# Concept Note on the Future General Recommendation on Equal and Inclusive Representation of Women in Decision-Making Systems

1. **Introduction**

*“Today, women’s leadership is a cause.*

*Tomorrow it must be the norm[[1]](#footnote-1)”,* Antonio Guterres, 21st October 2021.

The CEDAW Convention, adopted by the General Assembly in its resolution 34/180 of 18 December 1979, affirms in its articles 7 and 8 the principle of equal access for women to the public and political spheres. It has now been ratified by 189 Member States.

On September 15, 1995, one of the most progressive plans for the advancement of women’s rights and empowerment, the Beijing Declaration and Platform for Action, was adopted unanimously. In paragraph 13 of the Declaration, the 189 participating States reaffirmed their conviction that “*without the active participation of women and the incorporation of their perspectives at all levels of decision-making and their access to power; the goals of equality, development and peace are impossible to achieve[[2]](#footnote-2)”*.

This requirement concerns all sectors of economic, social and political life and constitutes a fundamental principle of the implementation of the Convention and the achievement of fundamental rights of women and the substantive equality between women and men.

Specifically, articles 7 and 8 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW Convention) express the duty of States parties to take “*all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men*” rights under letters a) to c) as well as to take “*all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations”*.

The aim of the future General Recommendation, which shall complement and update General Recommendation No.23 (1997), is to give a decisive impetus to women’s equal and inclusive representation in decision-making systems, based on a global and inclusive dimension - that is representative of all women - of the definition and scope of this principle, as described in Articles 7 and 8 and as stipulated by the Convention as a whole. More broadly, the future General Recommendation aims to initiate a comprehensive and harmonized analysis of all the articles of the Convention to address structural obstacles that prevent equal and inclusive representation of all women in decision-making systems, in particular discrimination and stereotypes preventing them from these rights, gender-based violence they face as an obstacle in accessing or remaining in such positions. The future General Recommendation aims at a new form of representation for women, notably to move away from mere participation and towards equal and inclusive representation. Only such change of representation can create the shift towards effective implementation of women’s rights. The GR will establish clear guidance for States Parties and all other stakeholders and offer a precise, structured, and measurable agenda rooted in internationally agreed legal and practical measures to ensure the implementation of both articles and the Convention as a whole. The purpose of the future General Recommendation is also to re-emphasize the CEDAW Committee’s role as one of the key players in the global objective to accelerate equality and combat the growing inequalities exacerbated by increased discrimination, risks of regression in women’s rights and multiple crises, and to serve the objectives of social cohesion, stability, peace and sustainable and responsible development in addition to ensuring the rights of women and girls, as an aim in itself, in line with the 2030 Agenda for Sustainable Development, , whose Goal 5 continues to stay behind expectations. [[3]](#footnote-3)

Women’s rights are still not consolidated enough to withstand crisis as well as the disruptive challenges we are facing nowadays including, pandemics, poverty, migration, climate change, energy crisis, extremism, armed conflicts, digitalization, including increased usage of artificial intelligence. We need new forms of governance to respond to this challenging gap that remains between women and men in the form of equal and inclusive representation in decision-making systems. While the CEDAW Committee celebrates its 40th anniversary, the future general recommendation is based on the acknowledgement and implementation of the universal principle of equality between women and men.This is a consensus and constitutive element of the consolidation of the international legal framework and multilateral system.

This concept note has been prepared for the 83rdsession of the CEDAW Committee. The purpose of the concept note is to initiate discussion by providing background information, and to provide an overview of both the legal context, the thematic areas to be addressed and the aim of the future general recommendation.

# Contextualization of the future General Recommendation on Equal and Inclusive Representation of Women to Decision-Making Systems

## 2.1 Historical Contextualization

Throughout history and until today, women have been massively excluded from political life and decision-making systems, both political and public, as well as in the private sphere, even though they are recognized as the primary forces for peace, stability and sustainable development throughout the world, for instance in the 2030 Agenda.

In 1945, at the time of the creation of the United Nations, more than half of the 51 countries that had ratified the Charter did not allow women to vote and gave them only a restricted and conditional right to vote.

Today, although women’s right to vote has been achieved in almost all countries, in practice it can be meaningless when other conditions make it almost impossible or very difficult for women to participate in elections (lack of free and fair elections, violations of freedom of expression, insecurity affecting a very large proportion of women, etc.). Few of the States that are parties to the Convention legally restrict women’s eligibility to stand for election, but women remain significantly under-represented at all levels of government and parliament and among voters.

In addition, beyond the right to vote and to run for elections *stricto sensu,* the slow and inconsistent evolution of women’s equal participation and representation at all levels of decision-making systems worldwide, weighs heavily on the application of the CEDAW Convention, on the improvement of women’s status and access to their rights, on the effective fight against discrimination and on the achievement of gender equality in societies. Despite remarkable successes for a certain number of States, in the absence of structural policies and constitutional or legislative anchoring and institutionalization of the principle of equal access of women to responsibilities, multidimensional obstacles such as gender stereotypes, patriarchal patterns of oppression, discrimination and gender-based violence against women in politics, will continue to deprive women of their legitimate power to decide for themselves, as well as for the future of their country or the planet[[4]](#footnote-4).

##  The Urgency of a New Paradigm

States are constantly reiterating their commitments to equal and inclusive representation of women in decision-making systems. However, the available data reflects only a symbolic improvement and shows that the overall objective has not been achieved. While significant efforts have been and continue to be made around the world, they are insufficiently effective and sustainable. Beyond examples of good practices, the reality of the figures is a testimony to the urgency and relevance of updating current approaches to increasing women’s representation, which, while being the central subject of attentive and recurrent observations by the CEDAW Committee, has never achieved the expected results overall.

In high-level government positions, women are heads of state or government in only 22 countries, and 119 countries have never been led by a woman[[5]](#footnote-5). At the current rate, it will take 130 years to achieve inclusive governance[[6]](#footnote-6). Moreover, on current trends, with an annual increase of only 0.52 percent, gender parity in ministerial positions will not be achieved until 2077[[7]](#footnote-7). Only a stable anchoring and institutionalization of the principle of equal and inclusive representation can ensure significant and systematic progress, prevent inconsistent and possibly regressive developments and positively impact the stability and the evolution of women’s rights and women’s leadership at all levels on equal footing with men

In national parliaments, despite the constant effort by the Inter-Parliamentary Union (IPU) and its positive and efficient influence, only just over 26 percent [[8]](#footnote-8) of all national parliamentarians are women, an increase of only 11 percent from 1995[[9]](#footnote-9). As of 1 January 2022, only five countries had 50 percent or more women in the lower or single houses of parliament[[10]](#footnote-10), and only 1 percent of Members of Parliaments in the world were women under the age of 30[[11]](#footnote-11). At the current rate, gender parity in national parliaments will not be achieved until 2063[[12]](#footnote-12).

In local government, only two countries have reached 50 percent, and 18 other countries have more than 40 percent of women in local government. Today, data from 133 countries indicate that women constitute only 36 percent of elected members of local deliberative bodies.[[13]](#footnote-13)

Equally, in the private sector, women continue to be severely underrepresented. According to numbers from 2020 by the Woman’s Forum for the Economy and Society, worldwide, women represent 24 percent of employees in the technology sector, 22 percent of algorithm designers, 11 percent of employees in the cybersecurity sector, 6 percent of CEOs, 12 percent of CFOs, 16.9 percent of board members, and 2 percent of managers in the financial sector, 224 million entrepreneurs, 35 percent of companies in the global economy, and 19 recipients among the 610 winners of the Nobel Prize in science since 1903.”[[14]](#footnote-14) This state can only worsen taking into consideration the current and expected disruptive developments of the virtual economy. There is an urgency to adopt public policies and concrete indicators for new gender-equal models of management,

In the face of multiple disruptive crises, women’s participation in public and political life and in the private sector, is under threat everywhere, despite their proven competencies as leaders and agents of change for their countries as well as for the planet, and despite their fundamental and recognized right to participate equally in decision-making systems. In addition, the severe regression of women’s rights in Afghanistan, , the global COVID-19 pandemic, climate change, energy crisis, extremism and other current political regressions, armed conflicts and crises everywhere demonstrate, every day, the systemic fragility of women’s rights in the world, especially because of their limited weight in public institutions and political governance.

