the smaller districts, and especially on the lists of the smaller parties, only the very top positions can lead to

election. Consequently, it is important to study how the political parties place their female candidates.

Prior to the candidate registration period of the 2008 NA election, the government and civil society organization in the form of the Committee for Promoting Women in Politics (CPWP) pushed for political parties to alternate the names of men and women at the top of their respective candidate lists to ensure that women would be elected. Those countries in the world that have such rules are among those with the highest representation of women. However, this was never done in Cambodian elections. In the following, the placement of the candidates by gender will be studied for the commune elections and the election to the National Assembly.

*The Commune Councils.* Table 3 showed an increase in women's representation in the commune councils between 2002 and 2007, from 8 to 14.6 percent. Studies have shown that there has been an increase in the number and share of female candidates, in percentages from 16 to 21 percent<sup>17</sup>. It is, of course, important that more women stand for election. However, there may be a considerable increase in the number of female candidates without any effect on the number of women elected, if these women candidates are placed low down on the electoral lists of the parties. It is the ranking that counts.

Studies have shown that in the 2007 commune council election more women were placed among the top 3 candidates by their parties than in the 2002 election – an increase from 1,161 to 2,328. And the number of women ranked first also increased for all of the major political parties.<sup>18</sup>

Variations are found among the political parties. The CPP, the party with the highest number of candidates by far, had the lowest number, only 66 women candidates ranked as number one, while FUNCINPEC had 96, SRP 96 and NRP 79.<sup>19</sup>

*Conclusion: The improvement in women's position in the rank order of each party list, which is decided exclusively by the parties themselves, is the main factor behind the increase in women's representation in commune councils between 2002 and 2007, from 8 to 14.6 percent.*

It is important to continue the work of empowering women in those districts, primarily in the Western and Northern parts of the country, where women's representation is the lowest. It is also important that the political parties be more inclusive in relation to the representation of indigenous women.<sup>20</sup>

*The National Assembly.* Unfortunately, as pointed out above, there are shortcomings with the statistics on the gender composition of candidates for national elections. According to a candidate list for the National Assembly election in 2008, provided by the Committee for Promoting Women in Politics (CPWP), only 2 women were ranked among the top 3 candidates on the lists of the CPP, while this number was 6 for the FUNCINPEC and 8 for the SRP.<sup>21</sup> In the small single-member districts, the major political parties prefer to have a man as their only candidate. A remarkable exception is the two female candidates that topped the single-member

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<sup>17</sup> *A Fair Share for Women. Cambodia Gender Assessment.* Ministry of Women's Affairs, April 2008, p. 154-55.

<sup>18</sup> *Ibid.*, p. 154.

<sup>19</sup> *Ibid.*, p. 154.

<sup>20</sup> See Maffii & Hong 2010.

<sup>21</sup> *Candidate List Election in 2008.* Provided by the Committee for Promoting Women in Politics (CPWP).



lists of the SRP in the Ukdor Meanchey and Pailen City districts. However, the CPP won all of the single-member constituencies.

It can be interesting to take a closer look at the position on the lists of the female candidates that were actually elected to the National Assembly in 2008. Only candidates for the largest party, CPP, can be elected from a position lower than 5 on the candidate list.<sup>22</sup> How were the women MPs from the CPP placed on the electoral lists? The answer is that only seven of the CPP female candidates elected were placed among the top 3 candidates for that party. An additional 8 women were elected from positions 4 and 5. Four women were elected from even lower positions on the lists, namely in large CPP stronghold districts.<sup>23</sup> Only one woman topped a CPP list, Mme Men Sam On in Svay Rieng district. It is remarkable that 3 of the 5 MPs elected from this district for the CPP were women, placed in positions 1, 2 and 5.

For the smaller parties, HRP, NRP and FUNCINPEC, only candidates placed as number 1 on the party lists were elected, and among them there were no women. On the SRP lists, 3 women were ranked and elected as number one in their districts. In general, among the 6 women elected on SRP tickets, 5 were placed among the top 3, and all 6 were among the top 5, since the party only won between 0 and 5 seats in the different electoral districts, while CPP electoral gains varied between 1 and 11 or, if we only look at the multi-member districts, between 2 and 11.

What conclusion can be drawn from this analysis of recent elections for the possibility of achieving the CMDG 3 by 2015?

## **8. Strategies for the Coming Elections**

Only one election cycle remains before 2015. If the CMDG 3 targets are to be achieved, the political parties will have to take positive actions for change. Based on the above analyses of the development of women's political representation, positive actions are recommended.

It is no doubt possible to increase women's representation to 25 (commune councils) and 30 percent (Senate and National Assembly), if the political parties show the necessary political will. If there is a willingness to use effective new strategies, the good news is that realistic strategies are available. Experiences from other countries show this.

The capacity-building programmes that have been very important for this development should be continued and expanded. It is also a general experience that *the supply* of qualified women willing to become involved in politics will usually follow *the demand* by the political parties, if the demand is accompanied by strategies to make politics more attractive to women.

### *Recommendation 3*

*Capacity-building for women community leaders and for potential and actual women candidates in all parts of the country should be continued.*

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<sup>22</sup> National Election Committee, no. 09.161/08 NEC.SG.PIB, September 02, 2008.

<sup>23</sup> Liste de nominative des députés de la législation Année 2008-2013 suivant les circonscriptions des partis politiques. Home page of the National Assembly, [www.national-assembly.org.kh](http://www.national-assembly.org.kh), accessed 10.10.2010. This appears to be election day results. Unfortunately, there are some discrepancies between this list of those elected, ranked after their position on the list and their district, and the CPWP list on the ranking and gender of the candidates in the different districts. .

The publication by the Ministry of Women's Affairs, *A Fair Share for Women* (2008) asked the National Electoral Commission to "provide information on the number of women candidates and their placement on the party lists." (p.153). This should be provided for before the election. In Cambodia, ballots do not include the names of the candidates but only party names and symbols. Thus, who the candidates are remains more or less unknown to the voters when they cast their votes. Usually only some of the top candidates are known to the voters. Thus, the voters are not stakeholders when it comes changing to the gender composition of the elected assemblies. Two quotations illustrate the lacking sense of ownership by the voters for those elected.

*"We choose between the political parties, and then they select the persons".*

*"Those who run the campaigns locally, for instance a well-known figure in the local community, may not even stand for election, but the voters don't know"*<sup>24</sup>

#### *Recommendation 4*

*The names of all candidates for elections should be made known to the voters before the election, including by means of posters at the polling stations, in order to make voters stakeholders in the political empowerment of women.*

#### *Recommendation 5*

*Parliament and the political parties in Cambodia should adopt temporary special measures for different types of elections, if the CMDG Goals 3 are to be achieved by 2015.*

There are, however, several options for temporary special measures. In Appendix A, different types of temporary special measures and gender quotas in use around the world are described.

Here are some of the choices that can be made. More information on different systems is found in Appendix A:

- A. Reserved seats or rules for the gender composition among the candidates
- B. Legislation or voluntary rules in each party
- C. Rank order rules
- D Sanctions for non-compliance

Ad A. In the case of reserved seats, the electoral law reserves a specific number of seats in the assembly for women (or other under-represented groups) as, for example, in Rwanda, Uganda, Kenya and India at the local level. For the legitimacy of those politicians occupying reserved seats, it is important that they are elected, not appointed. Candidate quotas are only about the candidates and do not directly guarantee the election of a certain number of women.

Ad B. The next question is whether to aim at a law binding on all political parties (legislated quotas) or voluntary party targets or quotas, which are measures adopted by political parties on their own and which, therefore, may vary from party to party. In the case of voluntary party targets and quotas, it is important that such rules are formally decided upon, codified and made public. The advantage of a law is that it is binding on all political parties and allows for sanctions for non-compliance by the electoral authorities (see the Appendix A).

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<sup>24</sup> Personal communication to this rapporteur.

#### Ad C. Rank order rules

Before the 2008 National Assembly election, the Committee for Promoting Women in Politics (CPWP) pushed for political parties to alternate the names of men and women at the top of their respective candidate lists to ensure that women would be elected. Such a 'zipper system' has proved effective in changing women's historical under-representation. But even other rank order systems are in use (see Appendix A). A rank-order system should be compatible with the electoral system in the country.

In Appendix B the effects of four different rank-order systems are tested against the outcome of the 2008 election to the National Assembly in Cambodia. Not all of them will be effective in Cambodia because of the small number of seats to be elected from each electoral district.