Today, the immediate, effective and comprehensive implementation of the CEDAW Convention through the equal and inclusive representation of women in political and public life is the best way to overcome some of the most pressing challenges of our time. The current context creates and requires a historic momentum for women’s equal and inclusive representation in decision-making systems. Their skills, and the importance of their voices have been significatively highlighted during the COVID-19 crisis, as leaders and agents of its management, and yet, recovery measures hardly include them in the design of reconstruction policies and programs and as beneficiaries of them.

# The Normative Framework

## A Long-Standing International Priority: The Historical Normative Context

The issue of women’s equal access to public and political responsibilities is doubly relevant. Driven by tireless advocacy of civil society, in particular the feminist movement, historically inscribed in the core of universal values and enshrined in the CEDAW Convention and the Beijing Declaration and Platform for Action as a fundamental right, women’s equal participation in public and political spheres also responds to both the requirement and the contemporary urgency of an inclusive, peaceful and sustainable world in direct relation to the Sustainable Development Goals. The CEDAW Committee is not the only body making women’s equal and inclusive representation in decision-making systems a major focus. This overarching premise has been articulated, justified, and protected in numerous international instruments, to which the undeniable legal force is today, well recognized.

From the beginning, the United Nations has recognized the right of women to equal and inclusive representation in decision-making systems. Article 21 of the Universal Declaration of Human Rights states that everyone has the right to take part in the government of their country. On this matter, one of the first tasks of the Commission on the Status of Women was to draft the Convention on the Political Rights of Women in 1952[[15]](#footnote-15). In addition, article 7 of the CEDAW Convention deals with women’s equal and inclusive representation in decision-making systems in political and public life, and Article 8 calls on all States Parties to take appropriate measures to ensure such access.

Transparent and accountable management and administration and sustainable development in all areas will only be possible if women are empowered and autonomous and if they enjoy a better social, economic and political situation. The unequal power relations that prevent women from fulfilling their potential exist at all levels and in all areas of society, from the most private to the most public.

## Equal and Inclusive Representation of Women in Decision-Making Systems in International Legal Instruments

The explicit right of women’s equal and inclusive representation to decision-making systems is also recognized in many international legal instruments, including, but not limited to Universal Declaration of Human Rights (Article 21), the International Covenant on Civil and Political Rights (Article 3); the Convention on the Rights of Persons with Disabilities (Article 6, 29); the Declaration on the Elimination of Violence against Women (article 3), the Universal Declaration on Democracy (Article 4) of the Inter-Parliamentary Council

## Equal and Inclusive Representation of Women in Decision-Making Systems in Regional Legal Instruments

In addition to international human rights instruments, regional treaties also contain key provisions to promote and protect women’s equal and inclusive representation in decision-making systems.

The African Charter on Human and Peoples’ Rights (Banjul Charter) under Article 2 of the Charter prohibits discrimination on any ground, including sex discrimination, in the enjoyment of the rights it guarantees. Article 18 specifically refers to the obligation of States parties “*ensure the elimination of every discrimination against women and also ensure the protection of the rights of the woman and the child as stipulated in international declarations and conventions*”. The Protocol to the African Charter on Human and Peoples’ on the Rights of Women in Africa, also stipulates in its Article 9 that “*(1) States Parties shall take specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures to ensure that: a) women participate without any discrimination in all elections; b) women are represented equally at all levels with men in all electoral processes; c) women are equal partners with men at all levels of development and implementation of State policies and development programmes; and that (2) States Parties shall ensure increased and effective representation and participation of women at all levels of decision-making.”* Its article 8 on Access to Justice and Equal Protection before the Law also stipulates that *“States Parties shall take all appropriate measures to ensure (…) that women are represented equally in the judiciary and law enforcement organs.”* The American Convention on Human Rights “Pact of San José Costa Rica” also enshrines in its article 1 the obligation for States parties to “*respect the rights and freedoms recognized herein and to ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms, without any discrimination for reasons of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition*” and its article 23 on *“The Right to Participate in Government”* also applies to *“every citizen”.* The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará), also states in its article 4 that “*Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and international human rights instruments. These rights include, among others:(…) (j) The right to have equal access to the public service of her country and to take part in the conduct of public affairs, including decision-making.”* Its article 5 also states that “*Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights*”. Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms prohibits all forms of discrimination, including on the basis of sex. Since 1998, individuals have been able to bring cases before the European Court of Human Rights on the basis of alleged violations of the Convention. The Charter of Fundamental Rights of the European Union, that prohibits in its article 21 “*discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation*” and explicitly provides in its article 23 for equality between women and men, also stipulates in it Article 39 that “*Every citizen of the Union has the right to vote and to stand as a candidate at elections to the European Parliament in the Member State in which he or she resides, under the same conditions as nationals of that State*” and in its 40 that “*Every citizen of the Union has the right to vote and to stand as a candidate at municipal elections in the Member State in which he or she resides under the same conditions as nationals of that State.”* The preamble of the Council of Europe Convention on preventing and combating violence against women and domestic violence also recognizes that “*that the realisation of de jure and de facto equality between women and men is a key element in the prevention of violence against women*” and that “*violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women*” as well as that gender-based violence against women “*is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men*” and constitutes “*a major obstacle to the achievement of equality between women and men*” and Article 1 listing the purposes of the Convention states that these include contributing to “*the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women*”. Article 6 also requires States parties to “*promote and effectively implement policies of equality between women and men and the empowerment of women*”.Resolution 85 on women’s participation in political life in the European regions was also published in the Official Gazette of the Council of Europe in June 1999, recalling “*the importance of equal representation of women in the political institutions*” in its paragraph 4 and urging regional authorities to “*undertake the appropriate measures to facilitate women’s access to the political institutions of regional authorities*”.

Regional human rights treaties also have monitoring mechanisms to ensure that ratifying States implement their provisions. These include the African Commission on Human and Peoples' Rights, the Inter-American Court of Human Rights the Council of Europe and the European Court of Human Rights. Regional political organizations have also adopted protocols, resolutions, and declarations on women’s equal and inclusive representation in decision-making systems.

## Equal and Inclusive Representation of Women in Decision-Making Systems Fora and Meetings at International Level

* + 1. **Equal and Inclusive Representation of Women in Decision-Making Systems in the United Nations World Conference on Women**

The first World Conference on the Status of Women, which met in Mexico City in 1975, coinciding with International Women’s Year, in conjunction with the United Nations Decade for Women (1976-1985), proclaimed by the General Assembly five months after the Conference, opened a decisive phase in global efforts for the advancement of women by initiating an international dialogue on gender equality.

A process had been set in motion - a learning process - that would involve deliberation, negotiation, setting goals, identifying obstacles and assessing progress. The Mexico City Conference was organized at the request of the UN General Assembly to draw the international attention on the need to develop clear future goals, effective strategies, and action plans for the advancement of women’s rights and status.

Therefore, from the very beginning of this global process, from the first World Conference on Women, the United Nations already addressed the imperative need to ensure “*the integration and full participation of women in development*” as well as “*an increasingly important contribution by women towards strengthening world peace*”.

## Equal and Inclusive Representation of Women in Decision-Making Systems in the United Nations Economic and Social Council Resolution 1990/15

Resolution 1990/15 of the Economic and Social Council of the United Nations called, as early as 1990, on governments, political parties, trade unions, professional organizations and all representative groups to adopt a minimum representation of 30 percent of women in their governing bodies, and to achieve equal and inclusive representation.

## Equal and Inclusive Representation of Women in Decision-Making Systems in the United Nations General Assembly Resolution 58/142 on Women's Participation in Political Life

The 2003 United Nations General Assembly resolution on women’s political participation stipulates that Member States should take steps including to: monitor progress in the representation of women; ensure that measures to reconcile family and professional life apply equally to women and men; develop mechanisms and training programmes that encourage women to participate in the electoral process and improve women’s capacity to cast informed votes in free and fair elections; promote the participation of young people, especially women, in civil society organizations; and develop programmes to educate and train women and girls in using the media and information and communication technologies. Decisive and concrete action needs to be taken to implement these.