#### Ad D. Sanctions for non-compliance.

In the case of voluntary party quotas, the central party leadership may install their own sanctions to be used against local chapters of the party that do not follow the rules of the party with regard to the nomination of women candidates.

In case of quotas by law, the sanction usually rest with the electoral authorities. The most effective sanction is when the electoral authorities are given the power to reject lists that do not comply with the rules in terms of gender composition. This system is in use in Costa Rica, Spain and France (in France only at the local level)..

#### *Recommendations for TSMs for elected Assemblies in Cambodia.*

##### *The National Assembly: CMDG 30 %*

A law is recommended, for instance as an amendment to the electoral law, requiring that the two top candidates on a party list not be of the same sex and that for every subsequent group of three candidates both sexes be represented.

Alternatively, if the goal is parity, the law may require that male and female candidates are alternated on the lists (the so-called zipper-system). For small parties, however, that only used to elect one candidate per district, fifty percent among the first candidates on their lists should be women, if gender balance is to be achieved, see Appendix B).

In addition, the law could stipulate a general requirement for the gender composition of the lists as a whole, for instance no less than 40 percent and no more than 60 percent candidates of either sex. But such rules are only effective in combination with rank order rules. Otherwise, women could just be placed at the bottom of the lists with no chance of being elected.

If no law is adopted, to reach the CMDG 3 is the responsibility of individual political parties through voluntary party rules. If the targets of 30 percent women among those elected to the National Assembly are to be achieved, then the political parties have to nominate at least 30 percent women candidates among their top candidates for the 2013 election. To be more specific, women candidates have to be nominated for 30-40 percent of the 'safe' (winnable) seats, defined as those top positions on the lists in each electoral district which led to election in 2008. The concept of winnable seats is in operation in Costa Rica (38 % women in parliament).

An example: The CPP won 11 seats in Kampong Cham district in 2008, but only 2 of these were women. The highest 11 positions on that party's candidate lists are so-called safe seats

(winnable seats). Provided the relative strength of the parties remains constant, in order to have 30 percent women elected in the district in the 2013 election there should be at least 4 women among the top 11 CPP candidates.

The SRP won 5 seats in the Kampong Cham district, of which 1 was a woman. In order to reach at 30 percent women elected, if party strength remains constant, then SRP should nominate at least 2 women among the top 5 candidates of the party in this district.

For smaller parties and smaller districts, the target should be that women candidates top the list in one third of those districts where the party won seats in the previous election. To reach parity, the demand should be every other district.

#### *The Senate: CMDG 30 %*

Since the Senate is elected indirectly by the Commune Councils, a system of reserved seats might be advisable, for instance reserving one third of the seats for women, or even half. This can be done by presenting two lists to the voters, in this case the commune councillors - one with only women candidates and another with only male candidates.

Alternatively, a law regulating the rank order of the candidates, as the one suggested for the National Assembly, could also be introduced for the Senate election.

#### *The Commune Councils. CMDG 25 %*

The alternatives suggested for the National Assembly are applicable to elections to the commune councils.

## **9. Long-term Strategies**

It is important that the political parties develop a long term strategy of recruiting women and making political life more open and attractive to women. It is too late to start recruiting more women candidates shortly before an election. In *A fair Share for Women* (Ministry of Women's Affairs 2008) it is stated that campaigning for a high enough place on the list of candidates requires financial resources as well as the ability to garner support and persuade individuals (p.158). This is highly problematic for many reasons, one of them is the gender bias embedded in this tradition, since women in general have less money at their disposal than men. It is in general extremely important to open "the secret garden of nominations" and to break up 'old boy's networks' in relation to nominations.

Once a candidate, other barriers are still ahead. It is very important that electoral campaigns are conducted in a peaceful way. Violence or threatening electoral campaigns may discourage women to come forward as candidates. Democratic elections rest on a peaceful and respectful dialogue between political adversaries. COMFREL writes that during each election phase "irregularities, political murder/violence, intimidation, technical errors and other issues have arisen continuously", and urges the National Electoral Committee to stronger enforce rules and procedures, including penalties for breaking the rules (p.1). Consequently, the following changes are recommended:

#### *Recommendation 6:*

*The nomination process should be formalized and the process of selection and nomination made more transparent.*

*Recommendation 7:*

*Not financial resources, but abilities and representativeness should determine the placement and rank order of candidates on the party tickets.*

*Recommendation 8:*

*All electoral campaigns should be conducted in a peaceful, democratic manner in order not to discourage women from coming forward as candidates.*

Following the UNIFEM expert Nyambura Ngugi's suggestions during the MDG 3 Week on how to improve the functioning of the political parties in order to make them more inclusive of women, the following long-term recommendations are made:

*Recommendation 9:*

*The political culture should be changed in order to make political life more attractive to women.*

*Recommendation 10:*

*Women's issues should be made an integrated part of the political debate and policy making. This will make more women interested in politics. Conversely, with more women in politics, women's issues and equality issues will become a more prominent part of the political agenda.*

*Recommendation 11:*

*The number of women in the leadership of the political parties should be increased. The parties should make public statistics over the gender composition of their leadership annually.*

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#### **Web sites:**

[www.ipu.org](http://www.ipu.org) – showing women’s parliamentary representation world-wide, issued by the Inter-parliamentary Union.

[www.quotaproject.org](http://www.quotaproject.org) – the global web site on electoral gender quotas, issued by International IDEA, Stockholm University and Inter-parliamentary Union, IPU.

[www.national-assembly.org.kh](http://www.national-assembly.org.kh)

[www.senate.gov.kh](http://www.senate.gov.kh)

## **Appendix A: Temporary Special Measures and Gender Quotas in Politics – A World-Wide Trend**

*By Drude Dahlerup, professor at the Department of Political Science, Stockholm University, Sweden ©*

*October 2010.*

### **1. Introduction**

All over the world today, women's under-representation in politics is being discussed. It is no longer considered natural that politics is a male-dominated area.

In recent years a new perspective on women's under-representation has developed. We see a discursive change away from primarily blaming women for not being good and qualified enough towards a demand for changing the political institutions and organizations so that they can become more inclusive for women and other under-represented groups. The UN Beijing Platform for Action from 1995 represents such a change in focus, and it also illustrates the growing impatience with the slow speed of change.

Electoral gender quotas is one type of temporary special measure:

Defining quotas:

Quotas imply setting a fixed goal for the recruitment of women or other under-represented groups for the candidate lists or among those elected in order to rapidly change an unwanted inequality

Electoral gender quotas are, thus, an affirmative action policy for public elections. The quota rules may set a minimum for women, for instance no less than 30 or 40 percent women on the candidate lists of each party. But quota rules may also be gender neutral, in which case a minimum and maximum are set for both sexes, for instance no more than 60 percent and no less than 40 percent of either sex.

In a way, electoral gender quotas are a simple measure. It is a simple answer to a very complex problem, that of women's historical exclusion from public life. Further, the implementation of quotas as an affirmative policy is easy to evaluate, since it is a matter of counting the number or share of women on the candidate lists and among those elected.

### **2. Women in the Parliaments of the World**

Women only occupy on the average 19 percent of the seats in parliaments around the world. Ten years ago, in 1999, the percentage was 13 percent. This reveals a rather slow development ([www.ipu.org](http://www.ipu.org)).

Table 1 shows the regional averages in women's parliamentary representation. The table shows that the differences are not as great as might be expected between the regions of the world. It also shows that an increase, although modest, has taken place in all regions. The Pacific region and the Arab countries are situated at the bottom, although statistically the

greatest increase during the past decade has taken place in the Arab world, from 3.7 to 9.7 percent.

**Table A.1. Women’s Representation in Parliament 1997 and 201**

*- Regional averages, single or lower house*

	1997	2010
Americas:	14.3	22.7
Europe:	13.5	21.9
Sub-Saharan Africa	10.8	19.1
Asia:	9.7	18.4
Pacific:	12.8	12.6
Arab countries:	3.7	11.1
World Average	11.3%.	19.3 %

Source: [www.ipu.org](http://www.ipu.org)

If we look at the individual countries, we find large differences within the regions. For a very long time, the five Scandinavian countries were almost alone at the top of the world rank order in terms of women’s political representation. In 1999, there were between 25 and 43 percent women in their parliaments, in 2009 between 37 and 45 percent. But these countries are now being challenged by other countries, many of which are situated in the Global South (see Table 2).