At the same time, measures, notably awareness-raising measures targeted to the larger public, especially men and boys on the importance of equal sharing of power and responsibilities between men and women should also be conducted.

## Equal and Inclusive Representation of Women in Decision-Making in the Beijing Declaration and Platform for Action

The Beijing Declaration and Platform for Action explicitly states that women’s Representation in decision-making is a human right and an essential tool for achieving the international goals of gender equality, development and peace, and that it is necessary for women to be effective agents of change. The Beijing Declaration and Platform for Action also affirmed that women have the same right as men to participate in governance processes and can help redefine political priorities, raise new issues on the political agenda and shed new light on general political issues. The Declaration and Platform for Action has identified two strategic objectives in this critical area: ensuring women’s equal and inclusive representation and full participation in power and decision-making structures and building women’s capacity to participate in decision-making processes and leadership.

The latter place great emphasis on the issue of women in positions of power and decision-making. It calls on States to commit themselves to taking concrete measures to ensure women's equal access to and full participation in power and decision-making structures and to increase their capacity to participate in decision-making and leadership in accordance with the specific recommendations made.

On 15 September 1995, in paragraph 13 of the Beijing Declaration, 189 Member States agreed that without “*the full participation of women on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, the goals of equality, development and peace cannot be achieved[[16]](#footnote-16)”*.

## Equal and Inclusive Representation of Women in Decision-Making Systems in Security Council Resolution 1325 on Women, Peace and Security

In its resolution 1325 and its follow-up resolutions and reports on women, peace and security, the United Nations Security Council recalls the essential contribution that women make to peace and explicitly calls for increased representation of women at all levels of decision-making processes in all conflict prevention, management and resolution mechanisms. Peace is a prerequisite for health, equality and human security.

Indeed, enhancing the effective participation of women in peacemaking and conflict prevention efforts is one of the key priorities of Resolution 1325 on Women, Peace and Security. Resolution 1325 was the first resolution to recognize the disproportionate and singular impact of armed conflict on women and girls, to acknowledge the contribution of women and girls in conflict prevention, peacekeeping processes, conflict resolution and peacebuilding, and to stress the importance of their full and equal participation as actors of peace and security. This was followed by Security Council resolution 1889 (2009), which encourages Member States to promote the participation and inclusion of women in conflict resolution and peace processes. In 2010, the Secretary-General presented an action plan on women in peacebuilding, which sets out seven concrete commitments for gender mainstreaming in peacebuilding, including “*increasing the participation of women at decision-making levels in conflict resolution and peace processes*”. In 2013, the United Nations Security Council adopted Resolution 2122 on Women, Peace and Security, which, among other things, emphasizes the importance of women’s full and equal participation in all stages of electoral processes and notes that special attention must be paid to women’s security before and during elections.

Furthermore, the eight subsequent Resolutions on Women, Peace and Security ([1820,](http://undocs.org/fr/S/RES/1820%282008%29) [1888,](http://undocs.org/fr/S/RES/1888%282009%29) [1889,](http://undocs.org/fr/S/RES/1889%282009%29) [1960,](http://undocs.org/fr/S/RES/1960%282010%29) [2106,](http://undocs.org/fr/S/RES/2106%282013%29) [2122,](http://undocs.org/fr/S/RES/2122%282013%29) [2242](http://undocs.org/fr/S/RES/2242%282015%29), [2467](https://undocs.org/fr/S/RES/2467%20%282019%29) and [2493](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/339/37/PDF/N1933937.pdf?OpenElement)) adopted by the United Nations Security Council enhance and reinforce the importance of women’s leadership and their meaningful participation in conflict resolution and peace processes.

## Equal and Inclusive Representation of Women in Decision-Making Systems in Resolution 66/130 of the 67th Session of the United Nations General Assembly on Women's Participation in Political Life

In its Resolution 66/130 of 2011, the United Nations General Assembly recalls that *“women in every part of the world continue to be largely marginalized from the political sphere, often as a result of discriminatory laws, practices, attitudes and gender stereotypes, low levels of education, lack of access to health care and the disproportionate effect of poverty on women”.* The United Nations General Assembly emphasized the importance of women’s participation in all contexts.Furthermore, the United Nations General Assembly reaffirms that *“the active participation of women, on equal terms with men, at all levels of decision-making is essential to the achievement of equality, sustainable development, peace and democracy”* and calls upon all Member States to“*eliminate laws, regulations and practices that, in a discriminatory manner, prevent or restrict women’s participation in the political process*” and urges all States to take a range of measures to ensure women'sequal participation, including the following:

(a) To review the differential impact of their electoral systems on the political participation of women and their representation in elected bodies, and to adjust or reform those systems where appropriate;

(b) To strongly encourage political parties to remove all barriers that directly or indirectly discriminate against the participation of women, to develop their capacity to analyze issues from a gender perspective, and to adopt policies, as appropriate, to promote the ability of women to participate fully at all levels of decision-making within those political parties;

(c) To promote awareness and recognition of the importance of women’s participation in the political process at the community, local, national and international levels;

(d) To investigate allegations of violence, assault or harassment, including online, of women elected officials and candidates for political office, create an environment of zero tolerance for such offences and, to ensure accountability, take all appropriate steps to prosecute those responsible; and

(e) To encourage greater involvement of women who may be in marginalized situations, including indigenous women, women with disabilities, women from rural areas and women of any ethnic, cultural or religious minority, in decision-making at all levels, and address and counter the barriers faced by women in marginalized situations in accessing and participating in politics and decision-making at all levels.

## Equal and Inclusive Representation of Women to Decision-Making Systems in the Millennium Development Goals

The Millennium Development Goals, in particular Goal 3 (“*Promote gender equality and empower women*”), call for a commitment by States to promote mechanisms that give women a meaningful and equal voice in politics and governance institutions. Reviews of progress towards achieving Goal 3 show that women are gradually gaining more political power, especially through quotas and other special measures.

## Equal and Inclusive Representation of Women in Decision-Making Systems in the 2030 Agenda

Access to equal and inclusive representation in political and public decision-making systems is the basis for peace, inclusive and participatory governance, sustainable development, and offers the opportunity for people everywhere not only to participate in the political and public life of their country, but also to create new avenues of power for themselves to take control over their own lives. Representation in decision-making systems enables individuals and communities to have greater control over their lives and to shape, rather than be subjected to, the institutional and public changes and policies that directly affect them.

Furthermore, Goal 5 (“*Achieve gender equality and empower all women and girls*”), through its cross-cutting focus on ensuring equal opportunities for women and men in economic development, as well as promoting equal participation opportunities at all levels, also promotes equality in the implementation of sustainable development and the inclusive participation of women in that process.

Whether we are looking at current armed conflicts; the multidimensional socio-economic, migratory, climate and political crises that are hitting the world, the COVID-19 pandemic and recovery plans, as well as the gender gap in digitalization and artificial intelligence systems- every day, women’s rights are overlooked, threatened, undermined. But we also see that some of the most significant changes have occurred in countries where established political mechanisms have been challenged and opened up opportunities to advance women’s political and public representation. It is essential that the CEDAW Committee enable the necessary paradigm shift in the face of the disruptive crises affecting humanity and the planet, which is also a pre-condition to achieving the 2030 Agenda.

## Equal and Inclusive Representation of Women in Decision-Making Systems in the 64th and 65th sessions of the Commission on the Status of Women (CSW64 and CSW65)

The 64th session of the Commission on the Status of Women (CSW64), which should have been held in New York from 9 to 20 March 2020 - suspended because of the COVID-19 pandemic - was to place at the heart of its debates the twenty-fifth anniversary of the adoption of the Beijing Declaration and Platform for Action, and to address the political and public participation of women.

In addition to the COVID-19 pandemic that marked humanity, the year 2020 was shaped by many declarations of intent to put women at the center of building back better, with a view to accelerating the achievement of gender equality and the empowerment of all women and girls in the world. as well as fostering women’s leadership in achieving these goals. However, this intent has often not materialized, and the result has been weak.