**Table A.2. Women’s Representation in Parliament: The top 15 countries 2010**

*Single or lower house*

<i>Country</i>	<i>Women in Parl.</i>	<i>Quotas</i>	<i>Electoral System</i>
1. Rwanda	56.3 (2008)	Legal Quotas	PR
2. Sweden	45.0 (2010)	Party Quotas	PR
3. South Africa	44.5 (2009)	Party Quotas	PR
4. Cuba	43.2 (2008)	NA	Plurality/Maj
5. Iceland	42.9 (2009)	No Quotas	PR
6. Finland	42.0 (2007)	No Quotas	PR
7. Netherlands	40.7 (2010)	Party Quotas	PR
8. Norway	39.6 (2009)	Party Quotas	PR
9. Belgium	39.3 (2010)	Legal Quotas	PR
10. Mozambique	39.2 (2009)	Party Quotas	PR
11. Costa Rica	38.6 (2010)	Legal Quotas	PR
12. Argentina	38.5 (2009)	Legal Quotas	PR
13. Denmark	37.4 (2007)	No Quotas	PR
14. Angola	37.3 (2008)	Legal Quotas	PR
15. Spain	36.3 (2008)	Legal Quotas	PR

*Note: Election day figures. Legal Quotas are introduced by constitution or law. Party quotas are voluntarily measures adopted by individual political parties. If at least one of the political*



*parties represented in a national parliament uses quotas for its electoral lists, the country is listed here as a country with party quotas.*

Table 2 shows the 15 countries in the world having the highest representation of women in parliament, 35 percent or more. As illustrated in Table 2, all of the newcomers to the top of the world rank order have adopted some type of electoral gender quota, here defined as either legal, e.g. legislated quotas binding for all political parties in the country, or voluntary party quotas. This illustrates that electoral gender quotas can lead to historical leaps in women's representation in a country.

However, quotas are not the only route to a very high representation of women. As the cases of Denmark and Finland reveal (see Table 2) a high level of female representation can also emerged without quotas. However, in these two countries, as in all of the Scandinavian countries, women obtained the right to vote and to stand for election almost 100 years ago – in Finland in 2006, in Denmark in 1915.<sup>25</sup> Thus, it took 100 years to reach 35-40 % female representation! In contemporary new democracies and post-conflict countries, no one is prepared to wait that long.

Since not just any quota system leads to substantial increased in women's representation in political assemblies, as we shall see, the choice of quota type is extremely important. A quota system must be compatible with the electoral system in a country. Otherwise, even gender quotas may lead to very little change and may remain just a symbolic gesture.

Electoral systems. Research has shown that an electoral system based on proportional representation (PR), in which each party nominates many candidates in each electoral (constituency is generally more open to attempts to increase women's representation than the majority/plurality system in which each party only nominates one candidate per district. The low representation of women in the parliaments in India, the USA and the United Kingdom illustrates this. On the average, women's representation was 20 percent in countries with proportional representation electoral systems, only 11 percent in countries using single member constituencies and 14 percent in countries with mixed electoral systems (Norris 2006).

The difficulties in combining a single member constituency system with any type of gender quota – how can, say, 30 percent women candidates be required when each party only has one candidate per electoral district? - will probably further widen the gap between the two electoral systems in terms of women's representation. While four-fifths of all countries with PR have adopted electoral gender quotas, only one fourth of the countries with single member districts have quotas (Dahlerup 2007). However, there are several ways to make a quota system work even in single-member districts.

### **3. Gender Quotas World-Wide**

Although controversial, electoral gender quotas have been adopted with amazing speed over the past two decades. Today, around fifty countries have adopted electoral gender quotas in their constitutions, electoral laws or party laws, so-called legislated gender quotas. During the past two decades these formal gender quotas have been introduced by countries as diverse as

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<sup>25</sup> See Lenita Freidenvall, et al., *The Nordic Countries: an Incremental Model in Women, Quotas and Politics*, pp.55–82,

Argentina (1991), Belgium (1994), Costa Rica (1996) Taiwan (1997), France (1999), Rwanda (2003), Iraq (2004), Uzbekistan (2004), Burundi (2004), the Palestine Territories (2005), Mauritania (2006), Spain (2007) and Burkina Faso (2007) (see [www.quotaproject.org](http://www.quotaproject.org)).

In more than 50 additional countries one or more of the political parties represented in parliament have adopted voluntary party quotas for their own electoral lists, as in South Africa, Mozambique, Sweden, Norway and Germany. If we add countries with legislated quotas to countries with voluntary quotas, the result is that in more than half of the countries in the world some type of electoral gender quotas are in use.

It is important to stress that electoral gender quotas do not solve all of the problems for women in politics, such as problems concerning campaign financing, intimidation of women candidate and problems concerning safety during electoral campaigns. But under certain conditions quotas can be a method that can rapidly change women's under-representation, providing the quota regulations are properly constructed.

In contemporary world politics, making serious efforts to improve women's political representation is an important part of a country's international image. Gender balance in decision-making is increasingly seen as an integrated part of all processes of modernization and democratization.

Research on quotas world-wide shows that many different combinations of electoral systems and quota systems are possible, even if some are clearly more successful than others. Quota systems have been introduced for local as well as national elections (see Dahlerup 2006; Matland 2006; Larsrud & Taphorn 2007; Krook 2009).

#### **4. Types of Gender Quotas**

Comparative gender quota research has shown that quotas have been introduced in all kinds of political systems, democratic, semi-democratic as well as non-democratic. It is a world-wide trend.

When designing an electoral gender quota system, the choice is not just between legislated quotas and voluntary quotas, even if this is the most important distinction, since the first is binding on all political parties and allows for legal sanctions for non-compliance, while voluntary quotas may start with a decision by just a single party.

*Figure 1* shows 6 types of electoral gender quotas, ordered according to two dimensions: firstly, the mandate - legislated quotas versus voluntary party quotas - and, secondly, where in the electoral process quotas are introduced - aspirant quotas, candidate quotas or quotas as reserved seats for those elected.

**Figure 1. Taxonomy of Quota Types**

<i>Mandate by / Level</i>	<i>Aspirants Quotas</i>	<i>Candidate Quotas</i>	<i>Reserved Seats Quotas</i>
Legislated quotas (Constitution or law):	1. Legal aspirant quotas (e.g. in primaries in Panama)	3. Legislated candidate quotas (e.g. minimum 40 women on all candidate lists)	5. Seats reserved for women among those elected Rwanda, Uganda, India local, Kenya, Afghanistan a.o.
Voluntary party quotas:	2. Voluntary aspirant quotas (e.g. women only shortlists in the UK in 90s)	4. Voluntary party quotas (individual party rules) Sweden, Norway, Germany, South Africa a.o.	6. Voluntary reserved seats (party agreement as in Morocco)

Aspirant quotas (Nos. 1 and 2 in Figure 1) are quite rare. This type of quota aim at securing a minimum number of women among the pool of candidates that are presented to the voters in a primary election, as in Panama, or to the nominating bodies of a political party. Most well-known in this category are the contested all-women shortlists used by the British Labour Party for half of the vacant seats in the run up to the 1997 election.

In Latin America, legislated candidate quotas (No. 3) are a widespread and preferred type of gender quota. Argentina led the way in 1991, and legislated candidate quotas are now common in Latin America.

In Europe, voluntary candidate quotas (No. 4) were for long the preferred quotas system, if any type of quota system was introduced at all. Social Democratic, Left and Green parties have led the introduction of voluntary gender quotas. A contagion effect may lead other parties to follow suit, however many bourgeois parties have rejected quotas as ‘non-liberal’. In Scandinavia, where all of the political parties have a relatively high percentage of women in their parliamentary groups, several bourgeois parties have introduced “soft quotas” in the form of recommendations and targets in order to compete over votes. Today, however, several European countries have moved to legislated candidate quotas, as in the case of Belgium, France, Spain, Portugal and Macedonia.

Quotas in the form of reserved seats (No. 5) is the most common quota type in use in the Arab region, in Asia and in East Africa. But even within the group of reserved seats, we find important variations. Here are some examples:

In Rwanda, two women are to be elected by a special electorate from each electoral district - a total of twenty-four women out of the 80 seats in parliament. In Afghanistan, at least two female candidates are to be elected per district. If two women are not elected in the general election, the two seats are filled with women from the list of not-elected candidates (best losers). In Uganda the original quotas system with reserved seats, one per district elected by a special electorate, was recently changed. Today, the candidates for the reserved seats are

elected by all voters, who consequently receive two ballots, one for the general election and one for the reserved seat in the district.