It is for this reason that at the 65th session of the Commission on the Status of Women (CSW65) held in a hybrid format from 15 June 2021, made the “*full and effective participation of women in decision-making in public life, eliminating violence, achieving gender equality and empowering all women and girls*” its roadmap. The COVID-19 pandemic having exacerbated existing gender inequalities, unpaid care responsibilities, child marriage rates and having significantly negatively affected women’s socio-economic status, plunging many women into poverty and even extreme poverty, the 65th session of the Commission on the Status of Women (CSW65) highlighted the importance of achieving gender parity in decision-making as a means to ensure equal rights are achieved through gender-responsive laws and policies.

## Equal and Inclusive Representation of Women in Decision-Making Systems at the Generation Equality Forum

The Generation Equality Forum, which took place from 29 to 31 March 2021 in Mexico City and ended in Paris between 29 June and 2 July 2021, dedicated a plenary session entitled “*Women and transformative leadership in the Generation Equality Forum*” that highlighted women’s leadership as one of the main drivers of equality between women and men. The importance of inclusive leadership and the tremendous impact it can bring to the status of girls and women around the world was underlined.

The Generation Equality Acceleration Plan provides for leadership and decision-making power of women and girls in all their diversity by advancing equality at all levels of decision-making and leadership in the public and private sector and by promoting and increasing feminist, gender transformative and inclusive legislation and policies.

As part of their initiatives to propel progress on gender equality, the leaders of the Generation Equality Forum’s Action Coalitions - new and innovative partnerships involving governments, women’s and youth movements and organizations, the private sector and international organizations - have unveiled the concrete steps they see as central to a bold new feminist agenda in the next five years. In this sense, the CEDAW Committee is resolutely turned to the younger generations and is a leader in this key positive transformation of societies by creating the conditions for equal and inclusive representation in decision-making systems.

## Equal and Inclusive Representation of Women in Decision-Making Systems at the 76th Session of the United Nations General Assembly

At the 76th session of the United Nations General Assembly (UNGA 76) held from 21 to 27 September 2021, the high-level general debates focused on the theme “*Building resilience through hope – to recover from COVID-19, rebuild sustainably, respond to the needs of the planet, respect the rights of people and revitalize the United Nations*”.

In this pivotal year, as the COVID-19 pandemic continues to disrupt the lives of people and economies around the world, the 76th session of the United Nations General Assembly (UNGA 76) sought to include women’s voices and leadership in all efforts to “*build back better*”, restore balance with nature, address the climate emergency and overcome the pollution crisis, while ensuring that no one is left behind.

On the margins of UNGA 76, UN Women also launched a Feminist Agenda for Sustainability and Social Justice, which proposes ways to build on the recovery from the COVID-19 crisis to shape a better and sustainable world, where gender equality is strengthened, including women’s leadership in post-COVID-19 reconstruction and national action plan.

**3.4.12. Equal** **and Inclusive Representation of Women in Decision-Making Systems at the 77th Session of the United Nations General Assembly**

At the 77th session of the United Nations General Assembly (UNGA 77) held from 13 – 27 September 2022, a new UNGA Global Platform of Women Leaders was launched as a special initiative of the President of the General Assembly and UN Women. The platform is an avenue for to share experiences executing decisive and inclusive leadership and policies, with recommendations for women heads of State and government to “share experiences executing decisive and inclusive leadership and policies, with recommendations for building solutions to interrelated and complex crises that respond to society’s needs” , as in the light of the interlinking and complex challenges it is “more crucial than ever to ensure women and men are equally represented in policy and decision-making”.[[17]](#footnote-17) The theme of the meeting at UNGA 77 was “Transformative Solutions by Women Leaders to Today’s Interlinked Crises.”

**3.4.13. Equal Access of Women to Decision-Making Processes at the Inter-Parliamentary Union**

The Inter-Parliamentary Union (IPU) is the world organization of parliaments. It has long placed gender equality at the centre of its mandate, as a precondition for genuine democracy, good governance, sustainable development and peace. The IPU works closely with the CEDAW Committee to promote action by national parliaments to achieve gender parity in parliament and gender-sensitive processes, through constitutional and legal reforms, robust internal policies and mechanisms, and awareness-raising efforts to build political will and public support for gender equality in political decision-making. Such efforts build on a number of IPU instruments and guidance.

The 1997 Universal Declaration on Democracy states in Article 4 that “The achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences.”

Two important resolutions adopted unanimously by IPU Member Parliaments provide concrete commitments and guidance on how to achieve this objective. In 2012, IPU Member Parliaments adopted a Plan of Action for Gender-sensitive Parliaments, which provides strategies in seven action areas for gender sensitivity in structures, methods and work.[[18]](#footnote-18) In 2016, another IPU resolution called for achieving gender parity in decision-making through a set of measures including quotas.[[19]](#footnote-19)

In October 2022, on the occasion of the 145th IPU Assembly, IPU Member Parliaments issued the Kigali Declaration,[[20]](#footnote-20) committing to:

1. Achieve parity in political decision-making, including by using electoral gender quotas and ensuring that other electoral quotas always have a gender parity provision.

2. Ensure our law-making, law-enforcement, and budgeting are gender-responsive across all policy fields.

3. Put vulnerable populations at the centre of our parliamentary functions of legislation, oversight, resource allocation and representation.

4. End gender-based discrimination, violence and other harmful practices, and ensure access to sexual and reproductive health, rights and justice for all women and girls.5. Advance equality in caring responsibilities among men and women and set an example in our societies by undertaking 50% of the daily care work for our families, regardless of whether we are male or female MPs.

## 3.4.14. The emergence of feminist foreign policies

## While needing to further develop and expand its content, the emergence of feminist foreign policies is a very positive development, initiated by Sweden and followed by several other States parties, which is a critical part of political innovation. It strengthens national capacities to include women at all levels of decision-making and transforms foreign policy with a view to ensuring that it equally benefits women and men, girls and boys in relation to critical sectors including diplomacy, development aid, cooperation with regards to defence and security, climate policies, immigration and trade.

*[The GR will also address women’s leadership role in the Conference of the Parties (COP) and other initiatives on environment protection and combating climate change]*

## 4. Equal and Inclusive Representation of Women in Decision-Making Systems in the General Recommendations of the CEDAW Committee

The future general recommendation builds on GR 23 (1997) and other previous general recommendations issued by the Committee, which stress the role of women’s equal participation in political and public life: in representing “*their governments at the international level*” and participating “*in the* *work of international organizations*” (GR No.8, 1988); as “*care providers, health workers and educators in the prevention of infection* *with HIV”* (GR No.15, 1990) ; in improving theaccess of women with disabilities (GR No.18, 1991), older women (GR No.27, 2010), women living in rural areas (GR No.34, 2016) to the enjoyment of all their rights; in eliminating the “*underlying consequences of gender-based violence*” that contribute to “*maintain women in subordinate roles and contribute to their low level of political participation*” (GR No.19, 1992); for the establishment of “*de facto or substantive equality*” and temporary measures in the field of women's political participation (GR No.25, 2004); in peace-building and/or post-conflict negotiations and reconstruction (GR No.30, 2013); in the realization of education rights for girls (GR No.36, 2017); for “*women's right to a life free from gender-based violence*” (GR No.35, 2017); in the realization of the Sustainable Development Goals and in the participation of decision-making processes related to risk disaster reduction in the context of climate change (GR No.37, 2018); and in reducing risk factors leading to trafficking in women and girls as well as reducing socio-economic injustices (GR No.38, 2020) and in *participation in decision-making within their communities, ancestral and other authorities; in consent and consultation processes over economic activities by State and private actors in indigenous territories; in public service and decision-making positions at the local, national, regional, and international levels; and their work as human rights defenders* (GR No. 39, 2022)

Furthermore, out of the 39 general recommendations issued by the CEDAW Committee since its establishment, 12 briefly mention women's equal access to participation and representation in political and public life of women and girls and only 1 (general recommendation No.23) deals fully with women's participation in political and public life. Given this framework and the principles set out in the previously adopted general recommendations, a general recommendation on equal and inclusive representation of women in all decision-making systems, both for themselves and their countries and the future of the planet, both political and public, for inclusive and participatory governance will clarify the application of the CEDAW Convention to the many situations in which the right to equal and inclusive representation in decision-making systems is not or not fully realized. Moreover, while all of the above-mentioned general recommendations have incorporated the need to affirm equal and meaningful leadership of women, , this principle has been insufficiently considered and prioritized and translated into concrete and systematic action by States.