The new constitution in Kenya, adopted in a referendum in 2010, reserved seats for women in the National Assembly. The new constitution reserves 47 seats for women deputies to be elected from the 47 counties – each county constituting a single-mandate constituency. These seats will be contested only by women candidates nominated by political parties in each county. In addition, the National Assembly will have 290 elected members, each elected by voters of single-mandate constituencies, and 12 members nominated by political parties to represent special interests, including youths, persons with disabilities and workers (to be composed of alternating male and female candidates).

In Morocco, the political parties have reserved thirty seats on a so-called national list, elected nation-wide by all voters, for women candidates (No. 6).

#### *Equality of opportunity or equality of result?*

Increasingly, reserved seat systems are based on elections, not on appointment. The election increases the democratic legitimacy of the reserved seat MPs. Consequently, it is incorrect to argue that in such systems women MPs get their seats without competition. What is new is that this is a competition between women only. At best, it places women's issues in the forefront of the electoral campaign. It has been argued that even if such reserved seats for women do violate men's formal rights to compete for these seats, de facto electoral competition only between male candidates is more prevalent in the world today.<sup>26</sup>

Reserved seats represent equality of result, since a certain representation of women is guaranteed, whereas candidate and aspirant quotas only guarantee that a certain number of women stand for election, which at least gives the voters a chance to vote for female candidates or for lists with female candidates.

## **5. Some best cases**

Rwanda, Sweden and Costa Rica represent some best cases of gender quotas. They all have a very high representation of women, but they also represent three different types of electoral gender quotas.

### *Reserved seats, type 5*

Rwanda: Reserved seats system – 2 women to be elected from each district by a special electorate - a total of twenty-four women out of the 80 seats in parliament. The special electorate consists of local women's organizations and local counselors. In the first election under this system in 2003, fifteen additional women were elected to the non-reserved district seats, in the 2008 election 21 women, thus contradicting the thesis that reserved seats will become a glass ceiling for women in relation to the general seats. 56.3 % women in parliament. No. 1 in the world.

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<sup>26</sup> This is discussed in Drude Dahlerup, "Electoral Gender Quotas: Between Equality of Opportunity and Equality of Results", *Representation* 43 no.2 (July 2007): 73-92.

#### ***Voluntary party quotas, type 4, for the party's own candidate list***

Sweden: The Social Democratic Party, the Green Party and the Left Socialist Party all have party rules requiring 50-50 % male and female candidates. The Social Democratic party calls this principle "every second for the ladies". During the nomination procedure in this party, candidates are chosen from a list of potential female candidates and from another list of potential male candidates, and these lists are finally combined alternating men and women on the list presented to the voters in the election. Bourgeois parties do not have formal quota rules, but to a large extent also alternate male and female candidates on their lists. 44.0 % women in parliament. No. 2 in the world

#### ***Legislated candidate quotas for all parties, type 3:***

Costa Rica. Minimum of 40 % of each sex on the list of all parties. Women must be placed in 40 % of the electable positions on party lists, where "electable position" is a seat the party won in the previous election. Strong sanctions for non-compliance: Rejection of the lists by the electoral authorities. A new electoral law of 2009 expresses the principle of parity (el principio de paridad) for all elections after 2010, including alternation on the lists (the zipper-system): "All nominations to election will comply with the mechanism of alternating by sex (woman-man or man-women) in a way that two persons of the same sex cannot be subsequent on the nomination list" (Art. 2). The law also requires that the statutes of the political parties include rules on gender equality for the parties as a whole and for the electoral lists (Art.52). 38.6 women in parliament, No. 11 in the world.

A quota system without rank order rules may lead to no change in women's representation at all. A quota regulation that requires, for instance, 40 percent women on all candidate lists may not lead to any women being elected if all of the female candidates are nominated at the bottom of the candidate lists or compete for non-winnable seats.

The legislated candidate quotas in France is a worst case scenario. The law requires 50 percent female and 50 percent male candidates (parité). The electoral system is a single-member district system in two rounds. The results from the first election after the reform was a disappointment, since only 12.2 percent women were elected in 2002, 18.5 in 2007. The explanation is that, even if there were 50 percent women candidates, few were elected since women were disproportionately placed as candidates in districts in which their parties are normally weak. In the local elections in France, which are based on PR, the parité law was a great success, increasing women's representation from 22 percent to over 48 percent.

In general, the political parties usually know very well where the good and winnable seats are (party strongholds). The seats that led to election in the preceding election are especially worth striving for, even if this, of course, may change from election to election.

## **6. Rank order rules**

Rank order rules are adopted to prevent quota rules, for instance a general rule of 30 or 50 percent women among the candidates, becoming merely symbolic with few women being elected as a result of most of the women candidates being placed on the bottom of the lists and in constituencies where their parties are weak. Rank order rules can be applied both under voluntary party quotas (type 4) and under legislated candidates quotas (type 3). Here are some examples.

1. Zipper system – alternation throughout the lists (most Green parties, most parties in Sweden, Costa Rica from next election)
2. The top two candidates cannot be of the same sex (Belgium + 50 % for whole list)
3. 40:60 for every 5 posts on the list. If less than 5 'eligible' posts, as close to 40:60 as possible (Spain).
4. One out of every group of 4 candidates must be a woman (East Timor)

## **7. Sanctions for non-compliance**

In the case of legislated quotas, it is possible to adopt sanctions for non-compliance. These can be financial – fining political parties that do not fulfill the quota requirements. However, the most effective sanction has proved to be regulations that give the electoral commission the authority to reject lists that do not have enough women.

Rejection of the lists (Costa Rica, Spain, Slovenia, East Timor, France at the local level).

Places shall remain empty (Belgium)

Financial penalty (France at the national level, Portugal).

## **8. Conclusion**

Electoral gender quotas are but one strategy for increasing women's representation in political assemblies. It cannot stand alone as an affirmative action method but should be followed-up by other changes, for instance in relation to campaign financing, safety of the candidates who run for election and many other electoral reforms.

However, electoral gender quotas have proved to be a method that can lead to historical leaps in women's political representation and, thus, break the historical under-representation of female citizens.

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**Web sites:**

HYPERLINK "<http://www.quotaproject.org>" www.quotaproject.org – a global web site showing all quota systems, country by country

HYPERLINK "<http://www.ipu.org>" www.ipu.org – shows the world rank order of women in parliaments

HYPERLINK "<http://www.statsvet.su.se/wip>" www.statsvet.su.se/wip  
Web site of Women in Politics Research Centre at Stockholm University.

For a global overview, see Drude Dahlerup, ed., *Women, Quotas and Politics* (London and New York: Routledge, 2006), and the global web site on quotas country by country operated by International IDEA, Stockholm University and the Inter-Parliamentary Union :  
<http://www.quotaproject.org>.

## Appendix B: Calculations on the effect of different rank-order systems

In this table, the effect of various rank-order systems for candidate lists is calculated with respect to consequence for the gender balance of party lists (closed lists, PR electoral system).

**Table B.1** *Minimum number of women that will be elected under different rank order systems for one party in one electoral district, depending on how many seats the party wins*

<i>No of seats won by a party in the district:</i>	Alternating women and men (zipper-system)	Top 2 cannot be of same gender + at least one woman among every subsequent group of 3	At least one of each gender among each group of 3 candidates	30 % women among the candidates without rank-order
1	0	0	0	0
2	1	1	0	0
3	1	1	1	0
4	2	1	1	0
5	2	2	1	0
6	3	2	2	0
7	3	2	2	0
8	4	3	2	0
9	4	3	3	0
10	5	3	3	0
11	5	4	3	0

Note: The table shows *the minimum* number of women that will be elected under different rank-order systems for one party, depending on the number of seats that this party wins in each district. The table only shows the minimum, for instance, if the party only wins one seat, it may be that no women are elected, even under the zipper-system, if a man is nominated as the number one candidate. The top candidate could, however, be a woman, in which case one woman would be elected and no man.

Under a requirement of 30 percent women among the candidates of each party (last column), it may happen that no women are elected at all, namely if all of the women are placed in non-winnable seats low down on the lists.

In the election to the National Assembly in Cambodia in 2008, no party won more than a maximum of 11 seats in a single district.

### *Easy to calculate*

It is relatively easy to calculate how many women would have been elected as a minimum, had one of these rank-order systems been in place for one or all political parties in the 2008 NA election. The number of seats won by each party in the different electoral districts is to be found at [www.necinfo@forum.org.kh](http://www.necinfo@forum.org.kh) National Election Committee, No 09.161/08 NEC.SG.PIB of Sept. 02, 2008.