## 4.1 The Status of Responses to articles on women’s equal participation from States Parties

The CEDAW Convention is the primary legislative guide to women’s human rights and serves as binding law for the 189 states that have ratified it to date. However, despite the large number of states parties to the Convention, the road to equal access to leadership and political and public participation remains long, and progress fragile. Women remain underrepresented in leadership positions, in governance bodies at all decision-making levels (including local, regional, national and international levels), in the civil service, in the private sector and in academia. Despite women’s proven capacities as leaders and agents of change, and despite their undeniable and established right to participate equally in democratic governance reiterated in many international and regional legal instruments, women still face significant multifaced structural and systematic de jure and de facto barriers.

Today, 26 years after the adoption of the Beijing Declaration and Platform for Action by 189 Member States, its relevance remains urgent. Despite some progress, real change has been slow for the majority of women and girls around the world.

Despite some spectacular progress, generally, no Member State can yet be satisfied that this fundamental right has been sufficiently and adequately enshrined in national instruments, or even that there is an effective constitutional, legislative or institutional reference to the equal and inclusive representation of all women in decision-making systems. No Member State can claim to ensure and promote the full, equal and effective participation of all women in all areas of decision-making. Gender stereotypes and multiple other barriers to women’s equal and inclusive representation in decision-making systems remain in all Member States. Women, especially women from the groups in the most marginalized and vulnerable situations, remain largely absent from the political and public spheres, as well as in leadership positions within the private sector. The persistent weak representation of women in decision-making systems is a crucial factor that maintains and can deepen inequalities. Even today, a deep gap remains between the de *jure* and de *facto* situation - that is, the right of women to participate in decision-making and the implementation of this right in the States Parties. Despite significant progress, efforts and political will, discrimination in law and in practice remains a reality rooted also in the sidelining of women in the political and public spheres, as well as in leadership positions within the private sector. This is the result of responsibilities and power imbalances between men and women which reinforce inequalities and systematically deprive women, exacerbated for those in the most vulnerable situations, of access to decision-making and representation. The understanding of women as leaders has not yet been fully embraced. Women are often victims, or at best beneficiaries, of local regional, national and international policies, without being major players in the development of the these. Despite remarkable initiatives, some exceptional success stories, and good practices among States parties, insufficient measures have been implemented measures towards real, structural and sustainable change.

In order to promote the full participation of all women in decision-making systems, systemic structures and gender stereotypes that perpetuate inequalities and hamper the full realization of this international priority must be dismantled. Any response to these challenges must include and involve all stakeholders in the decision-making systems, notably all levels of decision-making at the local, regional, national and international levels of States parties.

## 4.2 Issues Raised in the CEDAW Committee’s Concluding Observations on Equal and Inclusive Representation of Women in Decision-Making Systems

The future General Recommendation will be designed to address the main concerns expressed by the CEDAW Committee in response to the evaluation of States parties’ periodic reports, where the Committee systematically recalled States parties’ obligation to respect the rights conferred notably in articles 7 and 8 and the Convention as a whole. Among others, the Committee has stressed that States parties need to take permanent and temporary measures to address the lack of equal and inclusive representation of women in all sectors, further exacerbated for groups of women in the most marginalized situations, including women with disabilities, women from religious or ethnic minorities, LBTI women, indigenous women, migrant women, women living in rural areas including women living in poverty, and older women, who are often particularly sidelined or even excluded fully, and to eliminate all discrimination in accessing decision-making positions and to set up a system of substantive equality. This concerns the executive, legislative and judicative at all local, national, regional and international levels, including as well, women’s equal and inclusive representation in peacebuilding and post-conflict negotiations, in efforts to build back better after crises such as the COVID-19 pandemic. The recommendations of the Committee convey that the equal and inclusive representation of women is critical in both the public and private sectors to avoid gender-biased measures or those that exclude women and to prevent the perpetuation of gender stereotypes.

The Committee has also consistently emphasized the importance of full access and completion by girls and women to quality education, free from gender stereotypes and gender-based violence enabling them to be adequately trained for exercising leadership roles and for shaping public policies affecting them, bearing in mind, of course, that the current underrepresentation is generally not rooted in women’s lack of capacity but in a net of obstacles and a thick glass ceiling society has set up for them.;;

This systemic approach adopted by the CEDAW Committee in its periodic reviews with States parties is based on the role and place of law in social transformation and has resulted in the development of a standard paragraph on the central importance of parliaments in the implementation of the equal representation objective.

The future General Recommendation will thus serve to demonstrate the intrinsic correlation between implementing the right of representation in decision-making systems and strengthening the effectiveness of other rights of women and girls enshrined in the CEDAW Convention.

## Positive Mobilization of CEDAW Partners and Stakeholders for Equal and Inclusive Representation of Women to Decision-Making Systems

Of all the causes that the United Nations has promoted, few have received such sustained and massive support as the International Women’s Rights Charter: the CEDAW Convention. In this sense, the CEDAW Committee can heavily rely on the positive and tireless mobilization of the actors with whom the CEDAW Committee combines its efforts to make women’s equal and inclusive representation in decision-making systems a default and systematic principle without exception that is reiterated, promoted and defended under all circumstances.

##  The Decisive Role of the Inter-Parliamentary Union for the Equal and Inclusive Representation of Women in Decision-Making Systems

The Committee notes in particular the essential investment made by the Inter-Parliamentary Union (IPU), the world organization of parliaments, which supports the fundamental role played by parliamentarians in promoting and protecting women’s rights, including in the ratification and implementation of the CEDAW Convention. The IPU is a major player in supporting the harmonization of laws with the provisions of the Convention, conducting awareness-raising about women’s right to participate equally in politics as well as about the risks they are exposed to when they try to and do enter politics, and generally of promoting and in pushing the paradigm of equal and inclusive representation.

It is now essential to strengthen the existing synergy between the CEDAW Committee and the Inter-Parliamentary Union in order to take decisive action in support of States’ initiatives and in the context of the 2030 Agenda.

## The Essential Collaboration with UN Women for the Equal and Inclusive Representation of Women in Decision-Making Systems

UN Women, which had dedicated the year 2020 to the leadership of women and girls by celebrating the tremendous efforts of women and girls around the world to shape a more egalitarian future and recovery from the COVID-19 pandemic, is also making a critical contribution in promoting women’s equal leadership as a significative standard to follow, including particularly through their remarkable work on developing multifaceted solutions to strengthen women’s leadership and political participation at multiple levels and in multiple sectors

The collaboration with UN Women in implementing new inclusive and participatory governance is invaluable.

##  The Major Role of Human Rights Bodies for the Equal and Inclusive Representation of Women in Decision-Making Systems

The Human Rights Treaty Body System and the Human Rights Council and its mechanisms, including the Special Procedures and the Universal Periodic Review also play a major role in embedding the systematic rhetoric underlining the importance of women’s equal and inclusive representation in decision-making systems, reminding States and all other stakeholders of their obligations under the CEDAW Convention.

*[For the future general recommendation, research will be conducted on the increasing analysis, emphasis and issuing of recommendations by other human rights mechanisms on the equal and inclusive* *representation of women in decision-making systems.]*

##  The Essential Commitment of Civil Society for the Equal and Inclusive Representation of Women in Decision-Making Systems

Civil society is an essential source of expertise, commitment and meaningful action in defending women’s rights to equal and inclusive representation in decision-making systems. It represents a cultural, social and political diversity that is essential for inclusive and representative governance. It is a source of transformation and must be considered as a key resource and partner in t the implementation of a new inclusive and participatory governance.

The advocacy by women and girl activists in civil society provides a significant and growing number of women with the opportunity to join the culture of advocacy and activism, and with the possibility to exercise direct responsibility in decision-making processes. In addition, the broadening of fields of thought and the correlative approach between equality and global issues are central to this evolution of civil society activists.

This collaborative vision must apply primarily to youth and illustrate the growing importance of global institutions to build for and with the younger generations.

##  The Capital Contribution of Women and Girls Human Rights Defenders for the Equal and Inclusive Representation of Women in Decision-Making Systems

The CEDAW Committee recognizes the essential contribution of women and girls’ human rights defenders in the systematic demand for women’s equal and inclusive representation in decision-making systems. Many decisions strengthening the rights of women at national and international levels have been driven by women human rights defenders. They serve to reinforce the importance of freedom of expression, freedom of opinion and assembly and the fundamental right to participate and debate equality in public and political life.

The recognition of women human rights defenders was inter alia emphasized in the United Nations General Assembly Resolution 68/181, which called on "*States to publicly recognize the important and legitimate role of women human rights defenders in the promotion and protection of human rights, democracy, the rule of law and development as an essential component in ensuring their protection, including the public condemnation of violence and discrimination against women human rights defenders[[21]](#footnote-21)*". The Security Council recalled on 21st October 2021 that the leadership shown by women and girls’ defenders of human rights is of paramount importance, and therefore their place in decision-making (and peace) processes must be assured[[22]](#footnote-22).

Involving women and girls’ rights defenders in the implementation of a new inclusive and participatory governance is essential for the future General Recommendation.

#  Links between Articles 7 and 8, other articles and General Recommendations of the CEDAW Convention

* 1. **Articles 1, 2 and 3 & GR No.25 No.28, and No 39:** These articles require States Parties to condemn and eradicate direct and indirect discrimination against women in all its forms and to pursue by all appropriate means a policy of eliminating such discrimination

Considering, in the light of Articles 1, 2 and 3 of the CEDAW Convention, that women face cross-cutting inequalities and discrimination, exacerbated on the basis of discrimination based on race, ethnicity, disability, religion or belief, health, status, age, class, caste, LBTI status, socio-economic status, efforts to achieve equal and inclusive representation of all women in decision-making systems must include strengthened measures to eliminate all forms of direct and indirect discrimination including specific measures to effectively eliminate intersectional discrimination.

The future General Recommendation, therefore, aims to provide guidance to strengthen the CEDAW Convention’s status in both constitutional and legislative texts, such as by including an express reference to women’s equal access to political and public responsibilities by emphasizing the essential role of national parliaments in achieving this goal;

The future General Recommendation aims to provide guidance to ensure that women in all their diversity, including through organization that represent them, are in the driving seat in the development of measures to eliminate all forms of discrimination against them in order to pave the way towards the equal and inclusive representation of women in decision-making systems. It can also be noted in this regard that the representation of women in all spheres of society, including also in religious institutions and the media has a high potential to advance equality;

The future General Recommendation aims to provide guidance to combine the effectiveness of the public sector, at all levels of governance at national, regional and local levels. In addition, a common approach by all levels of governance, and the implementation of policies based on concrete indicators and their regular evaluation and improvement are central aspects of an institutional environment favorable to equality. In this regard the international cooperation of cities, local and regional governments is also highly important.

* 1. **Articles 4, 5 and 6 & GR No.19 No.35 and No.25:** In order to achieve gender equality, States parties should adopt temporary special measures to advance the status of women in society. In its General Recommendation No.25 (2004), the CEDAW Committee explained that “*temporary special measures may also be based on decrees, policy directives and/or administrative guidelines formulated and adopted by national, regional or local executive branches of government”*. The advancement of women's status and position in decision-making systems must be achieved through the introduction of such temporary special measures when they can accelerate processes and also by the introduction of permanent measures ensuring parity.

Considering, in the light of Articles 4, 5 and 6 of the CEDAW Convention, that the various direct and indirect forms of gender-based discrimination form a multitude of severe obstacles for women to access and rise within decision-making systems the future General Recommendation aims to provide guidance to systematically develop permanent measures as a priority and also temporary special measures for women's equal and inclusive representation in decision-making systems, including via the development of quotas.

* 1. **Articles 7 and 8 & GR No.23 and No.30:** Article 7 extends women’s equal and inclusive representation in decision-making systems to all areas of public and political life. It is not limited to those specified in the article *stricto sensu*, as the interpretation of the Committee’s jurisprudence has proven. The political and public life of a country is a broad concept and can refer to the exercise of political power, in particular legislative, judicial, executive and administrative offices, all aspects of public administration, and the formulation and implementation of policies at the international, national, regional and local levels. Women’s right to participate also means the right to participate in civil society, public commissions, local assemblies, as well as political parties, trade unions, professional or industrial associations, women's organizations, community associations and other associations concerned with public and political life. The CEDAW Committee adopted General Recommendation No.23[[23]](#footnote-23) on this specific subject at its sixteenth session in 1997. There, the Committee stresses the responsibility of States to appoint women to high-level positions at all levels (including local, regional, national and international levels), in all public administrations or in the judiciary, and to encourage political parties to do the same. States should ensure that women have access to information and take measures to overcome the difficulties of illiteracy, language problems, gender-based violence against women, including harassment, cyber harassment and hate speech, poverty and obstacles to women’s freedom of movement. Women’s participation is also important in peacebuilding and reconstruction processes if post-conflict societies are to be rebuilt on the basis of respect for fundamental rights, including gender equality and democratic values, as well as in the responsible governance of our planet. Therefore, it is necessary to anchor and institutionalize women’s equal and inclusive representation by updating General Recommendation No.23.

In addition, article 8 requires States parties to take “*all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations*”. Given the traditional ways in which many political parties operate, and the structures of government that very often continue to impede women’s participation in public life, women may lack the courage to seek political office because of a double burden - the high cost of seeking and holding public office, coupled with discriminatory attitudes and practices, and the new general recommendation will provide guidance to address these multiple and various forms of obstacles that women face.

Considering, in the light of Articles 7 and 8, that women are still poorly represented at all levels of decision-making systems, including in the areas of deliberation and legislation, and in the exercise of diplomatic and representative responsibilities within international organizations and development agencies, both for themselves and for their countries; the future General Recommendation aims to provide guidance to integrate a bottom-up approach of women’s mobilization in the assumption of responsibilities and decision-making position. he

The future General Recommendation aims to anchor and institutionalize, in an effective and sustainable manner, the implementation of an inclusive and representative vision of governance through concrete cooperation with civil society, in particular women human rights defenders and the effective participation of women from groups in marginalized and vulnerable situations.

The future General Recommendation aims to provide guidance to further harness the potential of these articles and to base this fundamental right on a more comprehensive, global, harmonized and operational approach, including, but not limited to, the action of political parties, and the participation of civil society, in particular women human rights defenders, in both political and public action, such as in the elaboration of electoral reforms and a common approach aimed at equal and inclusive representation of women by the national and local levels.

**5.4. Article 9, Nationality and citizenship**

The future general recommendation will also be elaborating on the importance of nationality and citizenship, in light of the critical role of birth registration to ensure citizenship and participation in political processes.

* 1. **Articles 10, 11 and 12 & GR No.24 and No.36:** The interdependence between the implementation of sexual and reproductive health and rights, health in general and the implementation of all other women’s rights cannot be denied. Their realization is a pre-condition to women’s access to political and public responsibility. The importance of access to all areas of economic and social life, access to employment and education of women has also been widely, understood and promoted globally. Women's equal and inclusive representation is critical not only in terms of active citizenship, but also in the development of legislation and policies that will affect the lives of society as a whole, in the fields of education, employment and health. In order for these rights to be respected, it is essential that they be incorporated, integrated and applied in legislation and policies. Therefore, it is essential that the voice of women be equally included in the shaping of such policies and/or legislation.

The GR will therefore deal with the equal access of women and men in education, employment and health, regarding the laws and public policies defining them, in their planning, budgeting, provision of services, etc. and their implementation and taking into account digital and communication technology in these fields. Considering, in the light of Articles 10, 11 and 12 of the CEDAW Convention, that unequal access to power and decision-making covers all aspects of the labour market, from access to education to career choices, but also access to health care for all women;

The insufficient evolution of equality in the labour sector (horizontal and vertical segregation) is not only a violation of women’s rights but also undermines sustainable development. It has contributed to the under-representation of women in leadership positions which perpetuates and reinforces the lack of equality in sectors of innovation, for example digitalization.

The insufficient sharing of parental and care-responsibilities and particular high burdens for single parents, also creates a time poverty for women which adds to the obstacles for women to engage in decision-making systems and leadership positions. The future general recommendation aims to provide guidance on opening new avenues on structuring the world of work that allows for the necessary flexibility to both follow a career in the private and public sector, as well as parental and caretaking responsibilities.

The future General Recommendation aims to provide guidance to strengthen the development of public policies in an inclusive manner by integrating an equality dimension and gender perspective at all levels of their design and implementation, including in planning, budgeting and the provision of the necessary supporting measures, both for access to the labour market and for access to education and health;

The future General Recommendation also aims to provide guidance to strengthen women's empowerment in decisions affecting their own bodies, including sexual and reproductive health and rights issues;

The future General Recommendation also aims to provide guidance to strengthen measures towards the necessary deconstruction of gender stereotypes, including in their newly emerging forms, which provide obstacles and also discourage women and girls from embarking into decision-making systems, including in the choice of their educational and career paths. In this regard comprehensive education aiming at the empowerment of women and girls is needed.

The future General Recommendation aims to provide guidance to strengthen access for all women to both education and employment, in particular by addressing and eliminating the clear gender digital gap in access to and participation in the design of all areas of digital and communication technology, with a special focus on artificial intelligence.

* 1. **Articles 13 and 14 & GR No.34 and No.37:** Strengthening women’s right to equal and inclusive representation in decision-making systems also means empowering them to defend their economic and social rights to bring women’s voices to the highest level of decision-making in their countries, and in particular to ensure that women have equal access as mento participate in economic and commercial life by obtaining loans and claiming other forms of financial benefits. These rights should be secured and reflected in public policies and national legislation shaped by them. Achieving equal and inclusive representation of women in decision-making systems requires to also ensure that public policies and national legislation provide equal opportunities to participate in defining economic and social rights as well as sports and cultural activities, with equal access to responsibilities and decision-making systems, in urban and rural areas. The right of access to decision-making systems applies to all women, regardless of the obstacles that must be overcome to facilitate the exercise of this right. Overcoming such obstacles shall be a priority and not postponed to a later stage. In this sense, opportunities for equal access to participation and representation in decision-making systems must also be available to women from the most disadvantaged and isolated backgrounds, as well as geographical areas.

Specific consideration needs to be placed on the participation of women in marginalized situations, such migrant women in public and political life, who often face multiple de jure and de facto obstacles.

Considering, in the light of Articles 13 and 14 of the CEDAW Convention, that all women, and particularly women with disabilities, women living in poverty, rural women and indigenous women, are the primary victims of the effects of climate change and remain under-represented in decision-making positions in climate governance and in decision- making processes as reflected in General Recommendations No.34, No.37 and No. 39, the future General Recommendation aims to adopt an inclusive and participatory vision of women's action in the public and political sphere and the private sector, recognizing the role of all women, including indigenous women and women human rights defenders, as powerful agents of change at all levels of society, reflecting their overarching commitment to climate.

The future General Recommendation aims to strengthen the equal and inclusive representation of all women on an equal footing with men in the elaboration of public policies and in the implementation of responses to climate change, particularly for women with disabilities, women living in poverty, women living in rural areas and indigenous women.

* 1. **Article 16 & GR No.29:** In order to advance both women’s equal and inclusive representation in decision-making systems and the way society treats and thinks about women in the public sphere, it is crucial to dismantle gender stereotypes and ensure women’s equal status at all levels of society, with a particular focus on the private and family sphere, including with regard to marriage, divorce, inheritance, custody and gender roles and the division of carework responsibilities in general. .At the same time, strengthening, women’s right to equal and inclusive representation in decision-making systems increases women's ability to exercise autonomy over their lives in the private and family sphere and strengthening their status therein. .

# A New Approach Based on Equal and Inclusive Representation in Decision-Making Systems: Equal Rights of Representation in Decision-Making Systems, Equal Rights of Representation within Decision-Making Systems, Equal Rights through Representation in Decision-Making Systems

## Update of GR No.23: Inclusive and Representative Governance

The future General Recommendation will recalibrate the concept of women’s equality to their rights of equal and inclusive representation in decision-making systems to a broader notion that also includes rights within decision-making processes, and rights through equal and inclusive representation in decision-making systems, with an emphasis on personal and leadership skills and the development of skills to participate effectively in the public and political life by all women. Indeed, women's equal and inclusive representation in decision-making systems is a right deriving from the duties of States of ensuring the implementation of the Convention, in particular to respond to articles 7 and 8, as interpreted by the Committee. It must be analyzed as a systemic approach aimed at the effective sharing of responsibilities and ownership of decision-making by all women. The general implementation of the CEDAW Convention is linked to the equal representation of women in political and public life. In addition, women must exercise decision-making power, contribute directly to the development of laws and be not only the beneficiaries of public policies, but also and above all equally contribute to their full and effective development and implementation.

The future General Recommendation will build on and strengthen the Committee’s recommendations as expressed in its concluding observations and general recommendations and in the Committee’s jurisprudence. This paradigm shiftis necessary to reach the Sustainable Development Goals by 2030. The concept of women’s political leadership and inclusive and representative governancerequires a contemporary approach as a major factor in the evolution of women’s status: the power to say, the power to do and the power to decide - for themselves as well as for the management of their countries and the preservation of the planet.

The future General Recommendation will also focus on positive examples of decision-making systems and their impact on innovative models of governance. The GR will give clear guidance for a stronger implementation of the Convention thanks to equal and inclusive representation of women. It will analyze the essential criteria for a strategy to accelerate equal and inclusive representation of women in all spheres of decision-making systems and will address all the above-mentioned articles of the Convention with the aim of a global and harmonized update of GR 23.

This inclusive and representative consideration also aims to place a particular focus on and develop specific measures for the integration of women who are victims of intersectional discrimination, as well as women from groups in marginalized and vulnerable situations.

## 6.2. The Right to Political and Public Participation and Representation

* + 1. **Equal and inclusive representation**

Article 7 requires States parties to take all appropriate measures to eliminate discrimination against women in the political and public life of the country, and to ensure their right:

(a) To vote in all elections and public referenda and to be eligible on an equal footing for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and its implementation, to hold public office and to perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Article 8 requires States parties to take appropriate measures to improve women’s equal access to represent their governments at both the international and national levels and to participate in the work of international organizations.

No reservations have been made by States parties to the Convention on articles 7 and 8, demonstrating the willingness of States parties to engage in a unifying change regarding the rights conferred in the above-mentioned articles.

## Commitment of States to allocate Effective Quantitative Responses to the Representation and Participation of Women in Decision-Making Processes

The success of some States and the efforts of many will be analyzed and highlighted with a view to showcasing exemplary good practices. Indeed, the efforts of States parties to adopt such measures is a key indicator of their willingness to make a decisive shift towards the full and effective equal and inclusive representation and participation of all women at all levels of decision-making.

This data, in line with initiatives concerning the private sector, and the adoption of quotas in all spheres of political and public life, determines the level of involvement and willingness of the State to commit to this path. Therefore, the CEDAW Committee systematically recalls the importance of permanent and temporary special measures in the application of the Convention, including through the use of political quotas.

##  The use of Temporary Special Measures

The use of temporary special measures will be a key tool in the implementation of inclusive and participatory governance at all levels of decision-making.

Quantitative and qualitative indicators should be considered systematically, including quotas relating to the number of women in all areas of political and public decision- making.

The purpose of quotas is to correct century-long discrimination and disadvantage of women, which continues today and is at the root of the glass ceiling that women experience. In view of the multifaceted net of barriers women are faced with and which disadvantage them in relation to men, quotas are temporarily necessary to accompany long term measures to provide equal access to decision-making systems to women of the current generation. This is not in contradiction to the principles of meritocracy, it solely allows for an equal start and responds to the urgency highlighted by the future general recommendation of the necessary acceleration in the implementation of the requirement of equal representation for the benefit of the global community.

There are two types of quotas: quotas established on the initiative of political parties, and quotas established by national legislation for women’s representation in political and public institutions and bodies.

##  Legislation Governing the Right of Equal and Inclusive Representation in Decision-Making Systems

Equal and inclusive representation in decision-making systems is the foundation of the right to political and public participation. As such, States parties should introduce legislation for equal and inclusive representation and should take measures to enable such representation at all levels of decision-making, whether local, regional, national or international.

It is therefore also essential, in accordance with Article 8 of CEDAW, that States Parties develop and adopt detailed national action plans for the progressive implementation, of the principle of access to decision- making for all, within a reasonable number of years as set out in the plan.

## Addressing the Persistent Low Representation of Women in Decision- Making Systems

Historically, the political sphere, by virtue of its public nature, has long been associated with a space of power reserved solely for men - with women remaining confined to the spheres of reproductive responsibility: the private sphere. This division and the way the public sphere has been administered has been a major instrument of the state through which patriarchal attitudes, that have shaped social and cultural patterns regarding the roles of women and men in society, have been reproduced. It is therefore essential to dismantle patriarchal attitudes at all levels of society, both in the public and private sphere.

Women face different kinds of obstacles on the road to political participation.

On the one hand, there are structural barriers caused by persistent discriminatory laws in many sectors and institutions that still de jure or de facto restrict their opportunities to vote or run for political office, including the lack of widespread use of temporary special measures. On the other hand, gender stereotypes and patriarchal attitudes, including newly emerging versions of these, and the prevalence of gender-based violence against women, also rooted in these stereotypes and attitudes, continue to create de facto barriers. These legal and practical direct and indirect restrictions also often interlink and further thicken the glass ceiling for women. Practical barriers to women’s participation are generally more common than legal barriers. It has been demonstrated that, despite the international, legal and juridical consensus on the necessary participation and equal representation of women, the persistence of structural and systematic barriers inhibits the possibility of achieving the objectives set.

In addition to frequent human rights violations against women - including rampant gender-based violence against women, lack of- or hampered access to sexual and reproductive health and rights and exacerbation of human rights violations against women in times of conflict additionally prevent women from entering decision-making spheres - the main reasons behind the low representation of women in decision-making systems are the barriers that society creates based on gender stereotypes – to varying degrees in all States - which underestimates the capacity of women to exercise leadership positions, and wants to assign them a care-given role. This also leads to women’s internalization of such stereotypes which results in self-limitation and self-censorship . Furthermore, due to lack of resources, women are less likely than men to receive the training, contacts and mentors, as well as resources necessary to become successful leaders. This not only prevents women from engaging in leadership positions but also fosters a reluctance among the electorate to elect women, and prevents them from recognizing women’s essential role and potential in all decision-making systems. The low number of role models also self-perpetuates itself and contributes to a vicious circle of non-representation of women. However, when role models are available, it has been shown to be a significant tool in combating traditional notions of gender that perpetuate patriarchal and paternalistic social and economic systems. Where women’s representation is significant, the Committee notes with appreciation that this sets in motion a virtuous circle. For example, the high representation of women in the Rwandan Parliament has a positive impact on the representation of women in decision-making bodies because women parliamentarians are seen as role models, especially with regard to self-confidence.

When women’s right to equal and inclusive representation in decision-making systems is fully implemented and developed, then women are empowered to claim their rights, make their voices heard and claim space and assume equal leadership; the leadership of women having been very much recognized and lauded.. In the face of interdependent global challenges that require collaborative decision-making, the world can no longer do without the potential of half of humanity. It is therefore critical to create an enabling environment ensuring gender equality and the advancement of women at all levels of decision-making.

# Objectives: Develop an Innovative, Inclusive, Representative, and Harmonized Approach to Achieve Tangible Results by 2030

## Changing the Paradigm

The future General Recommendation aims to engage the CEDAW Committee in a global, modern, and unifying paradigm shift by establishing a new vision of societies that is based on a new model of governance based on the equal sharing of power of women and men and, for this purpose, women’s equal and inclusive representation in all decision-making systems.

The GR aims at a paradigm shift based on a double dynamic: equal and inclusive representation of women in public and political decision-making systems and to the leadership positions in the private sector , but also, and above all, a transformative effect of their status (*concept of Political Leadership*).

## Addressing Women’s Multidimensional Barriers to Equal and Inclusive Representation in Decision-Making Systems

The future General Recommendation aims to assess the social, cultural and educational barriers and obstacles, and to provide guidance to effectively and sustainably tackle existing discrimination, inequality and violence against women in accessing and exercising public and political responsibilities.

## Open Avenues for Solutions

The future General Recommendation will provide concrete recommendations for multisectoral National Action Plans to accelerate and institutionalize the achievement of equal and inclusive representation of women with the aim of achieving by 2030 a systemtic shift.

The future General Recommendation will highlight key action points for a new commitment by Member States to a paradigm shift that incorporates an equal and inclusive vision of governance in line with the CEDAW Convention.

Full and effective equal and inclusive representation of women at all levels of decision-making systems will require making a direct link with the implementation of the Sustainable Development Goals in a systematic manner at all decision-making levels (*open list*):

## Implementation of the concept of gender equality and inclusion in decision-making systems, and inclusive and representative governance in national institutional legal frameworks (constitutional, legislative and administrative) including public administrations and organizations under the authority of the State;

* + 1. **Accelerated harmonization by States parties of their laws, regulations and practices with international human rights obligations, including through the adoption of a 2030 National Action Plan, including permanent and temporary special measures and based on adequate resources on equal and inclusive representation of women and the empowerment of women and girls;**
		2. **The institutionalization of strong cooperation with civil society, in particular women human rights defenders, who are drivers of change and important partners in securing its implementation, including by endowing civil society with sensitization competencies on women’s equal participation and expertise in all matters of governance;**

## The adoption of appropriate electoral reforms towards the acceleration of equal and inclusive representation of women with the participation of political parties;

* + 1. **The creation of an institutional environment favorable to parity, offering gender-sensitive structures, including in terms of working conditions and social innovations and incorporating a zero-tolerance approach for all forms of gender stereotypes, discrimination, violence, harassment and disrespect, including online, against women and girls;**

## The adoption of laws and policies to eliminate all forms of gender-based violence against women in politics and the implementation of capacity-building programmes for women activists in the political, diplomatic and parliamentary fields;

## The development and implementation of awareness-raising measures targeting the larger public on the issue of equal representation and of training for women and girls to ensure sensitization for access to all levels of public policy and governance and taking responsibility for this purpose;

* + 1. **The implementation of proactive internal policies for the promotion and appointment of women to decision-making positions in all sectors based on results targets and precise indicators;**

## The strengthening of women’s equal and inclusive representation in all international, bodies, such as the Security Council, settings, such as international and regional conferences, such as Conferences of Parties (COP), and organizations, and the promotion of feminist foreign policies aimed at strengthening national capacities to include women at all levels of decision-making, including in the formulation and definition of development, peace and security programmes; and the full implementation of Resolution 1325, which needs to be further deepened in line with the CEDAW Convention;

* + 1. **The promotion of new communication strategies, including through new communication technologies, to promote women’s and girls’ leadership, gender equality, and eliminate gender stereotypes;**

## The integration and reinforcement of an equality and empowermentperspective in education policies and civic education activities for women and girls, including ensuring that gender stereotypes are effectively tackled, and that the digital divide is bridged and addressed;

* + 1. **The adoption, implementation and strengthening of effective follow-up measures to ensure women’s access to elected office and positions of responsibility at all levels of decision-making;**
		2. **The adoption of a policy of equal opportunities in the world of work, to allow women’s equal access to decision-making positions based on concrete, measurable indicators based on institutionalized partnerships with the private sector, including national action plans to fill the alarming gap in innovation sectors through temporary special measures, such as by prioritizing large-scale access to education and training in this regard;**
		3. **The adoption of measures to allow parents to combine their professions with their parental responsibilities, including specific measures of support to single parents to follow careers in the private and public sector;**
		4. **Understanding and approaching the duty towards equal and inclusive representation of women as a historical requirement and strategic priority for implementation of women’s rights, the sustainability of resilient societies and the benefit of humanity in response to the expectations of the young generation.**
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